



# 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](http://www.kittery.org)

**AGENDA for Thursday, May 14, 2015**

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

## **CALL TO ORDER**

## **ROLL CALL**

## **PLEDGE OF ALLEGIANCE**

## **APPROVAL OF MINUTES OF 4/23/2015 MEETING**

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

## **PUBLIC HEARING/OLD BUSINESS**

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

Action: hold a public hearing, grant or deny preliminary plan approval. Owner and applicant Peter J. Paul, Trustee of AMP Realty Holdings, LLC, requests approval of plans to develop a multi-family residential cluster subdivision. The approximately 18-acre parcel is located on 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.

### **ITEM 2 – 100 Pepperrell Road – Shoreland Development Plan Review**

Action: hold a public hearing, approve or deny development plan. Owners and applicants Jonathan King and James W. Stott are requesting approval of plans to remove the 20<sup>th</sup>-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 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.

## **OLD BUSINESS**

### **ITEM 3 – Old Armory Way Mixed Use Development – Preliminary Site Plan Review**

Action: grant or deny continuance. Owner/applicant Ken McDavitt continuance of his plan seeking approval to construct two condominiums (total of three dwelling units) with eight commercial boat slips at 15 Old Armory Way, Tax Map 4, Lot 51 in the Mixed Use – Kittery Foreside (MU-KF) Zone, Shoreland Overlay (OZ-SL-250') Zone, and Commercial Fisheries/Maritime Uses Overlay (OZ-CFMU) Zone. Agent is Ken Wood, P.E., Attar Engineering, Inc.

### **ITEM 4 – Yankee Commons Mobile Home Park Expansion – Subdivision Preliminary Plan Review**

Action: schedule a public hearing. Owner/applicant Real Property Trust Agreement requests consideration of plans for a 78-lot expansion of the Yankee Commons Mobile Home Park for the property located at US Route 1, Tax Map 66, Lot 24 in the Mixed Use (MU) and Residential – Rural (R-RL) Zones. Agent is Thomas Harmon, P.E., Civil Consultants.

## **NEW BUSINESS**

### **ITEM 5 – 81 Tower Road – Shoreland Development Plan Review**

Action: accept or deny plan application; approve or deny plan. Owner/applicant The Frederick Nominee Trust requests consideration of a shoreland development plan for an addition to and second story expansion of an existing, nonconforming structure located at 81 Tower Road, Tax Map 58, Lot 46 in the Residential – Rural Conservation (R-RLC) and Shoreland Overlay (OZ-SL-250') Zones. Agent is Jason Smith, Evergreen Builders.

**ITEM 6 – Hampton Inn, 275 US Route 1 – Sketch Plan Review**

Action: approve or deny sketch plan. Owner Kittery Trading Post Shops, LLC and applicant 275 US Route 1, LLC request consideration of a sketch plan for a commercial development consisting of an 83-room hotel located at 275 US Route 1, Tax Map 30, Lot 41 in the Commercial 1 (C-1) and Resource Protection Overlay (OZ-RP) Zones. Agent is Ryan Plummer, Two International Group.

**ITEM 7 – 9 Mill Pond Road – Shoreland Development Plan Review**

Action: accept or deny plan application; ~~approve or deny plan.~~ Owner/applicant Eric Stites requests consideration of a shoreland development plan for an addition to and second story expansion of an existing, nonconforming structure located at 9 Mill Pond Road, Tax Map 23, Lot 6A in the Residential – Urban (R-U), Shoreland Overlay (OZ-SL-250’), and Resource Protection Overlay (OZ-RP) Zones. Agent is Tom Emerson, Studio B-E.

**ITEM 8 – Lewis Farm Subdivision Phase II – Major Modification to an Approved Plan**

Action: approve or deny plan modification. Owner/applicant Lewis Farm, LLC requests consideration of a major modification to an approved subdivision plan located off Haley Road and Lewis Road, Tax Map 61, Lots 25 and 29, in the Residential – Rural (R-RL) Zone. The modifications consist of revised lot lines and revised Maine Department of Environmental Protection wooded buffers. Agent is Jeffrey Clifford, P.E., Altus Engineering.

**ITEM 9 – Board Member Items / Discussion**

- A. Committee Updates
- B. Other

**ITEM 10 – Town Planner Items:**

- A. KACTS Kittery Foreside 2016-17 Infrastructure Funding Update
- B. Other

**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 KITTERY, MAINE**  
2 **PLANNING BOARD MEETING**  
3 **Council Chambers**

**UNAPPROVED**  
**April 23, 2015**

4  
5  
6 Meeting called to order: 6:05 p.m.

7 Board members present: Chair Ann Grinnell, Vice Chair Karen Kalmar, Secretary Deborah

8 Driscoll Davis, Mark Alesse, Robert Harris, David Lincoln

9 Members absent: None

10 Staff present: Elena Piekut, Assistant Town Planner

11  
12 Pledge of Allegiance

13  
14 Minutes: April 9, 2015

15 Ms. Davis requested an amendment.

16 **Ms. Kalmar moved to approve the minutes of April 9, 2015 as amended.**

17 **Ms. Davis seconded.**

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

19  
20 Public Comment: Ms. Grinnell opened the public comment period and, hearing none, closed it.

21  
22 **ITEM 1 – Beatrice Way – Major Subdivision Plan Review**

23 **Applicant Richard Sparkowich, on behalf of owner Operation Blessing LP, requests comment and**  
24 **discussion with the Board regarding clarity on conditions of preliminary approval for the proposed**  
25 **five-lot subdivision on remaining land from the previously approved three-lot subdivision located**  
26 **between Highpointe Circle and Kittree Lane at Tax Map 61, Lot 8, in the Residential – Rural (R-**  
27 **RL) Zone.**

28  
29 Mr. Sparkowich distributed a plan and explained the proposal to re-delineate certain sections of the  
30 wetland boundary. He also pointed out a new note on the plan as to the definition of a driveway.

31 The definition has been discussed as if it refers to dwellings, when in fact it refers to a way serving  
32 *lots*. He believes this may solve the issue of driveway length discussed previously. Mr.

33 Sparkowich also provided some overview of the street naming and acceptance process and

34 distributed photographs to illustrate the overlap between Kittree Lane and the right-of-way

35 extending from Highpointe Circle. He also explained that 12 Kittree Lane was so addressed

36 although the deeded right-of-way is through Highpointe Circle and the new right-of-way.

37  
38 Ms. Grinnell suggested that staff provide the Board with a suggestion of how to address these  
39 issues.

40 Ms. Piekut explained how the Board could address the wetland delineation at this meeting given  
41 their previous discussion and preliminary conditions of approval made March 12.

42 Ms. Kalmar reported that in reviewing the video of that meeting, she saw that the Board raised no  
43 objections to the proposed re-delineation, and asked about the staff suggestion to include  
44 additional boundaries marked in yellow.

45 Ms. Piekut explained that the intent is to “close the loop” and define the building envelope for that  
46 lot.

47 Ms. Davis added that it will help also determine the distance between the vernal pools and  
48 proposed open spaces.

49 Discussion ensued with the Board coming to a consensus that the applicant should follow the staff  
50 suggestion.

51

52 **ITEM 2 – Town Code Amendment - Title 16.7.3.5.6 Nonconforming Structure Reconstruction.**  
53 Action: discuss amendment and schedule a public hearing. Proposed amendment addresses an omission in  
54 the current code related to reconstructing nonconforming structures outside of the Shoreland Overlay  
55 Zone.

56  
57 **Ms. Kalmar moved to schedule a public hearing to consider the reconstruction of nonconforming**  
58 **structures for May 28, 2015.**

59 **Mr. Alesse seconded.**  
60 **Motion carried: 6-0-0**

61  
62 **ITEM 3 - Kittery Neighborhood Bicycle/Pedestrian Planning – Presentation and Stakeholder**  
63 **Workshop**

64 The Kittery Area Comprehensive Transportation System (KACTS) Metropolitan Planning Organization  
65 and the Town of Kittery are working together, with consultants Sebago Technics, to study the Route 1  
66 Bypass from Memorial Circle to the Sarah Mildred Long Bridge. This meeting is an opportunity to  
67 provide input on the future transformation of the Bypass, i.e. number of vehicle lanes, sidewalks,  
68 landscaping, bike lanes, etc. in light of the new bridge. Steve Sawyer, P.E. of Sebago Technics facilitated.  
69

70 Mr. Sawyer provided an introduction for the Planning Board and the attendees (approximately 25) about  
71 the project’s scope, progress to date, and its end product. Ms. Grinnell paused the meeting for 5 minutes  
72 to allow everyone to review first-hand the graphics that were provided, including Study Area mapping  
73 and Inventory information as well as a large scale aerial photograph of the Route 1 Bypass from Bridge  
74 Street to the Memorial Circle.

75  
76 Following the recess, Ms. Grinnell opened the workshop for public comment, summarized below:  
77

78 Norm Albert – Public Works Commissioner

- 79 • Explained that the Town is currently in the process of connecting “sidewalks to nowhere” through  
80 the Capital Improvement Plan

81  
82 Russell White – Member of Town Council and Comprehensive Plan Committee

- 83 • The Route 1 Bypass is a major entry into Kittery
- 84 • The Town has identified future growth areas as being south of Spruce Creek—the Bypass is  
85 within this area of town
- 86 • Pedestrian and Bike usage will increase in the future
- 87 • He favored a change in the Bypass character’s to be less vehicle dominant

88  
89 Steve Workman – Bike/Ped advocate and resident of Bridge Street

- 90 • Worked on creation of Eastern Trail and East Coast Greenway
- 91 • He favored a “Complete Street” focus for the Bypass through reallocation of the existing ROW to  
92 additional modes of travel
- 93 • He mentioned the need to accommodate the large truck users
- 94 • He mentioned that the Bypass is a gateway to Kittery and Maine
- 95 • He has worked throughout the development of the new Sarah Mildred Long Bridge on the issue  
96 of allowing bikes on the Bypass
- 97 • He would like to see narrower lanes on Bridge Street by adding edge lines
- 98 • He suggested sharrows be added to Cook Street and Old Post Road
- 99 • He suggested the addition of edge lines and possibly sharrows on South Eliot Road as soon as it  
100 is repaved

- 101 • He mentioned that Dennett Road now has suitable shoulders and should not require any further  
102 treatments for bike safety  
103 • He would like to see the Study include the intersections of Government and Walker with Route 1  
104 be added because they both are deficient in having turning lanes for bikes  
105 • He would like to see the intersection of Old Post Road and Bridge Street addressed due to the  
106 lack of sufficient sight distance when exiting Old Post Road onto Bridge Street—make one way  
107 or prohibit left turns for improved safety  
108

109 Kelly Moore – Oak Terrace Resident

- 110 • She would like an Rectangular Rapid Flash Beacon (like near Beach Pea) installed at the Bridge  
111 Street crosswalk near Old Post Road  
112 • This would help the Oak Terrace area feel more connected to the neighborhood  
113

114 Steve Sawyer

- 115 • Explained that the final surfacing and pavement markings around the bridge will not be  
116 permanent until it opens  
117 • DOT has provided written confirmation that bikes will not be prohibited from the Bypass  
118

119 Ms. Grinnell asked for a show of hands of those that favored allowing and providing for bikes on the  
120 Bypass—the majority in attendance supported this idea.  
121

122 David Lincoln – Planning Board member

- 123 • Had Mr. Sawyer explain that there is no bicycle traffic on the New Hampshire side of the Bypass  
124 and bikes are routed to the Albacore Connector and Market Street  
125 • Noted that there are multiple types of traffic: transit, recreational, Shipyard  
126

127 Tom Emerson – Member of the Economic Development Committee, Ox Point Drive resident

- 128 • He would like to see better access to the Bypass for local businesses, i.e. slower speeds and  
129 updated zoning to encourage new business creation  
130 • He thinks the Bypass doesn't function as a bypass in the conventional sense anymore and the  
131 need for five lanes was not necessarily needed anymore in light of the two-lane SML Bridge  
132

133 Ms. Grinnell asked for a show of hands of those that favored reducing the current Bypass lanes from five  
134 to three. The majority supported this idea.  
135

136 George Dow – Member of the Economic Development Committee

- 137 • He expressed concern about reducing the number of lanes on the Bypass because he thought it  
138 would make locating a business there less likely because it would be more difficult to gain access  
139

140 Mark Alesse – Planning Board member

- 141 • Agrees that Bypass should remain two lanes, thinks road could be widened to accommodate  
142 bike/ped as well  
143

144 Craig Wilson – resident biker

- 145 • He thought speeds on the Bypass were too high for safe bike travel  
146 • Suggested that a pedestrian lane could be cantilevered out at railroad crossing  
147 • Pointed to success of traffic circles for cyclists in North Conway, NH's North-South Road bypass  
148

149 Debbie Driscoll-Davis – Planning Board member

- 150 • The existing railroad underpass on the Bypass is a limiting roadway width factor to providing  
151 bike lanes—there currently are no shoulders across this structure. It would have to be widened to  
152 accommodate bikes unless the number of lanes were reduced. She mentioned that she thought  
153 that this structure was on the MaineDOT’s list for rehab in the foreseeable future.  
154

155 Norm Albert – Public Works Commissioner

- 156 • He commented that Memorial Circle is currently being redesigned and it will have  
157 accommodations for pedestrians and bikes  
158

159 Charlie Bourdage – Biker and resident of Government Street

- 160 • He thought the Study Area should have been extended to the north and commented that the  
161 existing roadway network north of Memorial Circle was a mess  
162

163 Mark Della Pasqua – Owner of Coastal Fitness on the Bypass

- 164 • He thought that the business community should make investments to their properties along the  
165 Bypass before the community put forth public money for any roadway improvements  
166

167 Dan Cochran – Owner of Jackson’s Hardware on the Bypass

- 168 • He wasn’t convinced that there was a demand for bike and pedestrian travel on the Bypass  
169 • He pointed out that the current SML bridge is posted to large trucks and as soon as the new  
170 bridge opens, large trucks will begin traveling the Bypass in greater numbers—due to this, he was  
171 concerned that bikes and trucks might not mix well  
172

173 Steve Workman

- 174 • He mentioned that providing safe and inviting facilities will encourage usage by residents and  
175 visitors to the area, e.g. Portland, OR  
176 • He mentioned the growing interest in “ecotourism” and its potential for the Seacoast area could  
177 be a big economic impact  
178 • He said that there is much data to support the notion that usage will follow if facilities are built  
179

180 The workshop concluded with the understanding that Sebago would take the comments received at the  
181 meeting into consideration and develop several alternatives for presentation to the group at their meeting  
182 in early June.  
183

#### 184 **ITEM 4 – Board Member Items / Discussion**

185 A. Discussion of Foreside Forums Report

186 B. Committee Updates

187 C. Action List; review, edit, and prioritize

188 D. Other  
189

190 Ms. Grinnell and Ms. Kalmar framed the discussion by explaining that the Council has asked the Board to  
191 determine whether and how to reinstate the Kittery Foreside Committee for design review. Ms. Grinnell  
192 read from the Town Manager’s report of February 9: “I recommend the Council allow the Planning Board  
193 to work on the broad issue of the Kittery Foreside Committee composition and ordinance language, and in  
194 the interim, the Planning Board can decide whether to request a peer review for design standards.” She  
195 explained that the Committee is in the code and is inactive because it sunset.

196 Ms. Davis expressed her opinion that if a committee is reestablished, the positions should be filled by  
197 people who live and work in the Foreside, but it disbanded over the years for the lack of those people. She  
198 asked if the committee is reinstated, “what teeth is it going to give us?” and wants the Board to look at the

199 report to determine zoning changes that will help “the Foreside area continue to grow without hurting the  
200 residential aspect of it.”

201  
202 Ms. Kalmar understands from the Council that their goal is to engage a consultant who will make  
203 recommendations on how to implement the vision of the Foreside Forums Report. She is in favor of  
204 waiting for that process before reinstating the Committee and using peer review if the Board needs  
205 assistance in evaluating how a design meets the code.

206  
207 Mr. Alesse asked whether the product of the consultant will include draft ordinances.

208 Ms. Kalmar suggested they will make recommendations, not necessarily draft language, and suggested  
209 that the Board formulate “big-picture” questions for the consultant, e.g. “How do we incentivize adaptive  
210 reuse?” or “How do we address parking issues through the Code?”

211  
212 Mr. Lincoln directed the Board to page 4 of the Foreside Forums Report, where the work of the former  
213 Foreside Committee is mentioned, and asked whether it is the same as the design committee being  
214 discussed.

215 Ms. Davis explained that it is not, that it was an original committee for revitalization, and that the design  
216 review committee grew out of that.

217 Mr. Lincoln is in favor of the Board addressing design review in the Foreside if the Board is “willing to  
218 invest the time, energy, and thought” about design and not just codes. He said that there are 30 items in  
219 the report that are parallel to the codes now, that the Board could be thinking about and working on  
220 without any formal, final proposals from a consultant. He referred to his experience on the Foreside  
221 Housing Committee and brought up adaptive reuse as an example of work the Planning Board can  
222 undertake now.

223 Mr. Lincoln expressed his concern about going to an outside group for a plan when the Planning Board  
224 could do the work.

225 Ms. Piekut explained that it can be a complementary process, the consultant can provide an objective  
226 point of view, and that hiring a consultant was the direction laid out by the Foreside Forums Report and  
227 Town Council.

228 Mr. Lincoln isn’t bothered by receiving suggestions from an outside organization, but is bothered to “sit  
229 here and do nothing” in relation to current codes. He brought up the lot known as the Water Department  
230 property and ways that redevelopment could be encouraged through zoning or a TIF district.

231 Ms. Davis agrees with Mr. Lincoln and raised the issue that parts of Kittery Foreside which may be less  
232 commercial or less conducive to commercial activity, are all zoned the same and a mix of residential and  
233 commercial could go anywhere.

234 Discussion ensued concerning specific buildings, zoning, and overlay districts.

235 Mr. Lincoln suggested each Board member use the report to identify codes and zoning to consider  
236 changing, and referred to his effort to engage the Economic Development Committee.

237 Ms. Kalmar read the response she received after reaching out to the committee chair, George Dow: “In  
238 the EDC discussions we have always felt it extremely important to understand as much as possible about  
239 the areas or growth in the town and their either current limitations or potential opportunities. Having a  
240 discussion with the Planning Board was something I thought would be a valuable conversation so that we  
241 have a sense of what the Planning Board’s idea of growth is. I am looking to get another EDC meeting  
242 together and we will have this discussion and get back to you.”

243 Mr. Lincoln brought up the transportation section of the Foreside Forum Report and the potential  
244 interaction with the bicycle and pedestrian planning discussion earlier in the meeting.

245 Mr. Harris brought up the example of how the Wentworth Dennett School was closed.

246  
247 Ms. Davis said she would like to consider some minor amendments to parking credits that are given in the  
248 Foreside, particularly on the side streets that do not have on-street parking.

249 Ms. Grinnell described that as a tangible task, and suggested the Board encourage some small  
250 improvements, though not Planning Board items, that can be done in the Foreside such as restriping  
251 crosswalks and installing trash receptacles.  
252 Mr. Alesse said he'd like to see infrastructure improvements in the Foreside such as trees and cobblestone  
253 sidewalks and other aesthetic improvements to stimulate growth in the area.  
254 Ms. Grinnell noted that the State is going to spend over \$800,000 on the Wallingford Square intersection,  
255 and that the Board should see the plans. Ms. Piekut agreed to look into it for the next meeting.  
256  
257 Mr. Harris suggested working more closely with the Economic Development Committee.  
258 Ms. Grinnell brought up the instance where the EDC and Planning Board have worked together toward  
259 the development of the Business Park Zone.  
260 Ms. Davis noted that with 700+ new employees coming to the Shipyard, perhaps they could lease a lot in  
261 the Business Park as a site for parking and busing people to the Shipyard.  
262 Ms. Kalmar suggested the Board look at the allowed uses in in the Business Park Zone.  
263  
264 Mr. Lincoln asked whether the Planning Board was or is involved in the establishment and growth of TIF  
265 districts. Ms. Grinnell explained that it is not and the City Council set those up.  
266 Mr. Harris reported that the athletic fields report was made to the Town Council.  
267  
268 Earledean Wells of the Conversation Commission addressed item six on the Board's action list regarding  
269 roads, "sidewalks to nowhere," shared driveways, right-of-way standards, and emergency access roads.  
270 She said she served on a subcommittee to look at those and in light of the driveway definition brought up  
271 by Mr. Sparkowich earlier in the meeting, the Board may want to revisit the definition as it will be  
272 affecting other properties as well. She said it was assumed in that subcommittee that driveways serve a  
273 structure, not lots as Mr. Sparkowich said.  
274  
275 Ms. Kalmar asked for confirmation of the meeting time of the May 4 joint workshop.  
276 Ms. Piekut reminded the Board of the May 4 joint workshop, May 6 site walks at 8:00 a.m. and 9:00 a.m.,  
277 and the upcoming cluster subdivision workshop on May 28.  
278  
279 **Mr. Alesse moved to adjourn.**  
280 **Ms. Davis seconded.**  
281 **Motion carried: 6-0-0**  
282  
283 The Kittery Planning Board meeting of April 23, 2015 adjourned at 8:46 p.m.  
284  
285 Submitted by Elena Piekut, Assistant Town Planner, April 27, 2015.

1 **TOWN OF KITTERY, MAINE**  
2 **PLANNING BOARD MEETING – SITE VISITS**  
3 **8:00 a.m. 100 Pepperrell Road**  
4 **9:00 a.m. Fernald Road**

**UNAPPROVED**  
**May 6, 2015**

5  
6  
7 **100 Pepperrell Road – The Planning Board conducted a site visit to 100 Pepperrell Road (Tax Map**  
8 **27, Lot 45) as it pertains to the pending Shoreland Development Plan application of**  
9 **owners/applicants Jonathan King and James W. Stott for the expansion of an existing single-family**  
10 **dwelling in the Kittery Point Village and Shoreland Overlay Zones.**

11  
12 Meeting called to order: 8:00 a.m.

13 Board members present: Chair Ann Grinnell, Vice Chair Karen Kalmar, Secretary Deborah Driscoll  
14 Davis, Mark Alesse, Robert Harris, David Lincoln

15 Members absent: None

16 Staff present: Chris Di Matteo, Town Planner; Elena Piekut, Assistant Town Planner

17  
18 Ms. Grinnell read a statement regarding site visit procedure.

19  
20 Architect for the project, Mark Johnson, led the group around the property to demonstrate the  
21 layout of proposed structures. Mr. Johnson and Mr. Di Matteo explained to abutters that a revised  
22 plan was submitted and will be available on Thursday. In addition to indicating the extent of the  
23 structures, Mr. Johnson explained:

- 24 • The existing building is well within the front yard setback and the proposed buildings  
25 mitigate that nonconformity.
- 26 • The house is oriented toward the water.
- 27 • The five-and-a-half-foot-wide, nine-foot-high glass links between the Bray House and  
28 proposed additions will provide a view to the water. Mr. King added that the  
29 landscaping plan is not yet complete but will include low, unobtrusive plantings.
- 30 • The existing driveway will be narrowed to an eight-foot-wide ribbon driveway and be  
31 less impactful on the horse chestnut tree's roots.
- 32 • The rhododendrons will be removed.
- 33 • The sunroom added to the Hoyt house makes it challenging to relocate the structure.
- 34 • A separation will be maintained between the pool deck and the Bray House to avoid  
35 impacting the building.
- 36 • A structural engineer will evaluate the building to determine if there is a need for  
37 structural sheathing. The existing siding is not very old, but if removed will be  
38 replicated.
- 39 • The existing windows will be restored and made functional.
- 40 • The four-and-a-half-foot-deep pool will be constructed on top of the ground to avoid  
41 dynamiting which would endanger the Bray House.
- 42 • The pool requires a four-foot-high fence per code. Mr. King added that additional  
43 fencing around the property, partly for pets, will likely be black chain link.
- 44 • The summer house will be about 15 feet by 15 feet and a lilac shrub will be removed  
45 where it is proposed. Ms. Davis and abutters expressed concern about the impact on  
46 existing landscaping.

47  
48 Abutter Sandra Rux addressed several points throughout the visit, including:

- 49 • Removing the contributing structures detracts from the overall setting that contributes  
50 to the Bray House being listed on the National Register.

- 51           • She asked about archaeological survey and Ms. Grinnell said that will be done.  
52           • Demolishing the addition will impact the timber frame. Mr. Johnson said the timber  
53           framing is intact.  
54           • She asked whether it would be possible to use pervious pavement.  
55           • She asked why the Hoyt House can't be turned into the guest house.  
56

57 Other abutters who did not identify themselves asked about several issues, including:

- 58           • Use of the Bray House as a visual marker from the ocean. Mr. Johnson explained that it  
59           will still be visible.  
60           • Whether impervious surfaces are within allowable limits. Mr. Di Matteo explained that  
61           the maximum devegetated area allowed is 20% of the lot and that standard is met.  
62           • Where the pool water is discharged. Mr. King said he doesn't expect to empty it, and  
63           Ms. Grinnell explained that a truck is used to pump water out of a pool.  
64           • Whether the applicant will be made accountable for their commitments. Ms. Grinnell  
65           explained that applicants are held accountable to what is presented on the approved  
66           final plan.  
67           • Concern that Kittery Point Village hasn't changed much since 1850 and this project  
68           does not fit in with the dynamic.  
69           • Whether there will be another site walk. Ms. Grinnell said that would not be  
70           determined until the regular Planning Board meeting.  
71

72 **Mr. Alesse moved to end the site walk.**

73 **Ms. Kalmar seconded and the motion passed unanimously.**  
74  
75

76 **Fernald Road – The Planning Board conducted a site visit to the corner of Fernald Road and**  
77 **Route 236 (Tax Map 28, Lot 14) with regard to the pending Cluster Subdivision application**  
78 **of owner/applicant Peter J. Paul, Trustee of AMP Realty Holdings, LLC for a multi-family**  
79 **residential cluster subdivision in the Residential-Suburban, Commercial 2, and Resource**  
80 **Protection Overlay Zones.**  
81

82 Meeting called to order: 9:06 a.m.

83 Board members present: Chair Ann Grinnell, Vice Chair Karen Kalmar, Secretary Deborah Driscoll  
84 Davis, Robert Harris, David Lincoln

85 Members absent: Mark Alesse

86 Staff present: Chris Di Matteo, Town Planner; Elena Piekut, Assistant Town Planner  
87

88 Ms. Grinnell read a statement regarding site visit procedure.  
89

90 Agent Thomas Harmon, P.E., Civil Consultants led the group into and around the site. New stakes  
91 and flags had been placed to indicate building corners, the center line of the road, and septic area  
92 corners. Mr. Harmon described the location of parking and explained that the septic areas defined  
93 are much larger than what will actually be used for the disposal field. Ms. Kalmar pointed out that  
94 that provides a reserve area.  
95

96 Mr. Harmon explained how one set of units will be cut into the slope on the south side of the lot  
97 and that the building will function as a retaining wall. At the end of the cul-de-sac Mr. Harmon  
98 explained how the applicant plans to create a more level surface and revegetate with a shrub  
99 habitat to support cottontail rabbits.

100 The group walked to the second septic system site proposed to serve the southerly dwellings. Mr.  
101 Harmon pointed out the four corners staked and explained the reasons for its location away from  
102 the dwellings. It is a more suitable site in terms of slope and soil types. The tank will be located at  
103 the buildings and liquid will be pumped via a small pipe to the septic area.

104

105 **Ms. Davis moved to end the site walk.**

106 **Mr. Harris seconded and the motion passed unanimously.**

107

108 Submitted by Elena Piekut, Assistant Town Planner, May 6, 2015.

**Town of Kittery  
 Planning Board Meeting  
 May 14, 2015**

**Bartlett Hill Multifamily Cluster Subdivision – Subdivision Preliminary Plan Review**

Action: hold a public hearing, grant or deny preliminary plan approval. Owner and applicant Peter J. Paul, Trustee of AMP Realty Holdings, LLC, requests approval of plans to develop a multi-family residential cluster subdivision. The approximately 18-acre parcel is located on 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.

**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; <b>another visit held 5/6/2015</b>	HELD
YES	Completeness/Acceptance	Scheduled for 10/10/2013; application re-accepted 4/9/2015	GRANTED
YES	Public Hearing	Scheduled for 11/14/2013; another scheduled for 5/14/2015	HELD
YES	Preliminary Review and Approval	Started at 11/14/2013, scheduled for 5/14/2015	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.

**PLEASE BRING PACKET INFO FROM 4/9 MTG**

**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.

The Board held another site walk on May 6, minutes are attached for your review and approval.

**Staff Review**

Site Design Issues (raised at the 11/14/2013 meeting with **updates** presented at the 4/9/2015 meeting):

- 1) *The current plans show the encroachment of the 100-foot wetland setback buffer in several places. Title 16.8.11.6.I.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.

Comments from 4/19/15:

10) The applicant needs to complete and submit a Street Naming Application prior to submittal of the final plan application. UPDATE (5/14): Applicant has submitted an application and it is currently be reviewed.

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.

New Comments:

12) Fire Chief has requested the name of the development 'Bartlett Hill' be changed since there is the potential for it to be confused with Bolt Hill Road in Elliot during 911 emergency/public safety calls.

13) The applicant has provided the attached letter from Soil Scientist Kenneth Gardiner elaborating on the status of the soil type Peru and how soil type Dixfield, in part, has replaced it. Further information was requested to support the change in soil information related to calculating the net residential acreage.

**Board Action**

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

After review of the information provided, brief presentation by the applicant's agent, and holding a public hearing, and 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:***

***1) to revise the plans to reflect the staff and peer-review comments prior to preparing and submitting the final plan application.***

KENNETH GARDNER  
JRK SOIL SEARCH, INC.  
PO BOX 291  
LIMINGTON, ME 04049  
(207) 637-2260

May 4, 2015

Tom Harmon  
Civil Consultants  
South Berwick, ME

Re: Peru soil vs. Dixfield, Colonel soil

Dear Mr. Harmon;

The question has been raised about the soil type Peru which was once mapped in York County as is recorded in the York County Soil Survey in 1977 and published in 1982. Peru soil in 1977 was mapped as a double drainage class, Moderately Well Drained AND Somewhat Poorly Drained.

The National Cooperative Soil Survey now breaks out and separates the Peru soil to Moderately Well Drained Dixfield and Somewhat Poorly Drained Colonel soil.

As you can tell from the Soils Map those two soils are broken out. The soil interpretation of these two soils are different from each other and different from Peru.

These are the reasons why the Peru Soil is no longer used and Dixfield and Colonel are used.

Sincerely,  
Kenneth Gardner  
CSS #61



**Town of Kittery Maine  
 Town Planning Board Meeting  
 May 14, 2015**

**100 Pepperrell Road – Shoreland Development Plan Review**

Action: hold a public hearing, approve or deny development plan. Owners and applicants Jonathan King and James W. Stott are requesting consideration of their plan to remove the 20<sup>th</sup>-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. Agents are Mark Johnson and Simon Jacobsen, Jacobsen Architecture, LLC.

**PROJECT TRACKING**

REQ'D	ACTION	COMMENTS	STATUS
NO	Sketch Plan Review		
NO	Site Visit	Scheduled by Board for 5/6/15	
YES	Determination of Completeness/Acceptance	Accepted 4/9/15	ACCEPTED
NO	Public Hearing	Held 4/9/15	HELD
NO	Public Hearing	Scheduled by Board for 5/14/15	SCHEDULED
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 project is required by 16.10.3.2 Other Development Review because it is located in the Shoreland Overlay 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). 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. No part of the existing structures lies within the 100-foot setback from the highest annual tide.

The proposal is to remove all additions to the original ca. 1720 John Bray House and construct new additions consisting of a single story main dwelling wing, a guest wing, a garage, and a detached, unconditioned summer house. These additions reduce the nonconformity existing on the lot because they encroach much less into the front yard setback. The driveway will be replaced, and new devegetated areas include an auto court and a stone deck and pool. After revisions the proposed devegetated area totals 19.94% of the lot. The original building layout has been scaled down to preserve existing trees, with the additional benefit of maintaining a view through the trees from Pepperrell Road to the ocean.

The Planning Board accepted this Shoreland Development Plan on April 9 and held a public hearing. The Board then held a site walk on May 6. A second public hearing is scheduled for May 14. The Board identified several areas of concern in addition to staff comments made before and after April 9, all detailed below.

### **Staff Review of Revisions Since April 9**

Staff has worked closely with the applicant over the past several weeks. Significant changes to the plan include:

- The building footprint has been scaled down to preserve mature white pines on the eastern side of the property. This also preserves the view from the street to the ocean. A letter from arborist Lee Tree Company details the health and habit of the existing trees and their recommendations for protecting them during and after construction.
- Although the building footprint has been reduced, the devegetated area calculation has increased and remains within the allowable maximum. The increase comes from the driveway area. Previously, the strip between the “ribbon” driveway was not included in the calculation. After consulting with the Maine DEP we learned that it is their practice to include the center strip of a ribbon driveway in devegetated area calculations because they are so often abused, compacted, and actually devegetated.
- As noted at the April meeting, the applicant intends to conduct a Phase I Archaeological Survey per Maine Historic Preservation Commission’s strong recommendation. More information is contained in the applicant’s narrative.
- The applicant has responded to MHPC’s other recommendations and has stated that they will follow those recommendations pertaining to the rehabilitation of the Bray House.
- The applicant addressed the “Scenic Resources” and “Historical and Archaeological Resources” sections of the Comprehensive Plan. See their narrative and photos for more information.

Changes to the plan are shown with a red “cloud.”

### **Information Still Needed**

Last month we discussed the need for a subsurface wastewater disposal permit application (16.10.10.1.2.D). This will also later be required by the State and Code Enforcement Office, but is intended to be a part of the Shoreland Development Plan Review process as well. This information was requested previously and should be a condition of approval if approval is granted.

On May 5, an abutter submitted photos of recent cutting in the Shoreland Zone to Town staff and the Planning Board (attached). As of this writing (May 7), the Shoreland Resource Officer has inspected the cutting and is researching whether this was performed in the annual maintenance of a legally nonconforming clearing. Further, at the May 6 site visit it was made clear that the applicant intends to remove the lilac in the vicinity of the summer house. Removal of such large shrubs in the Shoreland Zone is governed by the height and diameter of the shrub. At the time of this writing, a determination by the Shoreland Resource Officer is not yet available. Staff suggests a condition of approval as noted below to ensure that the lilac does not meet the definition of a tree and can be legally removed.

### **Recommendations**

Staff finds the request appears to be substantially in conformance with the applicable provisions of Title 16. The applicant has provided a thorough response to staff, Planning Board, Maine Historic Preservation Commission, and public/abutter concerns. The main criterion governing expansion in this zone, the maximum of 20% devegetated area, is met. The Shoreland Zoning Law governing removal and clearing of vegetation is met with the preservation of existing healthy trees. The applicant reviewed the Comprehensive Plan and found no instances where the Plan’s goals regarding scenic and historic resources have been codified in Title 16 but not met. They have volunteered to conduct a Phase I and possibly further phases of archaeological survey. Staff suggests a condition of approval.

Staff recommends that the development meets the definition of a (single) dwelling unit as defined, based on the continuity of spaces and the design to serve one family. We suggest a condition as stated below that adding a note to the plan to this effect be made a condition of approval.

Staff suggests that submitting a copy of the subsurface wastewater disposal permit application HHE 200 be made a condition of approval.

**Board Action**

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.

***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.

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 5,101 square feet of new buildings 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
Public Hearing Notice ( <i>Herald</i> )	May 6, 2015
Site Walk	May 6, 2015
Public Hearing	May 14, 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
4. Revised Site Plan and Elevations, Jacobsen Architecture, received May 4, 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**

<b>16.3.2.17. D Shoreland Overlay Zone</b>
<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>
<b>Findings:</b> Existing conditions on the 60,460-square-foot lot include 6,720 square feet of devegetated area (11.1%).
The proposed demolition and construction would result in a total of 12,054 square feet of devegetated area, or 19.94% of the 60,460-square-foot lot.
<b>Conclusion:</b> This standard appears to have been met.
<b>Vote:</b> <input type="checkbox"/> in favor <input type="checkbox"/> against <input type="checkbox"/> 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 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 #2 and 3, this requirement appears to be met.

**Vote:**  in favor  against  abstaining

<p><b>3. Adequately provide for the disposal of all wastewater;</b> <u>Finding:</u> The applicant proposes a new septic system. <u>Conclusion:</u> The proposed development does not appear to have an adverse impact. With the suggested condition #4, this requirement appears to be met.</p>
<b>Vote: __ in favor __ against __ abstaining</b>
<p><b>4. Not have an adverse impact on spawning grounds, fish, aquatic life, bird or other wildlife habitat;</b> <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>
<b>Vote: __ in favor __ against __ abstaining</b>
<p><b>5. Conserve shore cover and visual, as well as actual, points of access to inland and coastal waters;</b> <u>Finding:</u> Shore cover is conserved in accordance with this Code. There are no points of access. <u>Conclusion:</u> With the proposed conditions #7 and #8, this requirement appears to be met.</p>
<b>Vote: __ in favor __ against __ abstaining</b>
<p><b>6. Protect archaeological and historic resources;</b> <u>Finding:</u> The Maine Historic Preservation Commission provided advisory comments on April 7. Per those recommendations, the applicant has volunteered to perform a Phase I archaeological survey and follow the recommendations pertaining to the rehabilitation of the Bray House. <u>Conclusion:</u> The proposed development does not appear to have an adverse impact. With the proposed conditions #5 and #6, this requirement appears to be met.</p>
<b>Vote: __ in favor __ against __ abstaining</b>
<p><b>7. Not adversely affect existing commercial fishing or maritime activities in a commercial fisheries/maritime activities district;</b> <u>Finding:</u> The proposed development does not appear to have an adverse impact. <u>Conclusion:</u> This requirement appears to be met.</p>
<b>Vote: __ in favor __ against __ abstaining</b>
<p><b>8. Avoid problems associated with floodplain development and use;</b> <u>Finding:</u> The proposed development is not within the floodplain. <u>Conclusion:</u> This requirement appears to be met.</p>
<b>Vote: __ in favor __ against __ abstaining</b>
<p><b>9. Is in conformance with the provisions of this Code;</b> <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>
<b>Vote: __ in favor __ against __ abstaining</b>
<p><b>10. Be recorded with the York County Registry of Deeds.</b> <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>
<b>Vote: __ in favor __ against __ abstaining</b>

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** (not to be included on final plan):

1. The plan will be revised to meet the recording requirements of the York County Registry of Deeds.
2. The plan will be revised to include a note stating that the development is a single dwelling unit per the definition of Title 16, Chapter 2 Definitions.

**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 subsurface wastewater disposal permit application (HHE 200) will be submitted to the Code Enforcement Officer for review and approval prior to the issuance of a building permit.
5. A Phase I Archaeological Survey will be performed as well as all subsequent investigations recommended by the archaeologist and Maine Historic Preservation Commission, including Phase II and Phase III Surveys if necessary.
6. Applicant/Contractor will adhere to the recommendations made by the Maine Historic Preservation Commission specific to the rehabilitation of Bray House as indicated in their letter dated April 7, 2015.
7. No existing trees will be removed, with the exception of two diseased flowering trees on the south side of the Bray House. The large lilac in the vicinity of the proposed summer house will not be removed without the approval of the Town of Kittery Shoreland Resource Officer.
8. Per the recommendations of the consulting arborist in a letter dated April 29, 2015, if construction results in damaging more than one-quarter of the root system of an existing tree, "proper root pruning techniques" will be used and the applicant will "install a support system to mitigate the loss of the roots" to the satisfaction of the certified arborist on site.
9. All Notices to Applicant contained herein (Findings of Fact dated 5/14/15).

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 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.

**From:** [Jessa Kellogg](#)  
**To:** [Chris DiMatteo](#); [Elena Piekut](#)  
**Cc:** [Robert Marchi](#); [Shelly Bishop](#)  
**Subject:** Research on 100 Pepperrell Rd Bray House Clearing  
**Date:** Thursday, May 07, 2015 2:09:34 PM

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Hi Chris and Elena,

I received a handful of pictures of shoreland clearing at the Code Counter on Tuesday morning around 11am from an abutting neighbor, Mr. Haesche, at 103 Pepperrell Road. He had concerns that the cutting was in violation of Shoreland Zoning regulations. That afternoon I inspected the site with Bob Marchi and found that the entire shore frontage had recently been cut back along the embankment edge and several shrubs cut in the front driveway area of the property. I am in the process of researching the history of cuttings at this property to determine if it is a new clearing, which would be a significant violation, or if this is a legal non-conforming clearing that has annual maintenance, which would be permitted if annual maintenance (though not enlargement) is performed. Due to time constraints in my schedule this week I am unable to provide you with a final determination before tonight's Planning Board meeting, though anticipate to have that for you early next week. If necessary I may need to coordinate with MDEP for review.

Thanks,  
Jessa

**Jessa Kellogg**  
Shoreland Resource Officer  
Town of Kittery  
200 Rogers Road  
Kittery, Maine 03904  
[www.kitteryme.gov](http://www.kitteryme.gov)  
p: (207) 475-1321

**From:** [Chris DiMatteo](#)  
**To:** [Jessa Kellogg](#); [Robert Marchi](#)  
**Cc:** [Elena Piekut](#)  
**Subject:** FW: Bray House Site Walk  
**Date:** Wednesday, May 06, 2015 10:26:25 AM  
**Attachments:** [Bray Trees.pdf](#)

---

FYI

-----Original Message-----

From: Alan Haesche [<mailto:alanph@comcast.net>]

Sent: Tuesday, May 05, 2015 4:13 PM

To: Chris DiMatteo

Cc: Deb Driscoll; Karen Kalmar; mark.alesse@gmail.com; annginnell2@comcast.net; rdhneh@comcast.net; David Lincoln

Subject: Bray House Site Walk

Chris,

Attached is a set of 100 Pepperrell Rd landscape photos of 2013 vs 2015 showing the change in vegetation since the change in owner of property.

Alan Haesche  
103 Pepperrell Rd  
KP, Me  
tel. 203 430-8241



100 Pepperrell View Aug 2013



Bray Trees - 2015 - 04



Bray Trees - 2015 - 06



Bray Trees - 2015 - 07



Bray Trees - 2015 - 08



Bray Trees - 2015 - 09



Bray Trees - 2015 - 10



Bray Trees - 2015 - 11



Bray Trees - 2015 - 12



Bray Trees - 2015 - 14



Bray Trees - 2015 - 15



Bray Trees - 2015 - 16

**From:** [Chris DiMatteo](#)  
**To:** [Elena Piekut](#)  
**Subject:** FW: 100 Pepperrell project  
**Date:** Wednesday, May 06, 2015 3:17:54 PM

---

FYI

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**From:** Alan Haesche [mailto:alanph@comcast.net]  
**Sent:** Wednesday, May 06, 2015 3:09 PM  
**To:** Chris DiMatteo; Ann Grinnell  
**Subject:** 100 Pepperrell project

Chris & Ann,

At the Site Walk today we discussed scheduling A Water Study for the Pool/Deck run off and I asked for inclusion of the auto court/driveway area draining onto Pepperrell Rd at my frontage at 103 Pepperrell across the street without curb which drains into my basement.

Also please, Ann, reschedule a **staked** Site Walk based on the new Project Plan being submitted too late for the May 14, 2015 meeting. (SUBSEQUENT SUBMITTALS PART OF AN ACTIVE APPLICATION MUST BE SUBMITTED NO LESS THAN **14 DAYS** PRIOR TO THE MEETING DATE i.e. **deadline was May 1st**)

The **hearing should be rescheduled for the June 11 (12?), 2015 meeting** since the subsequent Project Plan submittal will not make the May 7 deadline for the May 28, 2015 meeting either.

Respectfully submitted,  
Alan Haesche  
103 Pepperrell Rd, KPT  
203-430-8241

## INTRODUCTION: SAVING THE BRAY HOUSE

At the core of our project is the John Bray House, but not the structure you see today when traveling through Kittery Point on Pepperrell Road. We will unveil the Bray House that is on the National Register, sharing with the community what the oldest house in Maine was in its prime, before its pristine form was spoiled through repeated insensitive 20<sup>th</sup> century additions. We will remove the non-contributing structures and, through careful rehabilitation, ensure that the house remains for another 300 years.

We have carefully considered the input the Planning Board has given us and have altered the project to address the pertinent issues that were discussed at the last meeting. The following summarizes the written responses requested by the Planning Department...

### SECTION 1: MHPC Recommendations:

We will follow the MHPC recommendations that specifically pertain to the rehabilitation of the Bray House.

### SECTION 2: Archaeological Survey

We will lead a Phase I Historic Archaeological Survey per the advisory recommendations from the MHPC so that historic artifacts on the site might be uncovered and preserved.

### SECTION 3: Tree Preservation + Devegetated Coverage

We are preserving the trees on the site by reducing the area of the structures so that the footprint of the buildings are sufficiently set back from the trees per the recommendations in the Arborist's report. We also provide a table summarizing the areas of the existing and proposed structures and devegetation.

### SECTION 4: Conformity

We are relocating or removing the additions to the Bray House, all of which are existing non-conforming pieces that each have a portion encroaching into the front and/or side yard setbacks. We are adding the Guest Wing to the Bray House on the west side with a small portion of it in the setbacks, but significantly less non-conforming than the Hoyt House which is there currently.

### SECTION 5: Comprehensive Plan Issues

The following statement is written on first page of the Comprehensive Plan...

*"The Comprehensive Plan is intended to be a guide – it is not a law or a regulation. The Plan is designed to help the community's elected and appointed officials make decisions about the future of Kittery in a coordinated fashion. In addition, the Plan, when adopted by the Town Council, serves as the basis of the community's zoning and other land use regulations. Maine State Law requires that the Town's zoning ordinance and map be consistent with the adopted Comprehensive Plan. The policies set out in the Plan, including the Future Land Use Plan, are designed as guides for how the zoning should be revised. The actual details of any zoning changes will be developed by the Planning Board with public involvement and will need to be enacted by the Town Council."*

SECTION 5: Continued

We note that none of the recommendations in the CP that have been identified as germane to our project by Board Members have been adopted by the Town Council and codified into an ordinance, regulation or code. We are nonetheless happy to address them in this section.

ATTACHMENT A: Arborist's Report by Lee Tree Company

ATTACHMENT B: Comprehensive Plan Scenic Vista Map + Photos

CP FIG. 4.7	Comprehensive Plan Scenic Vista Map
PV 2-12A	View 2-12A @ 70 Pepperrell Rd + Coleman Ave.
PV 2-12B	View 2-12B @ 82 Pepperrell Rd
PV 2-12C	View 2-12C @ 100 Pepperrell Rd
PV 2-12D	View 2-12D @ 106 Pepperrell Rd
PV 2-12E	View 2-12E @ 110 Pepperrell Rd

## SECTION I. MHPC RECOMMENDATIONS

We have given significant thought and consideration to the historic report and have summarized the recommendations we intend to follow below.

## MHPC Recommendations:

1. MHPC strongly recommends a Phase I historic archaeological survey
  - a. See Section 2 for details on the implementation of the Survey we will be conducting on the site.
2. The Standards recommend that historic character-defining features be retained and preserved. Only those features that have deteriorated beyond repair will be replaced in-kind.
  - a. A Maine registered Structural Engineer with historical rehabilitation experience will perform a comprehensive site inspection to observe the structural elements of the building. From their observations they will write a Conditions Assessment Report that will include written descriptions of the existing conditions of concern and general recommendation for upgrade and/or repair of the building.
  - b. From these recommendations, we will determine if the MHPC recommendation of retaining the wood siding + trim is a viable solution that is compatible with the Structural recommendations.
  - c. At a minimum, we will install in-kind, custom milled lap siding and trim in areas where the material has been compromised and on the sides that are exposed when the 20<sup>th</sup> century additions are removed.
  - d. The new siding and trim will be of a comparable size and exposure so that the contributing character defining features will be retained.
3. MHPC recommends that the historic wood paneling and historic plaster be disturbed as little as possible.
  - a. That is our goal. The paneling will only be removed as necessary for repair or to install new HVAC + electrical / lighting systems behind it.
  - b. We will hide all of the heating, cooling and electrical / lighting systems behind the wall paneling so that the plaster ceiling will not be disturbed.
  - c. We will remove all surface mounted conduit, switches and radiators, replacing them with hidden, remotely controlled LED lighting, concealed outlets and minimal heating + cooling distribution slots.
4. MHPC recommends following the “minimal alterations” approach listed in Preservation Brief #3 be followed for increasing energy efficiency for this building.
  - a. We will follow the Preservation Brief #3 “Improving Energy Efficiency in Historic Buildings” guidelines.

The following explains our position on the Secretary of the Interior Standards 2, 9 and 10 that were cited in the report as supporting the view that the new additions may not be compatible with the Bray and Hoyt houses. It begins with an excerpt that further explains the Standards...

SECTION I. Continued  
PRESERVATION BRIEF 14:

*DESIGN GUIDANCE FOR COMPATIBLE NEW ADDITIONS TO HISTORIC BUILDINGS*

*There is no formula or prescription for designing a new addition that meets the Standards. A new addition to a historic building that meets the Standards can be any architectural style-traditional, contemporary or a simplified version of the historic building. However, there must be a balance between differentiation and compatibility in order to maintain the historic character and the identity of the building being enlarged. New additions that too closely resemble the historic building or are in extreme contrast to it fall short of this balance. Inherent in all of the guidance is the concept that an addition needs to be subordinate to the historic building.*

*A new addition must preserve significant historic materials, features and form, and it must be compatible but differentiated from the historic building. To achieve this, it is necessary to carefully consider the placement or location of the new addition, and its size, scale and massing when planning a new addition. To preserve a property's historic character, a new addition must be visually distinguishable from the historic building. This does not mean that the addition and the historic building should be glaringly different in terms of design, materials and other visual qualities. Instead, the new addition should take its design cues from, but not copy, the historic building.*

Our goal from the beginning has been to save the Historic Bray house in it's 1720's splendor and make it an active hub to the architecture that is respectfully added to it, allowing our clients to live their 21st century lives. We are resetting the clock to a time before the inevitable need for expansion caused a connection to the house next door by any means necessary. And, unlike the previous additions, our proposed work touches the Bray so lightly that, "if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired"-Standard 10.

Despite the impression that might be given by the Historic Preservation Commission's extensive list of recommendations for our proposed construction, we have carefully considered and implemented the guidance offered by the Federal government in the vocabulary of our addition. We took design cues from the siding, the fenestration type, the simple form and the module of the Bray House while respecting the massing and prominence that the house holds on the site. We have visually distinguished the addition from the Bray house by intentionally turning our gable forms, keeping the development to a single story allowing Bray's height and mass to be superior. We used Bray's footprint, roughly 20'x40' in size, as a constraining module to set the sizes of our gabled structures on the site. And we allow Bray to be freestanding to the greatest extent possible by connecting to it with transparent glass links that are part of the conditioned space, thereby connecting the structures and making a single dwelling.

The front side of the Bray house was also designed giving careful consideration to the Secretary's Standard for Rehabilitation. It's second sentence states that "The Standards are applied to projects in a reasonable manner, taking into consideration economic and technical feasibility"

After carefully weighing the options, we located and oriented the pool where the

natural grade falls away enough to place it on top of the ground with minimal disturbance. This design choice was made by taking into consideration the economic and technical requirements of an in-ground pool, which would require dynamiting through the ledge that is pervasive on the site, endangering the structure of the Bray House. The elevation of the pool deck is set so that one must step up to go into the front door of Bray, respecting the way one currently enters.

Ultimately, the Owners are exercising their right to develop their property within the Town of Kittery's Planning and Zoning Codes and Maine's Shoreland Zoning Law. As a part of this development, they are choosing to Rehabilitate the Bray house and make it an active and integral link that connects the Main and Guest wings of the house.

## SECTION 2. PHASE I HISTORIC ARCHAEOLOGICAL SURVEY

We will lead a survey as outlined in the MHPC report, the scope of which will be the Area of Potential Effect of the demolition and construction work on the property.

1. We have issued an RFP to four MHPC approved Archaeologists and expect to receive the proposals by 05.08.2015.
2. A Project Final Report will be submitted at the conclusion of the survey to the MHPC for review and evaluation to determine if there have been any artifacts recovered from the site that warrant escalating to a Phase II (intensive-level) survey.
3. The survey must follow the Guidelines for Research and Reporting outlined in 94-089 Chapter 812: State Historic Preservation Officer's Standards for Archaeological Work in Maine.

## SECTION 3. TREE PRESERVATION + DEVEGETATED AREA SUMMARY

We have reduced the size of the built structures on the site to be sure that all the trees are provided the minimum clearance between the base of the tree and excavation for the foundation recommended Mr. Lee's report.

Seemingly at odds to the aforementioned reduction, there is an increase in the total proposed devegetated area. Since April's meeting, we were notified that the State DEP considers a ribbon driveway as continuously impervious surface from left edge to right edge of the ribbons and defines the center planting strip as impervious and devegetated coverage. The following chart has all the existing and proposed areas summarized.

<b>EXISTING DEVEGETATED AREA:</b>	<b>6,720 SF 11.1%</b>
Garage (to be relocated)	<b>649</b>
SF in front setback	398
East Infill (to be demolished)	<b>696</b>
SF in front setback	4
BRAY HOUSE (to remain)	722
SF in front setback	118
Hoyt Wing (to be relocated)	<b>1,072</b>
SF in front setback	421
<hr/>	
(E) BUILDING COVERAGE	<b>3,139</b>
SF to be removed	<b>2,417</b>
SF in setback removed	823
DRIVEWAY: (to be replaced)	<b>3,330</b>

## PROPOSED DEVEGETATED AREA:

PLANNING BOARD MEETING	MAY 14, 2015	APRIL 09, 2015
Garage	853 SF	1,117 SF
SF in front setback	0 SF	0 SF
Main Dwelling	3,228 SF	3,229 SF
Guest Wing	795 SF	795 SF
SF in front + side setback	194 SF	194 SF
Summer House	225 SF	225 SF
(N) BUILDING COVERAGE	<b>5,101 SF</b>	<b>6,088 SF</b>
BRAY HOUSE	722 SF	722 SF
SF in front setback	118 SF	118 SF
<hr/>		
TOTAL BUILDING COVERAGE	<b>5,823 SF</b>	<b>6,088 SF</b>
SF in front + side setback	312 SF	312 SF
POOL + DECK:	3,020 SF	3,031 SF
DRIVEWAY:	3,211 SF	2,874 SF
<hr/>		
TOTAL DEVEGETATED AREA:	<b>12,054 SF 19.94%</b>	<b>11,993 SF 19.84%</b>

#### SECTION 4. CONFORMITY

We will relocate the existing non-conforming garage to another site while locating the proposed garage on the east side of the site well within the setbacks. This will eliminate 398 square feet of structure that encroaches 20.8' into the front yard setback.

Additionally, we will remove the non-conforming Hoyt House wing and its 421 encroaching square feet from the Bray. The proposed Guest Wing in be located in its place, but with a significantly smaller footprint that encroaches just 195 square feet into the front and side yard setbacks and is also positioned further back from Pepperrell Rd in a less non conforming location.

#### SECTION 5. COMPREHENSIVE PLAN

We have been asked to review the following issues pertaining to our project that are discussed in the 1999 Update of the Kittery Comprehensive Plan that was adopted by Town Council on 03.25.2002.

SECTION D: SCENIC RESOURCES (pp.66-68, Figure 4-7 + Appendix C)

SECTION M: HISTORIC AND ARCHAEOLOGICAL RESOURCES (pp.214-227)

#### SCENIC RESOURCES

One fifth of a category two (defined as having very high value to the community) pocket view, numbered 2-12, has been identified as extending from Pepperrell Rd, across our site's existing driveway, to Pepperrell Cove. This pocket view, labeled C in the attached CP Figure 4.7 map of Kittery Point, is one of five vistas that make up 2-12. We have also attached corresponding Google Street View images of each of the views. Keep in mind that the Google camera is 8.2' above the ground, so it is not a realistic pedestrian or even pickup truck driver's view of the water.

- A. Stunning wide open views of Pepperrell Cove.
- B. Stunning wide open views of Pepperrell Cove.
- C. This view is defined by the CP as "setback or somewhat obscured" by the natural rise of the topography and the white pine trees.
- D. Very narrow but unobstructed view of the water.
- E. View is completely obliterated by the house on the right that was built in 2003, after the Comprehensive Plan was adopted by the Kittery Town Council in 2002.

Our project will mostly obscure the "setback" view of the water, but the "somewhat obscured" view of the Cove through the white pines will be preserved.

#### HISTORIC AND ARCHAEOLOGICAL RESOURCES

We are enduring great scrutiny by proposing a project that saves one of Kittery's structures that is on the National Register of Historic Places while simultaneously conducting an archaeological survey of the site to see if there are historical artifacts that tell the history of Kittery Point when the Bray House was the simple structure to which we are returning it.

Through this endeavor we strive to meet the aspirations expressed in Comprehensive Plan.

**LEE TREE COMPANY  
16 DOCK ROAD  
YORK, MAINE 03909  
207 363 2306**

MARK JOHNSON  
JACOBSEN ARCHITECTURE  
2529 P STREET NW  
WASHINGTON, DC 20007

Dear Mr. Johnson

4/29/2015

I have evaluated the trees requested at the John Bray House 100 Pepperrell Rd in Kittery Point. The trees are beyond the 100 foot buffer zone for shore land restrictions but they are within the resource protection zone of 250 feet. I have evaluated the health and significance of each tree in this report and included a safe excavation distance for each tree. Also determined the best practice procedures to protect the health of these trees

The White pines that are adjacent to the proposed garage are not significant trees they are about fifty years old and have no esthetic or cultural value to the property. They were planted as a wind break or hedge line in a group so they have grown up right with no lower canopy because of light suppression. The crowns of these trees start at about forty feet and are prone to wind shear as are most pines in this growing condition. White pines are surface root trees and when they reach this age can start to be problematic for limb breakage and uprooting.

The roots of the trees do offer some filtration of partials in the Resource Protection Zone, but they will be behind the house and this filtration will be at a minimum and their wildlife habitat is of little value as there are other pines in close proximity.

Since they cannot be removed there is a question of how much root area can be disturbed without causing the decline of the trees. The simple answer is, the

industry standard is the removal of 1/4 to 1/3 of the root system is acceptable. Although I have seen Pines with over half of their roots damaged and survive. The distance to the trunk of how close excavation can occur is within 5 feet. If excavation is any closer the buttress roots are severed and the structural integrity is compromised but not the health. As always proper root pruning techniques are required not to further damage the root plate while excavating. Pine being surface root trees will survive this construction disturbance but being prone to wind shear this type of damage should be avoided unless you install a support system to mitigate the loss of the roots. I want to stress, because these trees offer no value to the property or environment that they be removed and do a mitigation which would be much more beneficial to both the property and environmental conditions of this site.

The Cedar at the South East of the property were also planted as a grouping and as a smaller species will not cause anywhere as much a threat to the building and excavation of these roots within the 5 foot area should not cause any decline and even excavation within three feet of these trees would be acceptable. Root pruning and a possible support system would be advised.

The two Plum trees in the center of the yard could be transplanted but the one is severely affected with Black Knot. Black Knot is a fungal disease and will cause the death of the smaller tree, and it appears that the larger tree is showing signs of canker from the Black Knot. Pruning and sanitation and a fungicide could prevent damage to the larger Plum. The smaller Plum should be removed as it will not survive and is an inoculant for further disease. I would recommend removal of both trees and replant a variety with disease resistance or some other species.

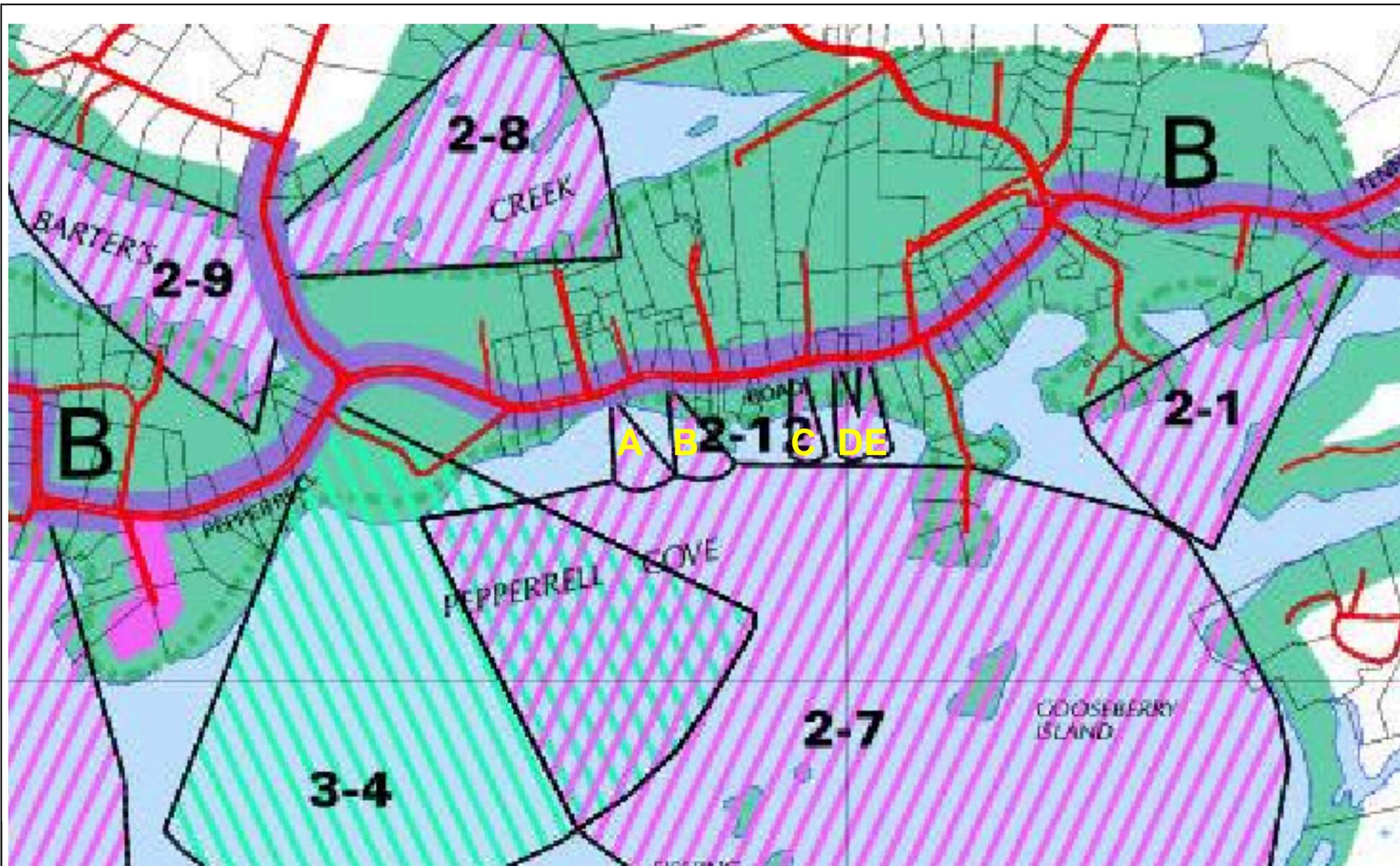
The most significant tree on the property is the Horse Chestnut adjacent to Pepperrell Rd. This magnificent specimen tree is in good health and needs protection during the construction period. It is my understanding that the old driveway is being removed. The removal of the driveway should not damage the existing roots and excavation under the tree be kept to a minimum depth as not to disturb the roots. Excavation for foundation work should not exceed 1/4 of the root zone and avoided if possible. An arborist should be present to assure the site disturbance is kept to a minimum. Then the root zone should be barricaded and protected with a layer of chips or mulch to keep the soil temperature low and retain moisture. All roots excavated should be root pruned.

I am a certified arborist and Maine licensed arborist, I have a degree in arboriculture from the University of Massachusetts and I have been a practicing arborist for over forty year. I also am the third generation of a family of arborists.

If there are any questions or you need any further information please contact me anytime at 207-363-2306

Sincerely;

Michael Lee  
Certified Arborist



KITTERY POINT RESIDENCE  
 100 PEPPERRELL ROAD, KITTERY, MAINE TAX MAP 27 LOT 45

PHOTO  
 COMPREHENSIVE PLAN SCENIC VISTA MAP

PLANNING  
 BOARD MTG  
 05.14.2015

**Jacobsen Architecture LLC** 2529 P STREET NW WASHINGTON DC 20007 TEL. 202.337.5200 FAX. 202.337.3609 www.jacobsenarchitecture.com  
 HUGH NEWELL JACOBSEN / SIMON JACOBSEN THIS DRAWING IS PROTECTED BY COPYRIGHT FROM JACOBSEN ARCHITECTURE LLC (ALL RIGHTS RESERVED) © 2015

SHEET  
 CP FIG. 4.7

71 ME-103

Kittery, Maine

Street View - Sep 2011



KITTERY POINT RESIDENCE  
100 PEPPERELL ROAD, KITTERY, MAINE TAX MAP 27 LOT 45

PHOTO  
VIEW 2-12A @ 70 PEPPERELL RD + COLEMAN AVE

PLANNING  
BOARD MTG  
05.14.2015

**Jacobsen Architecture LLC** 2529 P STREET NW WASHINGTON DC 20007 TEL. 202.337.5200 FAX. 202.337.3609 [www.jacobsenarchitecture.com](http://www.jacobsenarchitecture.com)  
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SHEET  
PV 2-12A

76 ME-103

Kittery, Maine



Street View - Sep 2011



KITTERY POINT RESIDENCE  
100 PEPPERELL ROAD, KITTERY, MAINE TAX MAP 27 LOT 45

PHOTO

VIEW 2-12B @ 82 PEPPERELL RD

PLANNING  
BOARD MTG  
05.14.2015

**Jacobsen Architecture LLC** 2529 P STREET NW WASHINGTON DC 20007 TEL. 202.337.5200 FAX. 202.337.3609 [www.jacobsenarchitecture.com](http://www.jacobsenarchitecture.com)  
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SHEET  
PV 2-12B

-103

Maine



Street View - Sep 2011



KITTERY POINT RESIDENCE  
100 PEPPERELL ROAD, KITTERY, MAINE TAX MAP 27 LOT 45

PHOTO

VIEW 2-12C @ 100 PEPPERREL RD

PLANNING  
BOARD MTG  
05.14.2015

**Jacobsen Architecture LLC** 2529 P STREET NW WASHINGTON DC 20007 TEL. 202.337.5200 FAX. 202.337.3609 [www.jacobsenarchitecture.com](http://www.jacobsenarchitecture.com)  
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SHEET  
PV 2-12C



KITTERY POINT RESIDENCE  
100 PEPPERELL ROAD, KITTERY, MAINE TAX MAP 27 LOT 45

PHOTO  
VIEW 2-12D @ 106 PEPPERELL RD

PLANNING  
BOARD MTG  
05.14.2015

**Jacobsen Architecture LLC** 2529 P STREET NW WASHINGTON DC 20007 TEL. 202.337.5200 FAX. 202.337.3609 [www.jacobsenarchitecture.com](http://www.jacobsenarchitecture.com)  
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SHEET  
PV 2-12D

11 ME-103  
Kittery, Maine  
Street View - Sep 2011



KITTERY POINT RESIDENCE  
100 PEPPERELL ROAD, KITTERY, MAINE TAX MAP 27 LOT 45

PHOTO

VIEW 2-12E @ 110 PEPPERELL RD

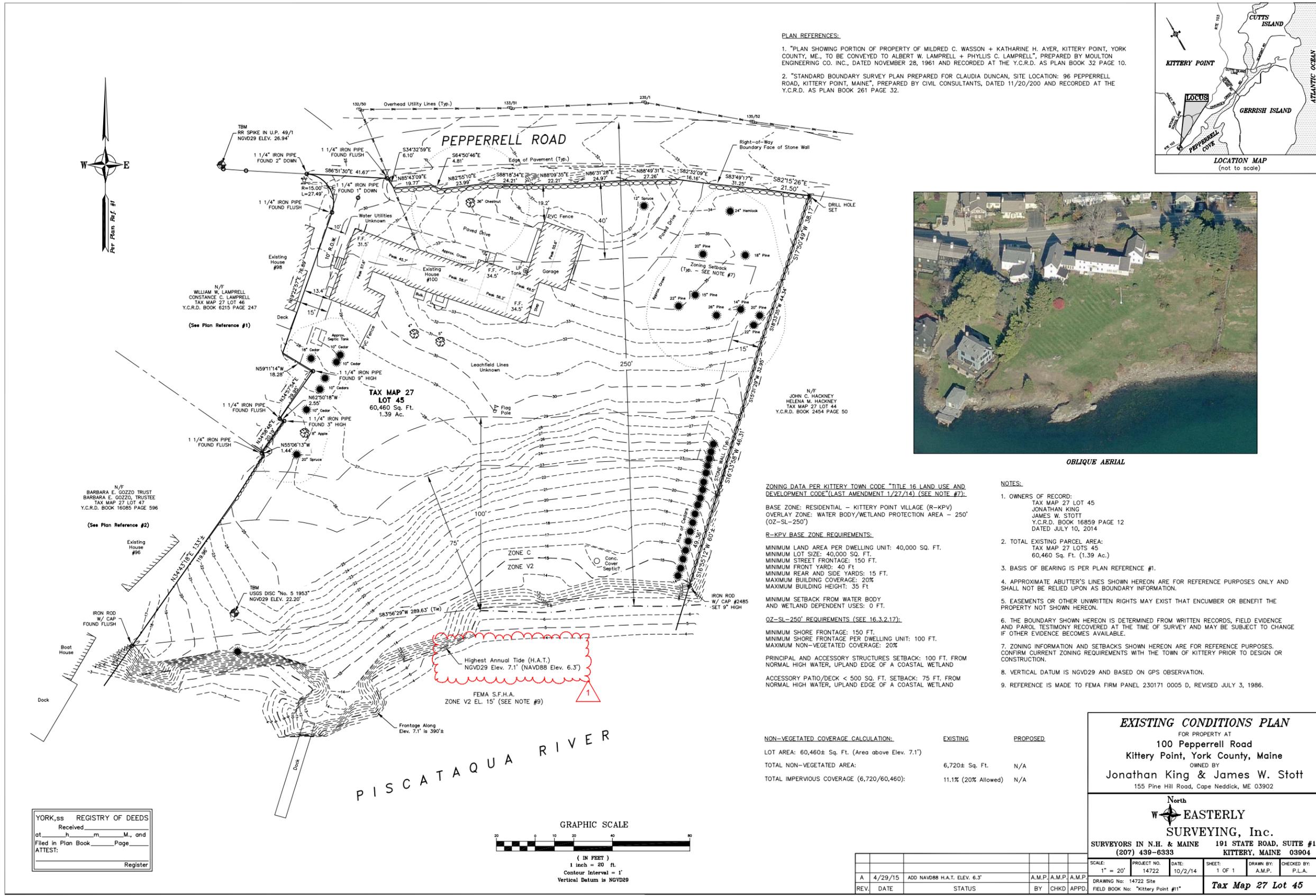
PLANNING  
BOARD MTG  
05.14.2015

**Jacobsen Architecture LLC**

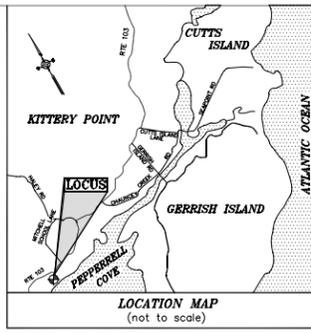
2529 P STREET NW WASHINGTON DC 20007 TEL. 202.337.5200 FAX. 202.337.3609 [www.jacobsenarchitecture.com](http://www.jacobsenarchitecture.com)  
HUGH NEWELL JACOBSEN / SIMON JACOBSEN THIS DRAWING IS PROTECTED BY COPYRIGHT FROM JACOBSEN ARCHITECTURE LLC (ALL RIGHTS RESERVED) © 2015

SHEET  
PV 2-12E

SCALE: 1" = 50'



- PLAN REFERENCES:**
- "PLAN SHOWING PORTION OF PROPERTY OF MILDRED C. WASSON + KATHARINE H. AYER, KITTEERY 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.
  - "STANDARD BOUNDARY SURVEY PLAN PREPARED FOR CLAUDIA DUNCAN, SITE LOCATION: 96 PEPPERRELL ROAD, KITTEERY 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

**ZONING DATA PER KITTEERY TOWN CODE "TITLE 16 LAND USE AND DEVELOPMENT CODE" (LAST AMENDMENT 1/27/14) (SEE NOTE #7):**

**BASE ZONE: RESIDENTIAL - KITTEERY 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.

**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**

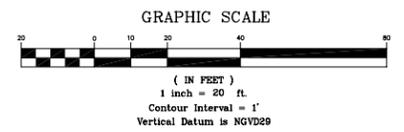
**ACCESSORY PATIO/DECK < 500 SQ. FT. SETBACK: 75 FT. FROM NORMAL HIGH WATER, UPLAND EDGE OF A COASTAL WETLAND**

- 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 KITTEERY 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 \_\_\_\_\_ A.M., and  
 Filed in Plan Book \_\_\_\_\_ Page \_\_\_\_\_  
 ATTEST: \_\_\_\_\_  
 Register



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

**EASTERLY SURVEYING, Inc.**  
 SURVEYORS IN N.H. & MAINE 191 STATE ROAD, SUITE #1  
 (207) 439-6333 KITTEERY, 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: "Kittery Point #11"					
<b>Tax Map 27 Lot 45</b>					

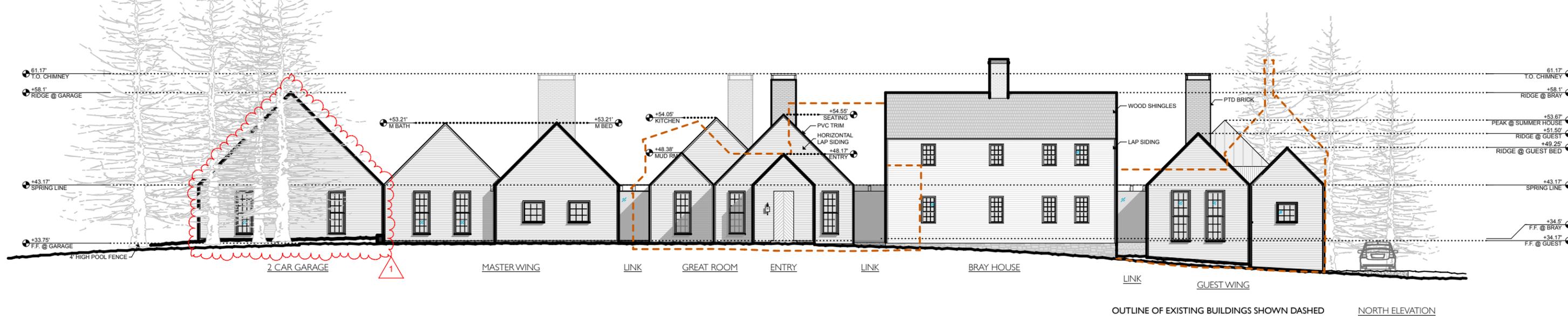


JONATHAN KING + JAMES W. STOTT  
 155 PINE HILL ROAD  
 CAPE NEDDICK ME 03092  
 Y.C.R.D. BOOK 16859 PAGE 12  
 DATED JULY 12, 2014  
 TAX MAP 27  
 LOT 45  
 60,460 Sq. Ft. 1.39 Ac.  
 (E) NON-VEGETATED AREA: 6,720 SF (11.1%)  
 SHORE FRONTAGE: 390'  
 ZONE: RESIDENTIAL KITTERY POINT VILLAGE (R-KPV)  
 OVERLAY ZONE: WATER BODY PROTECTION AREA-250'

DE-VEGETATED AREAS	TOTAL AREA	AREA IN SETBACK
DE-VEGETATED AREA TO REMAIN (BRAY HOUSE)	722 sq ft	118 sq ft
(N) MAIN DWELLING	3,228 sq ft	194 sq ft
(N) GUEST WING	795 sq ft	
(N) SUMMER HOUSE	225 sq ft	
(N) GARAGE	853 sq ft	
PROPOSED STRUCTURES	5,823 sq ft	312 sq ft
(N) POOL/DECK	3,020 sq ft	
(N) DRIVEWAY*	3,211 sq ft	
PROPOSED DE-VEGETATED AREA	12,054 sq ft (19.94%)	

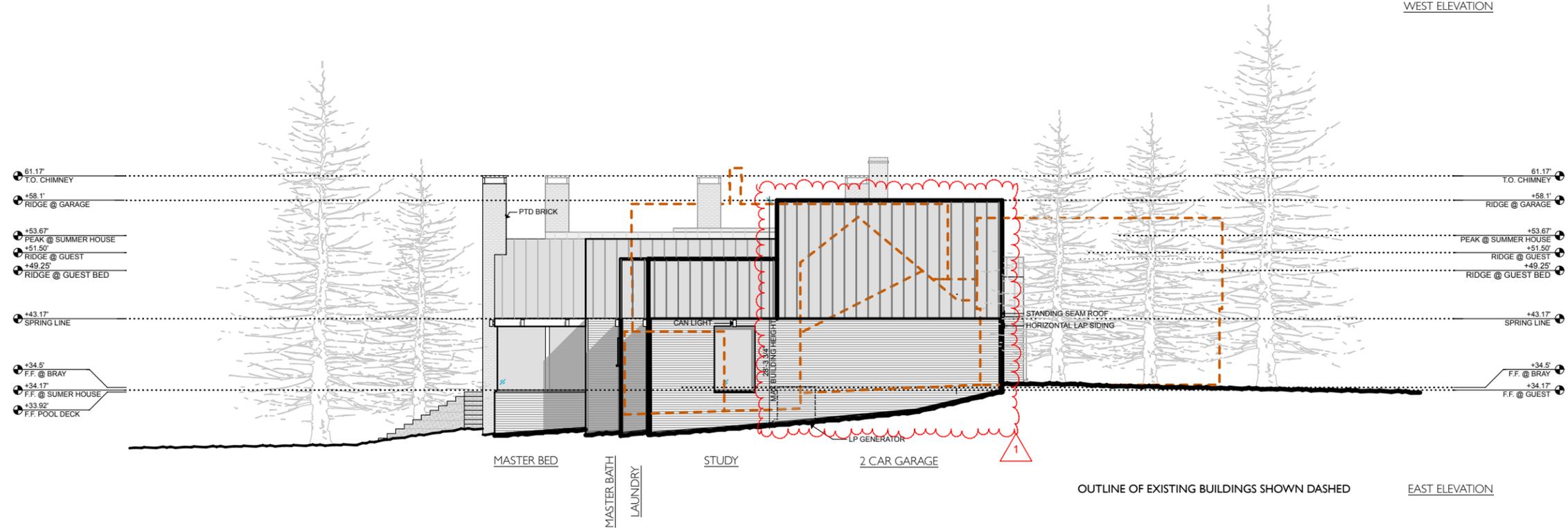
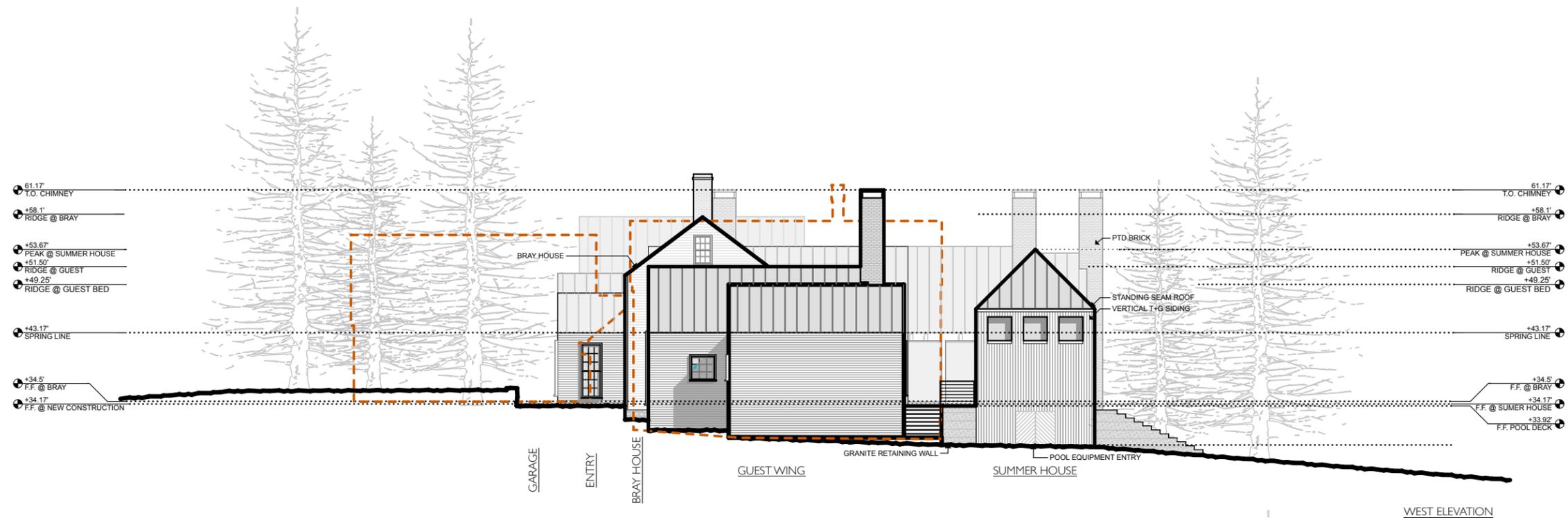
DRIVEWAY + WALKWAY AREAS ARE HATCHED\*  
 NOTES  
 1. NO PROPOSED DEVELOPMENT IN 100' SETBACK  
 2. PLAN REFERENCES EXISTING CONDITIONS PLAN DATED 10.02.2014 BY EASTERLY SURVEYING FOR: METES + BOUNDS TOPOGRAPHIC INFORMATION

SCALE: 1" = 30'



OUTLINE OF EXISTING BUILDINGS SHOWN DASHED

SCALE: 1/16" = 1'-0"



SCALE: 1/16" = 1'-0"

**Town of Kittery  
Planning Board Meeting  
May 14, 2015**

**Old Armory Way Mixed Use - Preliminary Site Plan.**

Action: grant or deny continuance. Owner/applicant Ken McDavitt requests continuance of his plan seeking approval to construct two condominiums (total of three dwelling units) with eight commercial boat slips at 15 Old Armory Way, Tax Map 4, Lot 51 in the Mixed Use – Kittery Foreside (MU-KF) Zone, Shoreland Overlay (OZ-SL-250’) Zone, and Commercial Fisheries/Maritime Uses Overlay (OZ-CFMU) Zone. Agent is Ken Wood, P.E., Attar Engineering, Inc.

**PROJECT TRACKING**

REQ'D	ACTION	COMMENTS	STATUS
YES	Sketch Plan Review/Approval	Scheduled: 5/8/14	GRANTED
NO	Site Visit	Held during Sketch Plan; scheduled for 2/4/15	HELD
YES	Preliminary Plan Review Completeness/Acceptance	Scheduled for 1/8/2015	ACCEPTED
YES	Public Hearing	Scheduled for 2/12/2015	HELD
YES	Port Authority Approval		TBD
YES	Final Plan Review		TBD

**Applicant:** Prior to the signing of the approved Plan any **Conditions of Approval related to the Findings of Fact along with waivers and variances (by the BOA) must be placed on the Final Plan and, when applicable, recorded at the York County Registry of Deeds. PLACE THE MAP AND LOT NUMBER IN 1/4" HIGH LETTERS AT LOWER RIGHT BORDER OF ALL PLAN SHEETS.** As per Section 16.4.4.13 - Grading/Construction Final Plan Required. - Grading or construction of roads, grading of land or lots, or construction of buildings is prohibited until the original copy of the approved final plan endorsed has been duly recorded in the York County registry of deeds when applicable.

**Background**

The applicant began the process for parcel development in 2012, not proceeding beyond the sketch plan review level. In June 2014 the applicant received sketch plan approval. In February 2015, the Board held a site walk, accepted the preliminary plan application, and continued the plan not to exceed 90 days.

The project consists primarily of two new residential condominium buildings (3 dwelling units) replacing one principal structure (3 dwelling units) and garage and the creation of 8 commercial boat slips. Construction of associated parking for the boat slips is part of the proposed project. Residential parking is provided in attached garages and a single exterior space adjacent to the buildings. A retaining wall is required for the commercial parking which is designed for 5 spaces and one accessible space. The Applicant has prepared a stormwater management report for CMA’s review.

**Staff Comments**

This application was continued in order for the applicant to address several staff, Board, and peer review concerns, particularly the need for a new standard boundary survey. The main reason for Mr. McDavitt’s request to extend the continuance is to complete the boundary survey.

In the meantime, Mr. McDavitt has provided a response letter from Maine Historic Preservation Commission, details about the design and siting of the buildings to address the design standards of the Mixed Use – Kittery Foreside Zone, and building heights per the Title 16 definition applied to gambrel roof structures.

**Board’s Action**

Staff recommends that the Board grant Mr. McDavitt an extension of the plan continuance as requested. ***move to continue the site plan application of Ken McDavitt to construct two residential condominiums (total of three dwelling units) with 8 commercial boat slips at 15 Old Armory Way, Tax Map 4, Lot 51 and public hearing to June 11, 2015 (or other meeting date)***



PAUL R. LEPAGE  
GOVERNOR

MAINE HISTORIC PRESERVATION COMMISSION  
55 CAPITOL STREET  
65 STATE HOUSE STATION  
AUGUSTA, MAINE  
04333

EARLE G. SHETTLEWORTH, JR.  
DIRECTOR

RECEIVED  
APR 3 0 2015

March 12, 2015

BY: \_\_\_\_\_

Mr. Ken McDavitt  
P.O. Box 245  
Sanbornville, NH 03872

Project: MHPC# 0178-15 – 15 Old Armory Way; Lot #4-51; demolition of existing building and replacement with duplex and single family home

Town: Kittery, ME

Dear Mr. McDavitt:

In response to your recent request, I have reviewed the information received February 20, 2015 to initiate consultation on the above referenced project in accordance with Section 106 of the National Historic Preservation Act of 1966, as amended (NHPA).

The Commission has concluded that the existing building is not eligible for listing in the National Register of Historic Places due to alterations to original materials.

Therefore, I have concluded that there will be **no historic properties affected** by this proposed undertaking, as defined by Section 106.

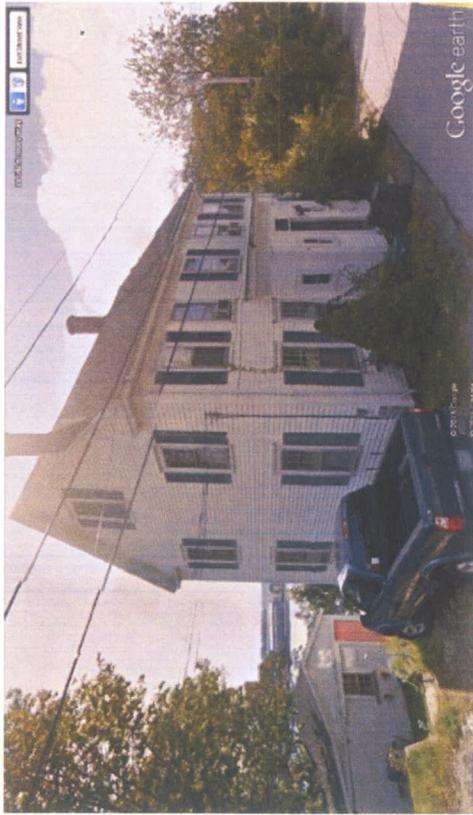
Please contact Robin Reed of our staff if we can be of further assistance in this matter.

Sincerely,

Kirk F. Mohney  
Deputy State Historic Preservation Officer

# Proposed Residential Development

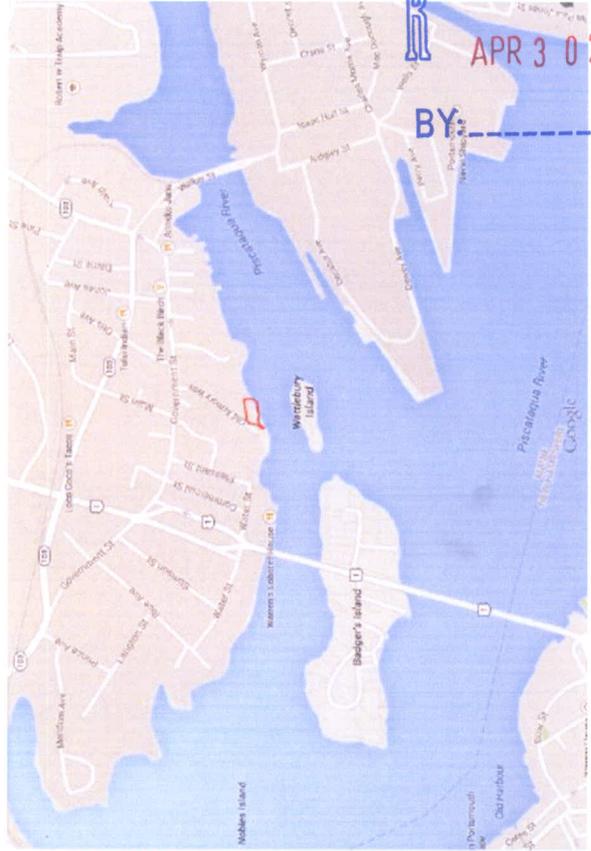
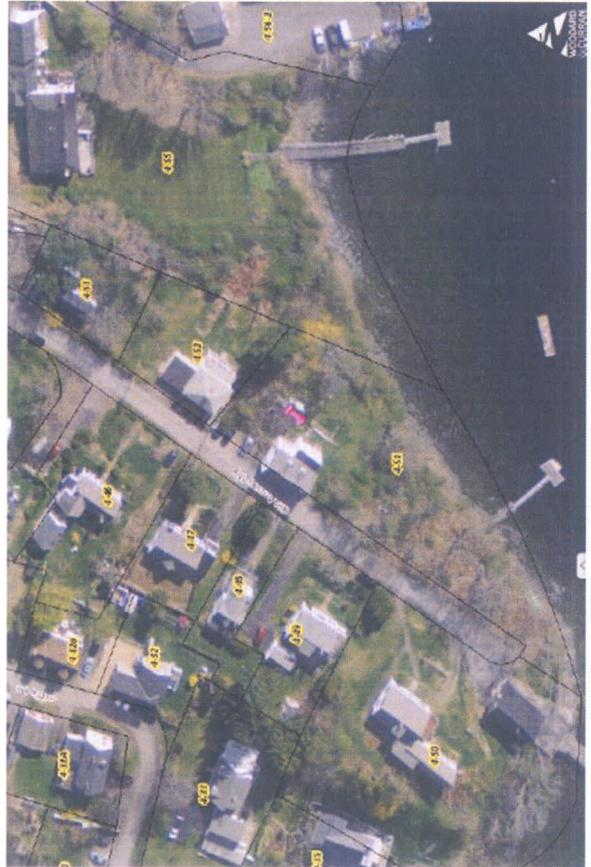
15 Old Army Way Kittery, ME 03904



Existing Building



Proposed Buildings (*design in progress*)

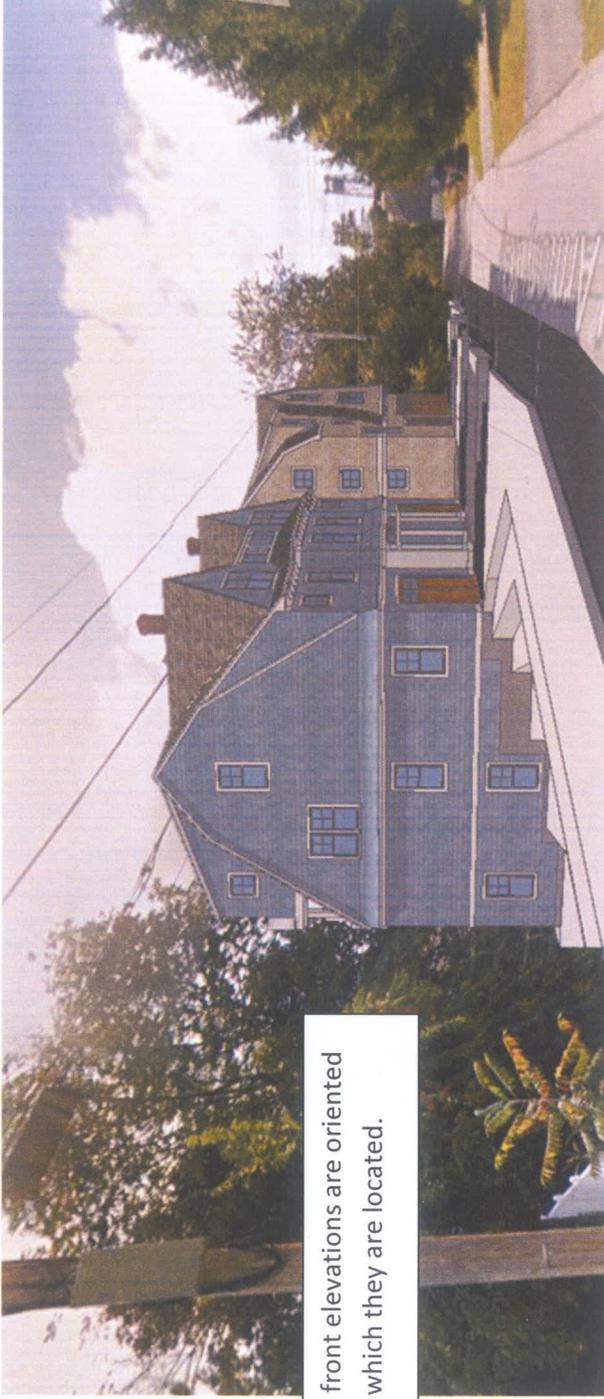


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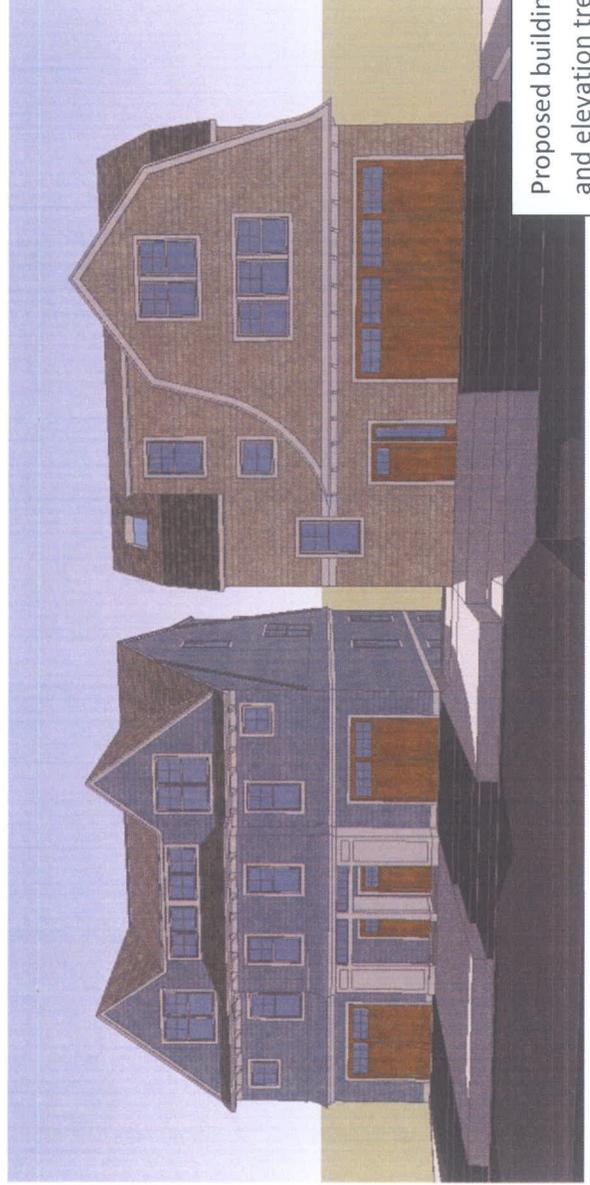


Dwellings; **Building 2** – Duplex (left), **Building 1** – Single family home (right)



Proposed building's front elevations are oriented facing the street on which they are located.

(above) Proposed buildings overlay on Google Earth street view (*design in progress*)



Proposed buildings have their own structure and elevation treatment that are different from one another.



Proposed buildings overlay on Google Earth street view (*design in progress*)

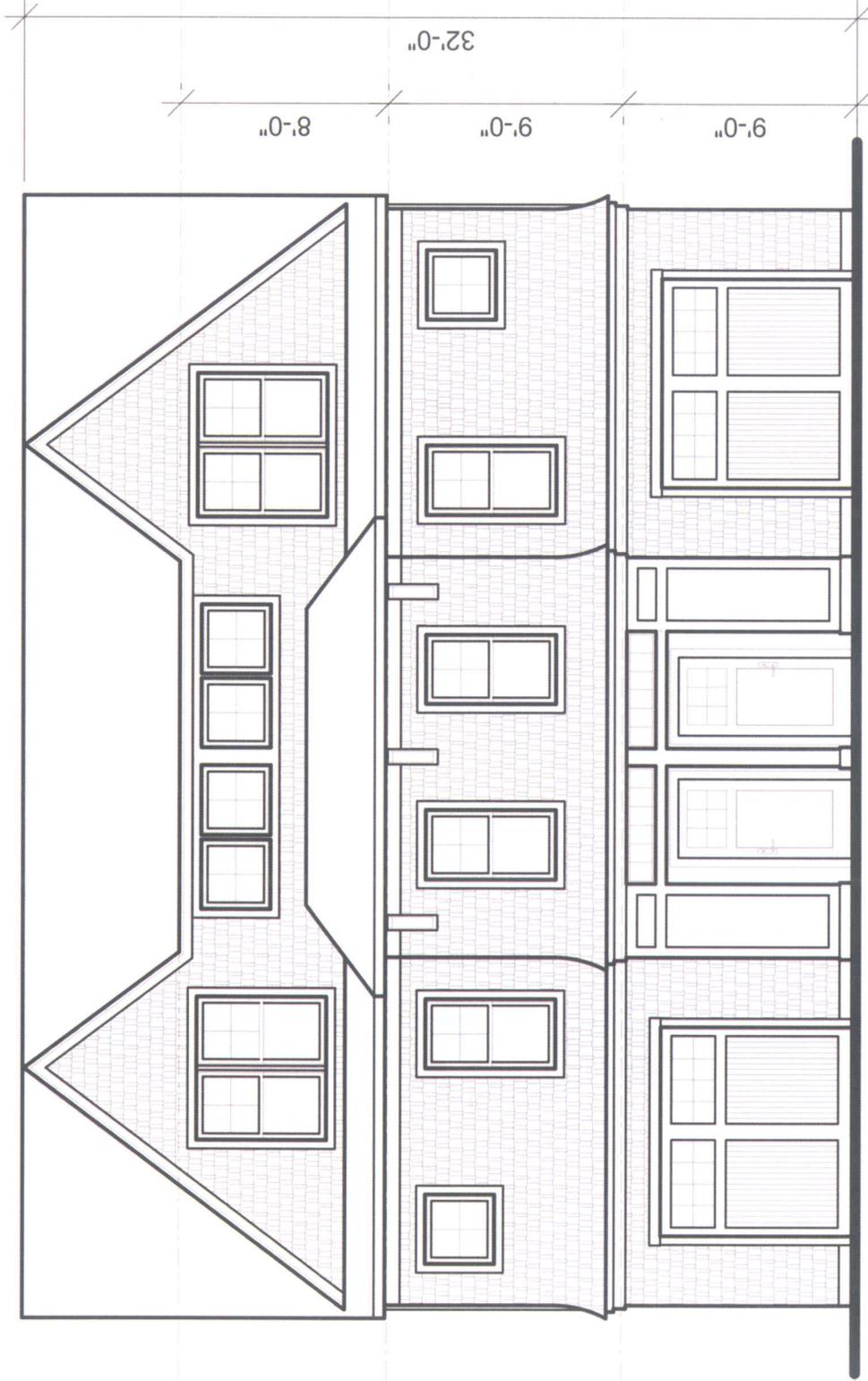


Architectural details reflect the historic style of the Kittery Foreside neighborhood. (i.e. dentil brackets, paneling and moldings. Roof lines include a combination of simple gable, gambrel and hip roof details.



Proposed buildings view from Piscataqua River (*design in progress*)

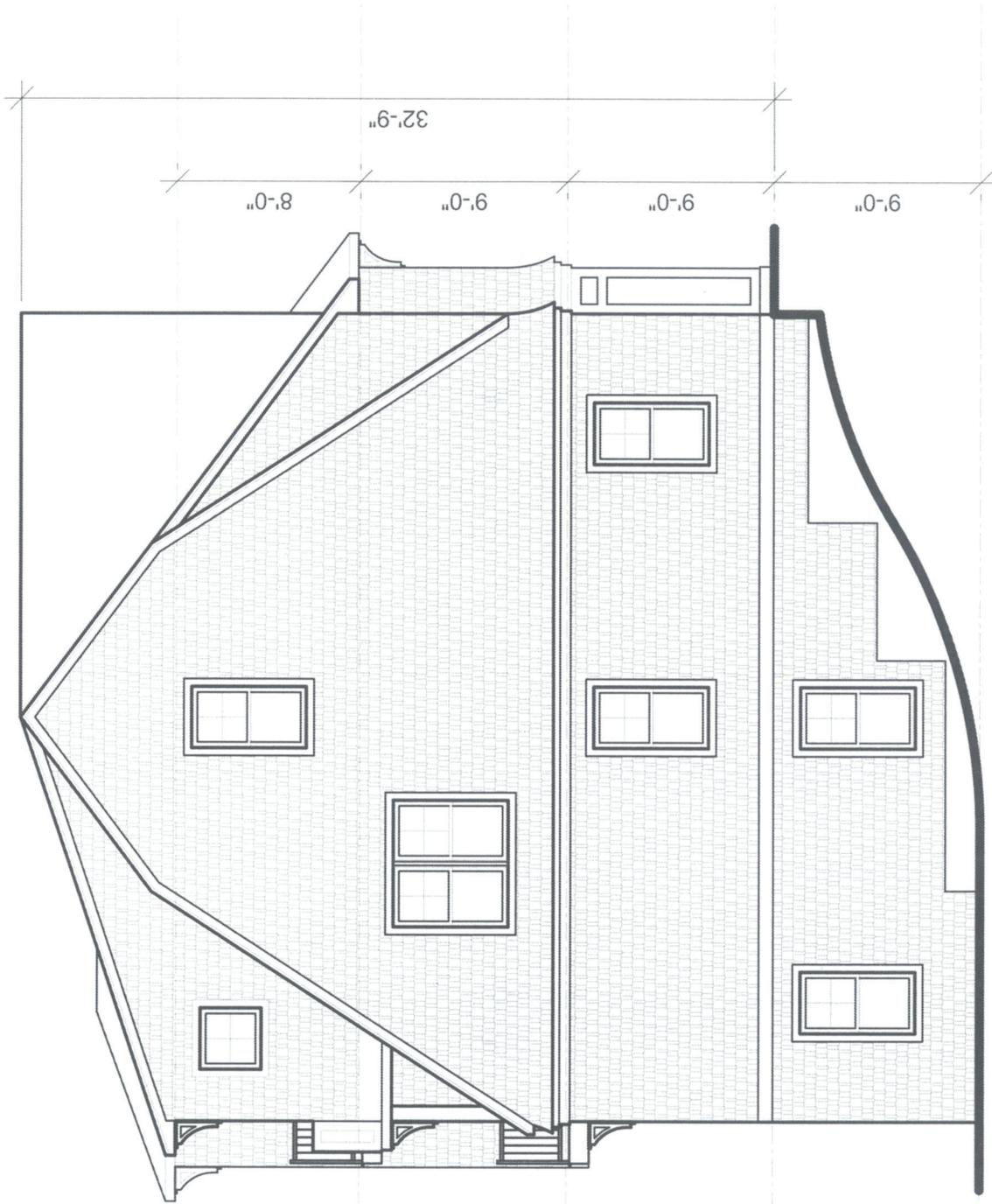
Proposed buildings have their own structure and elevation treatment that are different from one another.



1 BUILDING A - PROPOSED STREET ELEVATION

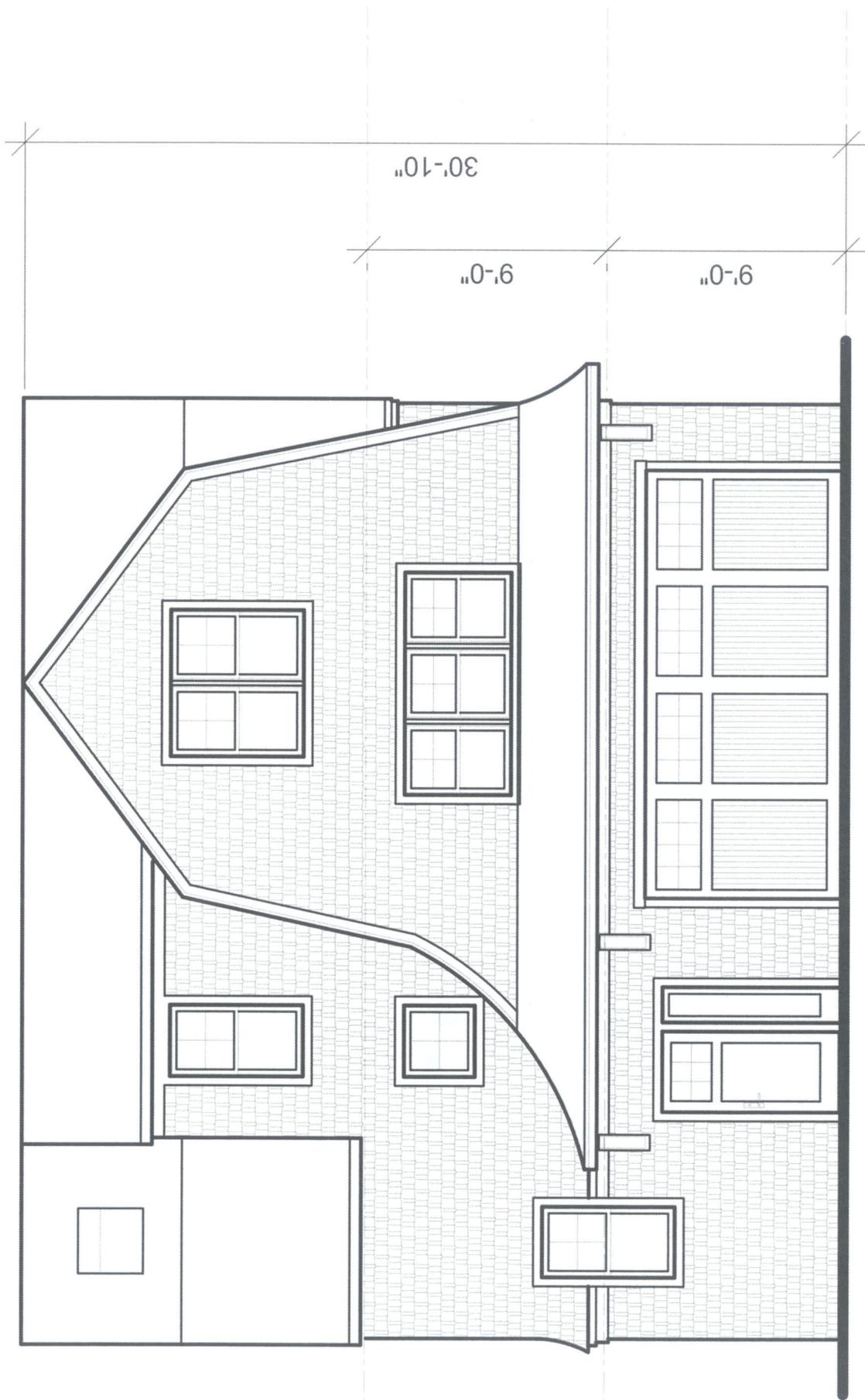
A1.0

Architectural details reflect the historic style of the Kittery Foreside zone. (I.e. dentil brackets, paneling and moldings. Roof lines include a combination of simple gable, gambrel and hip roof details.



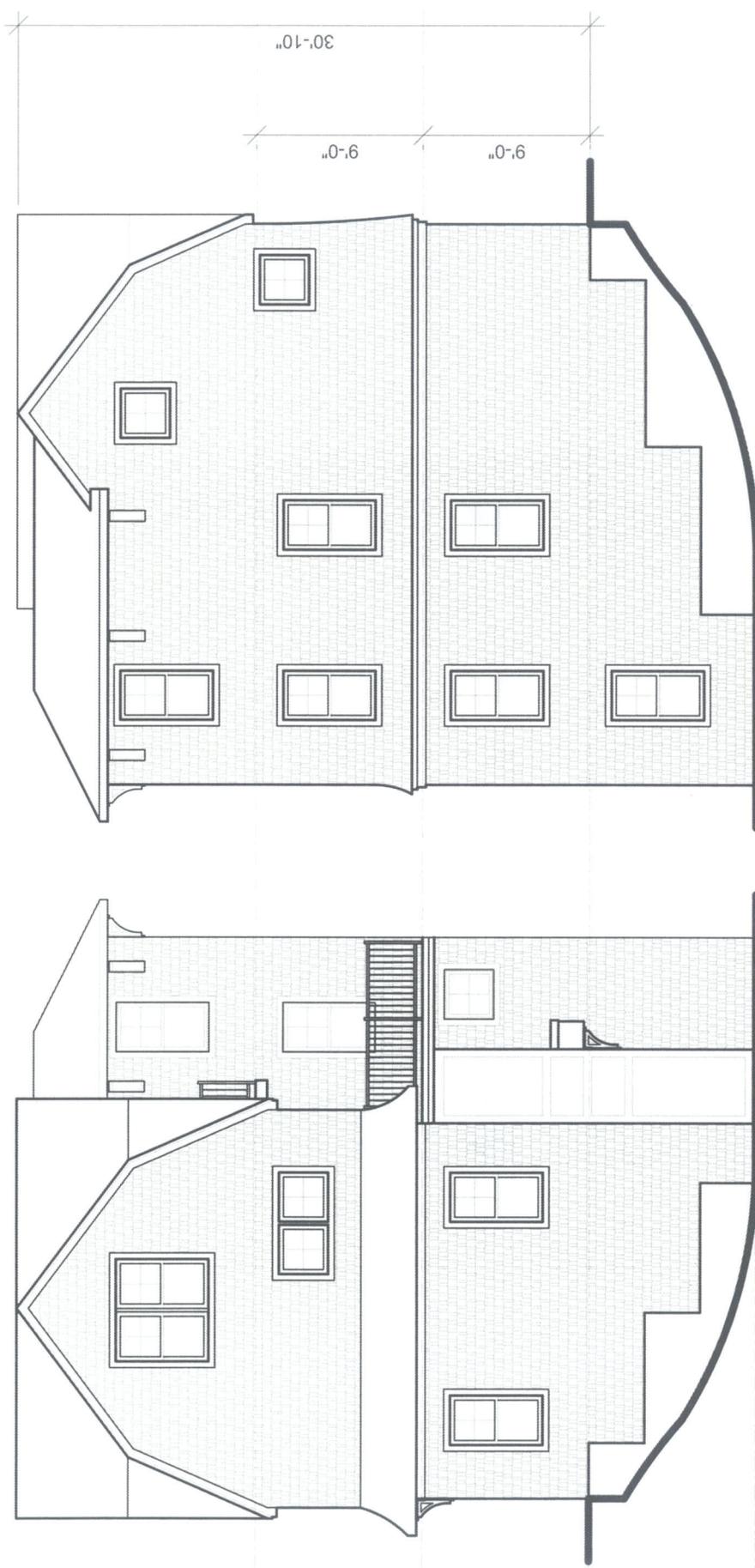
3 BUILDING A - PROPOSED SIDE ELEVATION

AT.0



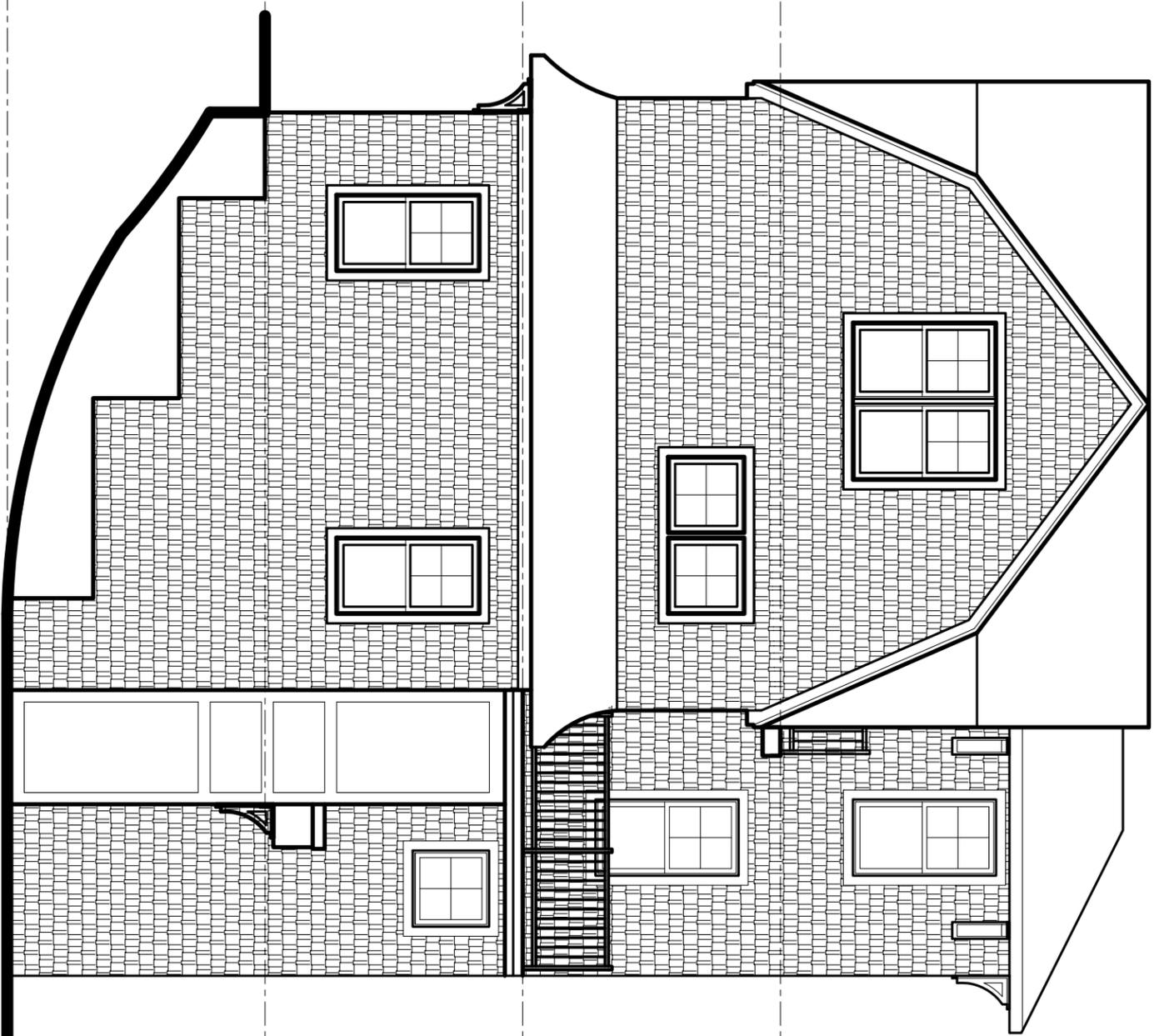
BUILDING B - PROPOSED FRONT ELEVATION

2  
A1.0



3 BUILDING B - PROPOSED SIDE ELEVATION  
A1.0

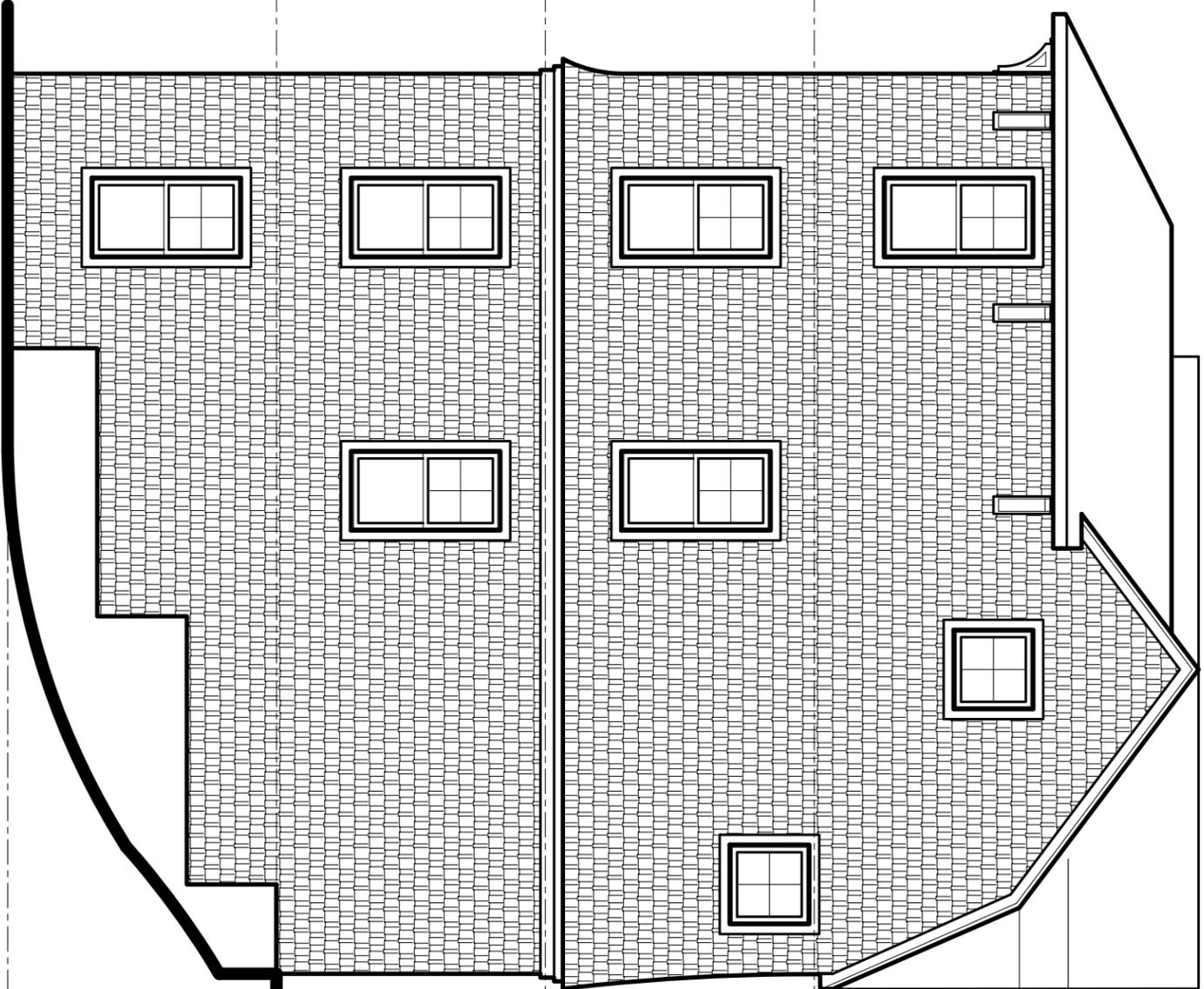
4 BUILDING B - PROPOSED FRONT ELEVATION  
A1.0



4  
A1.0

BUILDING B - PROPOSED FRONT ELEVATION

SCALE :  $\frac{3}{16}'' = 1'0''$



3  
A1.0

BUILDING B - PROPOSED SIDE ELEVATION

SCALE :  $\frac{3}{16}'' = 1'0''$

9'-0"

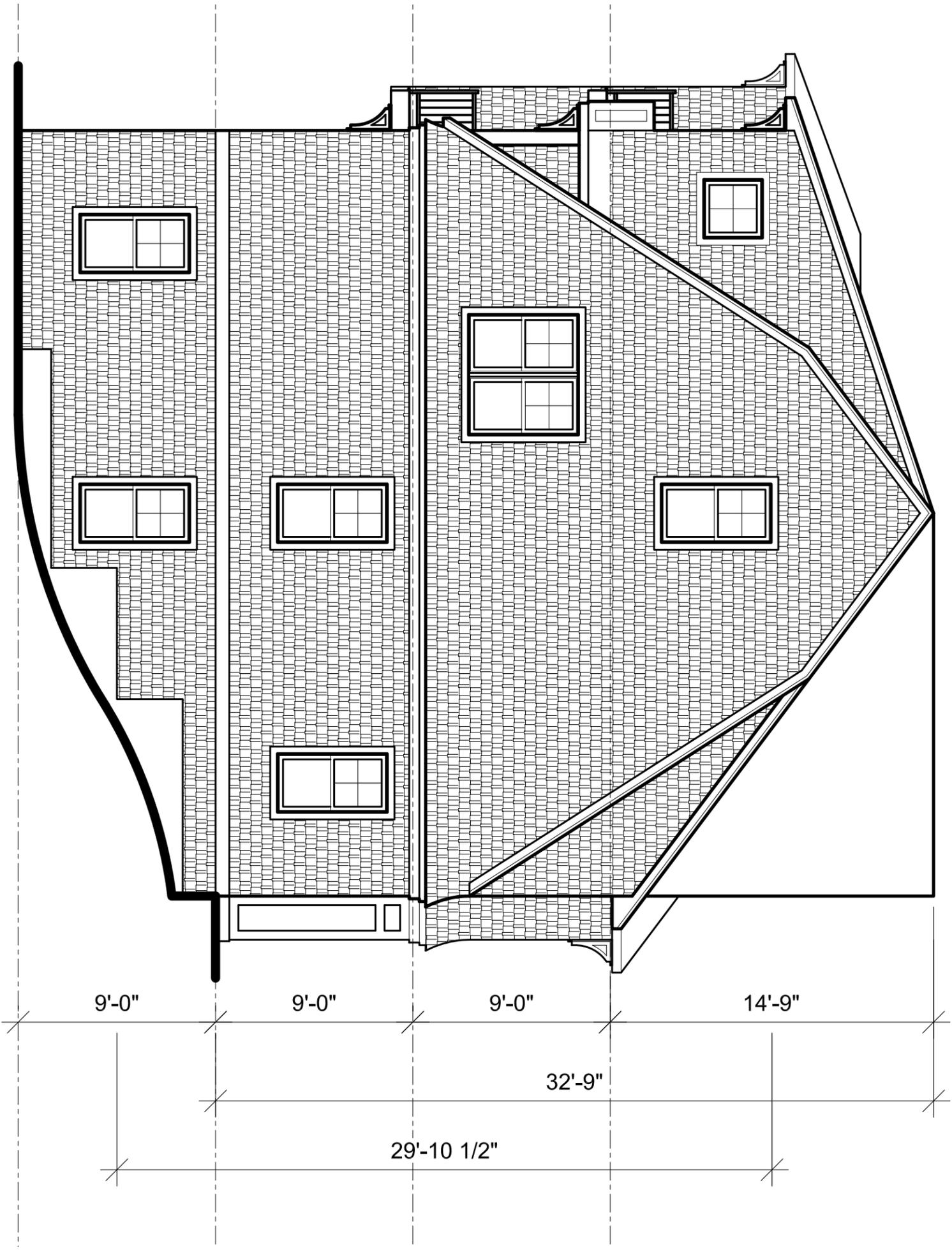
9'-0"

9'-0"

12'-10"

30'-10"

31'-0"



3  
A1.0

BUILDING A - PROPOSED SIDE ELEVATION  
SCALE : 3/16" = 1' 0"

**Town of Kittery  
 Town Planning Board Meeting  
 May 14, 2015**

**Yankee Commons Mobile Home Park Expansion – Subdivision Preliminary Plan Review**

Action: schedule a public hearing. Owner/applicant Real Property Trust Agreement requests consideration of plans for a 78-lot expansion of the Yankee Commons Mobile Home Park for the property located at US Route 1, Tax Map 66, Lot 24 in the Mixed Use (MU) and Residential – Rural (R-RL) Zones. Agent is Thomas Harmon, P.E., Civil Consultants.

**PROJECT TRACKING**

REQ'D	ACTION	COMMENTS	STATUS
YES	Sketch Plan	2/23/12	Accepted
YES	Site Visit	9/4/12	Held
YES	Completeness/Acceptance	8/23/12	Granted
YES	Public Hearing	9/13/12	Held
YES	Preliminary Plan Review and Approval	9/13/12 mtg continued for add'l info re: mineral extraction (90 days max) 12/13/12 & 3/14/13 granted 90-day continuance 5/9/13 tabled requested by Applicant 6/13/13 Reconsideration of 9/13/12 decision failed 7/11/13 Board continued for add'l info re: preparation of findings with Town Attorney 8/8/13 Board continued for CEO's recommendation on a special permit for Mineral/Earth Extraction 9/12/13 Board continued to 9/26/13 meeting due to time constraints and denied preliminary plan approval. 3/11/2015 Superior Court grants Rule 80B appeal to applicant	Pending
YES	Final Plan Review/Approval		TBD
TBD	Wetland Alteration		TBD

**Applicant: Prior to the signing of the approved Plan any** Conditions of Approval related to the Findings of Fact along with waivers and variances (by the BOA) must be placed on the Final Plan and, when applicable, recorded at the York County Registry of Deeds. PLACE THE MAP AND LOT NUMBER IN 1/4" HIGH LETTERS AT LOWER RIGHT BORDER OF ALL PLAN SHEETS. As per Section 16.4.4.13 - Grading/Construction Final Plan Required. - Grading or construction of roads, grading of land or lots, or construction of buildings is prohibited until the original copy of the approved final plan endorsed has been duly recorded in the York County registry of deeds when applicable.

**Staff's Comments**

**BACKGROUND**

The Applicant and Agent have provided a good summary of the project related to circumstances before and after the Board's denial for preliminary subdivision approval in 9/26/2013. The Superior Court, on 3/11/2015 granted the applicant a Rule 80B appeal and vacated the Board's 2013 decision and remanded back to the Board for further proceedings consistent with its decision. The Superior Court's order is attached.

Staff and the Town Attorney met with the Applicant's representatives and discussed moving forward. It was agreed to have a narrative prepared along with a full submission of previously submitted plans and reports that explained the issues/highlights of the project and a chronology of events leading to the present.

## STAFF REVIEW

Staff has not yet completed obtaining all the comments from Police, Fire and other pertinent Department Heads, Staff has at this point in time the following comments:

### 1) **Density Calculations (Enclosure 1 of Précis, History and Overview):**

a) Determination is based on lot size and not on the minimum land area per dwelling unit for the use proposed in the Mixed-Use zone. The proposed subdivision is identified as Elderly Housing (Enclosure 2 of Précis, *History and Overview*), which is permitted as a special exception use in the Mixed-Use Zone. Considering this, shouldn't the minimum land area per dwelling unit specified in the Mixed Use Zone, 16.3.2.13.D. Note 3, be applied to determine how many units are allowed?

It is apparent from Enclosure 1, Density Calculations (*Précis, History and Overview*) that the 5,000 square foot Lot Size allowed in the Mixed-Use Kittery Foreside Zone (applied here as allowed under 30-A MRSA § 4358(3)(A)(1)(b)) is being applied as the minimum land area per dwelling unit. 30-A MRSA § 4358(3)(B) does not address land area per dwelling unit but only lot size. Staff requests the Applicant's attorney to address this. Perhaps there is case law that shows that lot size is considered the same as minimum land area per dwelling unit under these circumstances.

b) Title 16.7.8 Land Not Suitable for Development identifies land that is deducted per the definition of net residential acreage, in order to determine the total number of dwelling units allowed in a subdivision. The provision includes "... land which must be filled or drained, or on land created by diverting a watercourse..." The Town has consistently interpreted this to mean wetlands. The Applicant has stated that this is not applicable, but later indicates that wetlands are not developable. Staff recommends that the subdivision plan (that needs to be prepared, only a site plan has been submitted) include net residential acreage calculations that reflect the deduction of wetlands.

### 2) **Waivers requested (page 4 of 4 of Précis, History and Overview):**

The Applicant is requesting four waivers which are dimensional in nature with the exception of one, sidewalks.

a) The requirement for sidewalks is found in 16.8.12.3.M and states:

*The mobile home park must contain pedestrian walkways that link all units and all service and recreational facilities. Such walkways are to be adequately surfaced and lit. A portion of the road surface may be reserved for walkways provided the street width is increased accordingly. Walkways should be a minimum width of three feet.*

In the Applicant's narrative on how the project conforms to 16.8.12.3 Mobile Home Parks the need is questioned based on the observing the existing mobile home park. It is stated that the 20-foot wide paved street section proposed with 2-foot wide shoulders is sufficient for pedestrians, especially with the speed limit planned for 15 MPH.

The request seems reasonable, however, when considering that there is sufficient space within the front yard to provide a 3-foot walkway and that the intent in 16.8.12.3.M is more definitive than 16.8.4.13 Sidewalks where it seems to be more discretionary, applying the waiver authorization in 16.7.4.1 is not clear. Title 16.7.4.1 states:

*Where the Planning Board finds, due to special circumstances of a particular plan, certain required improvements do not promote the interest of public health, safety and general welfare, or are inappropriate because of inadequacy or lack of connecting facilities adjacent or in proximity to the proposed development...*

Can the Board find that the three foot walkway does not promote the interest of public health, safety and general welfare, or is inappropriate because of inadequacy or lack of connecting facilities adjacent or in proximity to the proposed development? It is not evident to Staff how the request is supported by 16.7.4.1.

b) The Applicant requests a waiver for Title 16.8.12.3.C.1 requiring a minimum lot size of 6,000 square feet since 30-A MRSA § 4358(3)(A)(1)(b) mandates municipalities not to require more than *Six thousand five hundred square feet* or *The area of the smallest residential lot permitted in the municipality*. The latter appears to be 5,000 square feet in the Mixed-Use Kittery Foreside Zone. Since it is evident that the state statute regulating manufactured housing trumps the town's land use code it doesn't seem necessary for the Board to provide a waiver, for the same reason stated in item a) above regarding the Board making a positive finding and also because it is clear from 16.1.8 Severability that it is anticipated that portions of Title 16 may become invalid as declared by a *court of competent jurisdiction*. With this in mind, Staff suggests that the Board does not have to and shouldn't grant a 'waiver', but simply make a finding that 16.8.12.3.C.1 is invalidated by 30-A MRSA § 4358(3)(A)(1)(b).

c) The applicant requests a waiver for 16.8.12.3.D.1 requiring a side yard setback of 20 feet, stating that 30-A MRSA § 4358(3)(C) does not allow municipalities to require setbacks on mobile home lots that have the effect of requiring a larger lot. It is not clear how the required setbacks create such an effect. Considering the 'Typical Site Layout' found in the submittal book, it appears that some mobile home configurations, i.e. double-wide with a garage or a 60-foot long double-wide, cannot fit on a 5,000 square foot lot with 20-foot side setbacks. It is not clear, however, that the state, under 30-A MRSA § 4358(3)(C), means to keep a municipality from requiring lot area that cannot support any and all configurations of manufactured housing. That is what it appears the Applicant is suggesting.

Staff recommends that the Board does not grant the requested waiver for three reasons: 1) the great number of the proposed lots are in the range of 6,000 to 7,000 square feet in size, not nearly all the lots are 5,000 square feet in size; 2) the Town Code, under Title 16.8.12.3.D, allows for the Code Enforcement Officer to relax setbacks in a limited manner; and 3) it is not apparent that 16.7.4.1 allows for waiving setbacks, it seems only "required improvements".

d) The applicant is requesting the Board to waive the requirement for dumpsters in Title 16.8.12.3.U. The provision states:

*Each mobile home lot must be provided with an area for refuse storage. Within a maximum one hundred fifty (150) feet from each mobile home lot, there must be a flytight, watertight and rodent-proof container capable of storing the amount of refuse that the mobile home park for which it was designed could generate within one week as well as any separation containers as required by the Kittery recycling program. The park management is responsible for disposal of refuse from such containers at least once a week.*

The applicant illustrates their issue in Enclosure 7 of the précis. Staff does not calculate the same number of dumpsters required, however, if containers are provided to the tenants that adequately addresses the health issues the provision is concerned with along with the proposed "curbside pick-up" for household waste and recyclables, the Board may consider granting a waiver. In this instance, unlike some of the other requests, the dumpster is considered "required improvement" and the required and more frequent managed trash pick-up in lieu of dumpsters with less frequent pick-up is in the better *interest of public health, safety and general welfare*.

3) **Title 16.8.12.3.O Open space calculations:**

The current narrative, page 5 of 7 of *Updated Section 16.8.12.3 discussion*, needs to be updated/revised since it references 77 versus 78 lots and references 6,000 versus the actual area allotted to the total

number of lots, in calculating for open space. It is not clear how all the requirements in 16.8.12.3.O are met. Details on where active recreation is afforded in the site design is not apparent.

4) **Subdivision Plan.** A subdivision plan, perhaps in lieu of the *Overall Site Plan C2*, needs to be prepared and be suitable for recording. It will include all zoning, waiver, and condition of approvals, and in this instance, the Title 16 provisions that are preempted by state statute.

The above comments are not a complete list, Staff was unable to finish a review prior to completing the packets. Prior to the Public Hearing, Staff along with relevant Department Heads will provide the Board and Applicant with a complete review. CMA, the town peer-review engineer, has provided a complete review for the preliminary plans that were re-submitted and is before the Board for review, however, CMA has not yet commented on how the applicant has responded to their earlier comments.

#### STAFF RECOMMENDATION

Board may want to request the Town Attorney to attend a meeting in order to provide answers to any questions members might have regarding the Superior Court decision that effect this plan application.

Staff recommends the Planning Board schedules and holds another public hearing considering the time that has elapsed since the first one was held, new board members, and the proximity of the project to the York town line, where notification is required. For similar reasons the Board may want to schedule another site walk as well.

#### BOARD ACTION

***Move to schedule a public hearing for the Preliminary Subdivision Plan Application of owner/applicant Real Property Trust Agreement for a 78-lot expansion of the Yankee Commons Mobile Home Park located at US Route 1, Tax Map 66, Lot 24 and 25 for June 11, 2015... [or another date]***

***And to schedule a site walk for...***

STATE OF MAINE  
YORK, SS.

SUPERIOR COURT  
CIVIL ACTION  
DOCKET NO. AP-13-040

STEPHEN A. HYNES, TRUSTEE  
STEPHEN A. HYNES REAL  
PROPERTY TRUST AGREEMENT  
DATED MARCH 29, 1995

Plaintiff,

v.

**ORDER**

TOWN OF KITTERY, MAINE and  
THE PLANNING BOARD OF SAID  
TOWN,

Defendants.

### **I. Background**

Plaintiff Stephen A. Hynes (“Hynes”) brings this M.R. Civ. P. 80B appeal from a decision of the Town of Kittery Planning Board (“the Town”) denying a request to expand a mobile home park. Hynes also brings an independent claim seeking a declaration that the ordinance is preempted by 30-A M.R.S. § 4358 and inconsistent with the Law Court’s decision in *Bangs v. Town of Wells*, 2000 ME 186, ¶ 20, 760 A.2d 632.

#### **A. Facts**

Hynes owns the Yankee Commons Home Park (“Yankee Commons”) in Kittery, Maine, which is composed of 63 mobile homes. In 2011, Hynes sought to expand Yankee

Commons with 79 more mobile homes (“the Expansion Project”) into an adjacent 50-acre lot (“the Proposed Site”) that he also owns. Most of the Proposed Site is located in the Mixed-Use Zone of Kittery, with smaller portions zoned Residential-Rural and as a Shoreland and Resource Protection Overlay Zone. Current designs for the Expansion Project require excavation and removal of a substantial amount of earth to create a level surface for construction.

### **B. Procedural History**

Hynes pursued several applications that advanced through a number of municipal decision makers before arriving in this court. The procedural history is thus somewhat complicated. After commencing discussions with the Town about a project to expand Yankee Commons, Hynes submitted a Subdivision Sketch Plan Review Application on December 20, 2011, which was accepted by the Planning Board. The Board visited the Proposed Site on September 4, 2012.

At a public hearing on September 13, 2012, Hynes presented the Application to the Planning Board. The Planning Board found the amount of excavation required for the Proposed Expansion “excessive” and not incidental, and advised Hynes to either (1) seek a mineral extraction permit from the Code Enforcement Officer (“CEO”), or (2) resubmit a new application with less excavation. Hynes disagreed that a mineral extraction permit was required on the grounds the excavation was merely “incidental” to the project. Under the mineral excavation permit requirements, there is an exception for “incidental” excavation, which does not require a permit.

Despite believing a permit was not required, Hynes applied for one with the CEO. The CEO denied the application because mineral extraction is not a permitted use in the

Mixed-Use Zone, and directed Hynes to appeal to the Board of Appeals (“BOA”). The BOA reversed the CEO, concluding it had jurisdiction to consider the application and, as pressed by Hynes, the excavation was incidental to the Expansion Project.

With a favorable decision from the BOA, Hynes returned to the Planning Board. The Planning Board refused to reconsider the finding that the excavation was not incidental to the project, concluding that the BOA lacked jurisdiction to hear the appeal because the mineral extraction permit review process requires the CEO make a recommendation, which is forwarded to the Planning Board to make an ultimate decision.

After the Planning Board refused to revisit the matter, Hynes filed a second application with the CEO for a mineral extraction permit. This time, the CEO issued a recommendation to the Planning Board that the project receive consideration for the permit only in the Residential-Rural Zone because mineral extraction was not a permitted use under the zoning that applied to rest of the Proposed Site.

The Planning Board denied the Subdivision Review Application on September 26, 2013, ruling: (1) the Proposed Expansion requires a mineral extraction permit because the quantity of excavation required is not “incidental” to the project, and such a permit could not issue because mineral extraction is not permitted in the Mixed-Use Zone, and (2) mobile home parks are not permitted in the Mixed-Use Zone, and the ordinance is not preempted by 30-A M.R.S. § 4358 because single family homes are similarly not permitted.

## **II. Discussion**

### **A. Rule 80B Appeals Standard**

Rule 80B appeals require the court to review the fact-finder's decision below for errors of law, abuse of discretion, or findings not supported by substantial evidence. *Friends of Lincoln Lakes v. Town of Lincoln*, 2010 ME 78, ¶ 9, 2 A.3d 284; *Aydelott v. City of Portland*, 2010 ME 25, ¶ 10, 990 A.2d 1024.

Construction of a municipal ordinance is a question of law reviewed under a de novo standard. *Isis Dev., LLC v. Town of Wells*, 2003 ME 149, ¶ 3, 836 A.2d 1285. The court considers "the plain meaning of the statutory language to give effect to legislative intent, and if the meaning of the statute is clear on its face, then we need not look beyond the words themselves." *Jade Realty Corp. v. Town of Eliot*, 2008 ME 80, ¶ 7, 946 A.2d 408 (citations omitted). "Undefined terms should be given their common and generally accepted meaning unless the context clearly indicates otherwise." *Ballard, Inc. v. Westbrook*, 502 A.2d 476, 480 (Me. 1985).

## **B. Whether a Mineral Extraction Permit Is Required**

### **1. Whether the Town is Bound by the BOA's Decision**

The parties begin with procedural arguments about whether the CEO had authority to make the initial decision that led to the BOA decision in Hynes' favor, which the Planning Board declined to follow stating the BOA lacked jurisdiction. These arguments need not be considered because the parties agree that the CEO and BOA do not have the ultimate authority to grant or deny mineral extraction special permits, but rather the power rests with the Planning Board. (Def.'s Brief 23-24.) If however Hynes is not required to obtain the permit, the Planning Board's authority with respect to a mineral extraction permit determination is moot. The issue therefore turns on whether Hynes needs the permit in the first place.

## 2. The Meaning of “Incidental”

As illustrated by the conflicting dispositions below, whether the Proposed Expansion requires a mineral extraction special permit depends on whether the excavation can be properly characterized as “incidental” to the project. Under the Ordinance,

Topsoil, rock, sand, gravel and similar earth materials may be removed from locations where permitted under the terms of this Code, only after a special permit for such operations has been issued by the Code Enforcement Officer upon approval and review of the plans by the Planning Board in accordance with the provisions of this Code, and provided that nothing herein may be deemed to apply to normal excavation operations incidental to construction activities for which a valid permit is held.

Kittery, Me., Code § 16.9.1.2(A). Relevant here is the meaning of “normal excavation operations incidental to construction activities for which a valid permit is held.” “Incidental” is not defined. The parties thump competing dictionaries that they believe confirm their preferred definition of “incidental,” which range from Merriam-Webster’s: “being likely to ensue as a chance or minor consequence,” Def.’s Brief 21, to Black’s Law Dictionary: “[d]epending upon or pertaining to something else as primary; something necessary, appertaining to, or depending upon another which is termed the principal.” (Pl.’s Brief 24.)

In Hynes’ view, the Planning Board improperly applied a quantitative rather than a qualitative standard. (Pl.’s Brief 24.) In other words, the Planning Board looked to the *amount* to be excavated rather than the excavation’s *purpose*. Because the primary purpose of the Proposed Expansion is to expand Yankee Commons, any excavation, regardless of how substantial, is incidental to the construction Hynes wants to build. The Town urges a reading that considers quantity, which could transform this into a factual

issue that would entitle the Town's determination to greater deference. (Def.'s Brief 20.) To that end, the Town contends the excavation is not "incidental" because (1) Hynes seeks to level a hill and remove up to 10,000 truckloads of materials, and (2) intends to sell the material, which means the project "resembles a commercial quarrying or mining operation far greater in scope than normal site work." (Def.'s Brief 22.)

Despite the Town's urging that this court confer deference to the Planning Board's interpretation, there is no dispute as to the quantity or character of materials to be excavated, and thus no factual determination below that warrants deference. This is not a case where the court defers to a Town's characterization of a structure, *Jordan*, 2003 ME 82, ¶¶ 8-9, 828 A.2d 768, or to a Town's choice between two competing use categorizations for zoning. *Rudolph v. Golick*, 2010 ME 106, ¶ 8, 8 A.3d 684. The basis for the Planning Board's decision under review here was not dependent on any factual findings. Rather than applying facts, construing "incidental" can proceed under an "ordinary meaning" analysis—a question of law. *See Jade Realty Corp.*, 2008 ME 80, ¶ 7, 946 A.2d 408 (court should give terms "their common and generally accepted meaning unless indicated otherwise by their context in the ordinance") (citations omitted).

Hynes' interpretation is more persuasive for several reasons. As a practical matter, any number of projects would have to obtain mineral extraction special permits because the threshold—100 cubic yards—is relatively low considering the size of the lot and the other uses permitted in the Mixed-Use Zone. The exclusion under 16.9.1.2(A) for "normal excavation operations incidental to construction activities for which a valid permit is held" clearly intended for construction projects requiring excavation operations to be exempted from the permit process. If "incidental" was meant to cover quantities of

material, then the drafters of the ordinance could have included thresholds defining when excavation for construction became so substantial that an excavation permit would be required. The drafters considered quantity only in the triggering threshold, and aside from that 100 cubic yard threshold (which remains subject to the “incidental” exception), the ordinance does not contemplate quantity. The Town’s interpretation has no explicit support in the ordinance.

Similar mineral extraction ordinances from other jurisdictions support the interpretation that if excavation occurs as part of a project that is primarily construction-oriented, the removal of materials, regardless of quantity, is still “incidental” and exempt from permitting requirements. *See, e.g., Pipkin v. Cnty. of Douglas*, 158 Wash. App. 1056 (2010) (“‘Mineral extraction’ specifically excludes from its definition ‘[t]he leveling, grading, filling, or removal of materials during the course of normal site preparation for an approved use.’”); *Athens Metro. Hous. Auth. v. Pierson*, 2002 WL 851767 \*6 (Ohio App. Ct. 2002) (exempting removal of materials incidental to construction work from excavation permit requirement); *Linde Enterprises, Inc. v. Pennsylvania Dep’t of Env’tl. Prot.*, 692 A.2d 645, 650 (Pa. Commw. Ct. 1997) (minerals removed “incidental” if excavator shows the work was concurrent with construction, limited to the construction area, and construction reasonably related to the use); *L. P. Marron & Co. v. Mahwah Twp.*, 39 N.J. 74, 82, 187 A.2d 593, 597 (1963) (excavation and grading incidental to construction and exempt from soil removal permit).

Because the ordinance does not contemplate quantity in relation to “incidental,” a qualitative analysis is appropriate, and excavation is incidental to Hynes’ primary purpose—to construct the Proposed Expansion to Yankee Commons. While Hynes does

plan to sell some of the materials, this hardly transforms the project from a mobile home park expansion into a commercial quarrying operation. (Def.'s Brief 22.) Once leveled, the excavation will end, and thus there is nothing approaching a continuous and ongoing mineral extraction operation contemplated by the special permit procedure.

In sum, the Planning Board erred as a matter of law that Hynes was required to obtain a mineral extraction special permit to proceed with the Proposed Expansion application. The court next turns to whether the Planning Board's decision comports with 30-A M.R.S. § 4358 and the Law Court's decision in *Bangs v. Town of Wells*, 2000 ME 186, 760 A.2d 632.

### C. The Effect of 30-A M.R.S. § 4358

The Law Court succinctly explained the statutory mandates for municipalities in regulating manufactured homes as follows:

Municipalities must (i) allow the placement of manufactured homes on individual lots in all areas where other single-family homes would be allowed, 30-A M.R.S.A. § 4358(2)(E); (ii) permit new mobile parks to develop and to expand in a number of environmentally suitable locations, 30-A M.R.S.A. § 4358(3)(M); and (iii) give reasonable consideration to permitting existing mobile home parks to expand in their current locations, *id.* These directives constitute an express limitation on municipalities' otherwise broad zoning powers. *See* 30-A M.R.S.A. § 3001.

*Bangs v. Town of Wells*, 2000 ME 186, ¶ 15, 760 A.2d 632. The Law Court has made the legislature's purpose in enacting this statutory scheme abundantly clear: municipalities may not use zoning powers to keep affordable housing such as mobile and manufactured home developments out of their communities. *See id.* Whether the Town's ordinance prohibiting mobile home parks is consistent with Section 4358 presents a question of law. *Id.* ¶ 9.

The present case is squarely on point with the Law Court's decision in *Bangs v. Town of Wells*, 2000 ME 186, 760 A.2d 632. In *Bangs*, a developer sought to expand a pre-existing nonconforming mobile home park in an area of Wells zoned as a rural district. Wells denied the owner's application reasoning that a mobile home park is not a use permitted in the rural district. *Id.* ¶ 5.

The Law Court reversed. The Town had confined mobile home parks to a specific overlay district, which contravened 30-A M.R.S. § 4358(3)(M), requiring municipalities give "reasonable consideration . . . to permit existing mobile home parks to expand in their existing locations." *Bangs v. Town of Wells*, 2000 ME 186, 760 A.2d 632. By confining eligible sites to that district, Wells gave *no consideration* to projects outside the district, in direct violation of the statute. The Court further rejected Wells' argument that the statute contemplated density rather space, reading "expand" to mean projects could grow beyond their physical boundaries. *Id.* ¶ 19-21.

Like the developer in *Bangs*, Hynes wishes to expand Yankee Commons. The Planning Board summarily rejected Hynes' plan. The Town argues that *Bangs* does not control because a mineral extraction permit is required and such a use is not permitted in the Mixed-Use Zone. For the reasons discussed above, however, Hynes was not required to obtain the permit. By treating the application as one that required an unobtainable mineral extraction permit, the Town plainly failed to give "reasonable consideration" to the project. See *Bangs*, 2000 ME 186, ¶ 21, 760 A.2d 632 ("Although the Legislature has not defined 'reasonable consideration,' its plain meaning requires, at a minimum, more than what [Kittery] has done.")

The Town also failed to give the Proposed Expansion “reasonable consideration” by concluding the mobile home parks were not permitted in the Mixed-Use Zone. The Legislature has required municipalities to give “reasonable consideration” to proposals like Hynes’s that wish to expand an existing mobile home park. *Bangs*, 2000 ME 186, ¶ 15, 760 A.2d 632.<sup>1</sup> Because Kittery, like Wells, categorically prohibits manufactured housing from a zoning district, this violates the mandate of the statute and *Bangs*. *See id.* ¶ 17. (“[T]he Ordinance flatly prohibits Bangs’s mobile home park from being given any consideration whatsoever, let alone a ‘reasonable consideration,’ to expand beyond its current location.”) For that reason, Kittery’s ordinance violates 30-A M.R.S. § 4358.

While the Town’s prohibition on manufactured housing in the Mixed-Use Zone is invalid, this does not mean the Town must permit all mobile and manufactured home projects in that zone. Rather, the projects must simply receive “reasonable consideration” in light of applicable law, which the Proposed Expansion in this case clearly did not receive. The court reaches no conclusions as to the Proposed Expansion’s compliance with other aspects of the Kittery ordinances and Maine’s Manufactured Housing statute. Those issues, including the “environmental suitability” of the site, require factual findings by the Town in the first instance on remand. *See, e.g.*, 30-A M.R.S.A. § 4358(3)(M) (requiring “mobile home parks to expand and to be developed *in a number of environmentally suitable locations* in the municipality”) (emphasis added). While the excavation at the site does not require a mineral extraction permit, the quantity and

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<sup>1</sup> Although the parties dispute whether single-family homes would be permitted on the Proposed Site, this is irrelevant. Like the developer in *Bangs*, this is an existing mobile home park and therefore only the “reasonable consideration” standard under 30-A M.R.S.A. § 4358(3)(M) is implicated by Hynes’ Proposed Expansion. *See Bangs*, 2000 ME 118, ¶ 17.

character of materials to be removed is still relevant to the Town's consideration of the Proposed Expansion.

### III. Conclusion

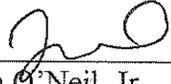
The Town erred by requiring Hynes to obtain a mineral extraction permit because the proposed excavation is "incidental" to the construction on the site. By requiring the permit and determining mobile home parks were not permitted in the Mixed-Use Zone, the Town failed to give the Proposed Project "reasonable consideration" under 30-A M.R.S.A. § 4358(3)(M).

The entry shall be:

Hynes' Rule 80B appeal is hereby GRANTED, the decision of the Town of Kittery Planning Board is VACATED and REMANDED for further proceedings consistent with this decision. The court further declares that Kittery's ordinance prohibiting mobile home parks from the Mixed-Use Zone is invalid under 30-A M.R.S. § 4358(3)(M).

SO ORDERED.

DATE: March 11, 2015

  
\_\_\_\_\_  
John O'Neil, Jr.  
Justice, Superior Court

A True Copy Attest,  
  
Clerk

**THE HYNES GROUP - YANKEE COMMONS  
EXPANSION PROJECT**

**HISTORY & OVERVIEW**

*for*  
Kittery Planning Board

*Provided - 23 April 2015*

J:\aaa\2006\0668402\Planning Board\20150417submittal\20150423Chronology



CIVIL  
CONSULTANTS

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

## **THE HYNES GROUP - YANKEE COMMONS EXPANSION PROJECT HISTORY & OVERVIEW APRIL 23, 2015**

This precis is an overview of the proposed Yankee Commons Mobile Home Park expansion project, which has now been remanded by the Superior Court to the Planning Board for review after appeal. Given that the initial submission was filed in late 2011 and that a number of current Planning Board members were not part of the prior review process, the purpose of this precis is to summarize the project, including information provided during site walks, meetings, and public hearings that is not found in the formal submission requirements. This document supplements our application package, dated April 20, 2015, which consolidates the application materials as of the date of the Planning Board's last review on September 26, 2013.

### **History**

Hynes purchased Yankee Mobile Home Parks in 1996, which includes the 120 lot park on Cutts Road (Yankee Green), the 64 lot and 12 apartment complex on Idlewood Lane (Yankee Commons); and the two undeveloped parcels (Map 66 Lots 24 & 25) adjacent and abutting US Route 1 and Wilson Lane (58.1 acres).

There have been two prior attempts to expand the Parks. First, in 1998, the Kittery Planning Board approved a 68 lot expansion of Yankee Commons over approximately 20 acres of the vacant parcels (mobile home parks were a permitted use in the zone continuing from the 70s). Due to various factors, that approval lapsed before it could be developed. A revision to Title 16 in 2004 removed mobile home parks as a permitted use.

Second, in 2006, the Kittery Board of Appeals approved a special exception use for a stick-built 80-unit age-restricted condominium plan covering approximately 17 acres. That plan did not go forward due to concerns about building cost and future reasonable affordability for buyers/residents.

The current project was conceived in June of 2011. Initial cursory review indicated that 138 lots were possible under the net residential density standards. See calculations at Enclosure 1, Density Overview.

Our design objectives were to be compliant with: (1) all Federal Housing & Urban Development (HUD) requirements; (2) Maine Manufactured Housing Board (MHB) park standards regulations; (3) Maine Department of Environmental (DEP) regulations; and (4) Kittery Town Code Title 16.

Recognizing that there are conflicts and inconsistencies between state statutes (*30-A M.R.S. § 4358, Regulation of manufactured housing*), MHB standards and Title 16, the primary plan objectives also included efforts to be consistent with and pursuant to Kittery's Comprehensive Plan; and the concepts in Title 16 related to elderly housing, clustered development, and the mixed use zone. See Enclosure 2, Consistency with Title 16 & Comprehensive Plan.

It was also necessary to create an economically viable proposal (infrastructure buildout investment estimated at \$3.5M) through home sales and net operating income over a period of about ten years while keeping buyer/tenant costs "reasonably affordable".

# **THE HYNES GROUP - YANKEE COMMONS EXPANSION PROJECT HISTORY & OVERVIEW APRIL 23, 2015**

## **PROJECT CHRONOLOGY**

The project sketch plan was filed on 20 December 2011, with 83 home lots and a community center. An MDoT-approved US Route 1 curb cut was centered on parcel 25 and crossed a wetland to access the rear (northerly) section. The Board asked during the initial site walk if it was possible to eliminate that curb cut/roadway as Title 16 suggests that there should be no more than absolutely necessary.

In response to the Board's request, the plan was redesigned to provide access from Route 1 via Idlewood Lane. This resulted in a reconfiguration of Wilson Lane and a reduction of five lots to 78 and resulting in no wetland impact.

The preliminary plan was accepted by the Board on 23 August 2012 and a second site walk took place on September 4<sup>th</sup>, 2012. No other issues were raised at that point and a public hearing was held by the Board on September 13<sup>th</sup>, 2012. Principal concerns raised in staff and peer review comments, and Board deliberation, focused on two issues:

1. Whether a mobile home park expansion was allowed in the mixed use zone; and
2. The amount of earth material proposed to be removed.

At the Board's direction, the applicant applied for a mineral extraction permit, but the application ultimately failed.

During that time, the plan was submitted to Maine DEP for Site Location of Development review and approval, a process that includes review of multiple environmental regulations, including impacts to natural resources, stormwater, groundwater, and scenic character. DEP approved the plan as presented in June 2013. It is understood that should the Board find need for some reason to alter any of the environmental features an amendment may need to be filed.

The preliminary plan was then updated (April 18, 2013) to address the issues raised by staff and the Town's peer reviewer. Ultimately, the Board denied the project on preliminary plan review on September 26, 2013 for two reasons:

1. First, the Planning Board concluded that Hynes needed a mineral extraction special permit because the amount of the proposed excavation was not incidental to normal construction activities, and that Hynes could not obtain such a permit because mineral extraction is not a permitted use in the mixed use zone; and
2. Second, even if a mineral extraction special permit could be obtained, the Planning Board also concluded that the expansion of an existing mobile home park was not permitted in the mixed use zone because mobile home parks are not a permitted use in that zone.

Hynes appealed the Planning Board's decision to the York County Superior Court, which overturned the Planning Board's action on March 11<sup>th</sup>, 2015. The Judge's conclusion stated:

**THE HYNES GROUP - YANKEE COMMONS EXPANSION PROJECT HISTORY & OVERVIEW  
APRIL 23, 2015**

*“The Town erred by requiring Hynes to obtain a mineral extraction permit because the proposed excavation is “incidental” to the construction on the site. By requiring the permit and determining mobile home parks were not permitted in the Mixed-Use Zone, the Town failed to give the Proposed Project “reasonable consideration” under 30-A M.R.S.A. § 4358(3)(M).”*

And the order stated:

*“Hynes’ Rule 80B appeal is hereby GRANTED, the decision of the Town of Kittery Planning Board is VACATED and REMANDED for further proceedings consistent with this decision. The court further declares that Kittery’s ordinance prohibiting mobile home parks from the Mixed-Use Zone is invalid under 30-A M.R.S. § 4358(3)(M).”*

As a result, the two bases provided by the Planning Board to deny the project initially have been rejected by the Court. The Court’s decision does not mean that the project must automatically be approved or that no standards apply. Rather, the project is now before the Planning Board for preliminary plan review under the Town’s applicable review standards.

**CURRENT SITUATION**

We recognize, therefore, that we must demonstrate we will meet the performance standards in Title 16. To summarize our explanation/position on key issues, as perceived from the project history, we provide the following:

- A. Basis of amount of earth removal: Explanation and drawing at Enclosure 3, Earth Removal.
- B. Earth removal operation traffic impact: Explanation and data at Enclosure 4, Earth Removal Traffic Impact.
- C. Approximately 12.2 acres would be disturbed and revegetated. Aerial reference at Enclosure 5 - Aerial View.

Note 1: Since the horizontal area of disturbance is fixed by any grading for roads, sewer, utilities, storm water, etc, the vertical depth of removal has no bearing on the amount of disturbed area. The finished site landscaping plans a vegetative ground cover and add 100 new deciduous trees. Care will be taken to avoid damage to the mature Red Maple near the entry to the northerly section.

Note 2: Erosion control is factored fully in the Maine DEP approved plans.

- D. The onsite historic (Wilson Family Cemetery) and environmentally significant (shoreland, resource protection and vernal pool) areas are preserved and maintained via a conservation easement.

**THE HYNES GROUP - YANKEE COMMONS EXPANSION PROJECT HISTORY & OVERVIEW  
APRIL 23, 2015**

E. Compliance with all town mobile home park development standards is met with only four waivers, which the Board is authorized to grant under Section 16.7.4.1 of the Ordinance. Explanation and detail at Enclosure 6, Kittery Standards Compliance.

Note 1: We have proposed lot sizes at 5,000 sf in accordance with the State's Mobile Home Park statute, 30-A M.R.S. § 4358(3)(A)(1)(b), which provides that, except for an ordinance adopted under Title 38 of the Maine Revised Statutes (such as shoreland zoning), a municipality cannot require the size of any mobile home park lot served by public sewer to be any larger than the smaller of either 6,500 square feet or the area of the smallest residential lot allowed in the municipality (which, in this case is 5,000 square feet in Kittery Foreside – Mixed Use). Thus, we request a waiver of Section 16.8.12.3.C.1, which otherwise provides a minimum lot size of 6,000 square feet.

Note 2: We have proposed a side setback at 10 feet, even though Section 16.8.12.3.D.1 of the Ordinance would normally require 20 feet. This is based on 30-A M.R.S. § 4358(3)(C), which provides that, except as required by an ordinance adopted pursuant to Title 38 of the Maine Revised Statutes, which covers, among other things, shoreland zoning, but is not applicable here, a town cannot require setbacks that have the effect of requiring larger lots than those permitted under § 4358(3)(A), addressed above. Because anything greater than 10-foot setbacks would require lots to be larger than 5,000 square feet, the local provision is preempted by the State Mobile Home Park Statute. Thus, we request a waiver of Section 16.8.12.3.D.1.

Note 3: The applicant has proposed to contract for curbside pick-up for refuse, as shown at Enclosure 7 - Waste Disposal vs Dumpsters. This is the practice in place at the existing parks, thus we request a waiver of the requirement in Section 16.8.12.3.U to have a dumpster within 150 feet of every home.

Note 4: Sidewalks are not required by the State in mobile home parks and would serve no practical purpose. With low traffic and a 15 mph speed limit, pedestrian safety is not an issue. A three-foot walkway as part of the engineered roadways is proposed as allowed by Title 16.

F. Originally planned to be built out in four phases, at the request of the Board, the entire site infrastructure and improvements will be completed in a single beginning-to-end project.

5 Enclosures

1. Density Overview
2. Consistency With Title 16 & Comprehensive Plan
3. Earth Removal
4. Earth Removal Traffic Impact
5. Aerial View
6. Kittery Standards Compliance
7. Waste Disposal vs Dumpsters

**HISTORY & OVERVIEW**  
**YANKEE COMMONS EXPANSION PROJECT - THE HYNES GROUP**

**Enclosure 1 - Density Overview**

**DENSITY CALCULATIONS**

Utilizing the following information the potential number of units to be developed can be calculated.

**Chapter 16.2 DEFINITIONS**

**16.2.2 Definitions**

*Net residential acreage means the gross available acreage less the area required for streets or access and less the areas of any portions of the site which are unsuitable for development as outlined in Article VIII of Chapter 16.7.*

**Chapter 16.7 GENERAL DEVELOPMENT REQUIREMENTS**

**Article VIII. Land Not Suitable for Development**

**16.7.8.1 Locations and Sewage.**

*The Planning Board may not approve portions of any proposed development that:*

- 1. Are situated below sea level;*
- 2. Are located within the one hundred (100) year frequency floodplain as found in the definition;*
- 3. Are located on land which must be filled or drained, or on land created by diverting a watercourse, except the Planning Board may grant approval if central sewage collection and disposal system is provided.*
- 4. Has any part of the development located on filled tidal wetlands.*
- 5. Employs septic sewage disposal and is located on soils rated poor or very poor by the Soil Suitability Guide for Land Use Planning in the State of Maine.*

- 1) At this time, the project is being proposed on only one of the vacant lots owned by the Hynes Group - Tax Map 66 Lot 24. The area this lot is 2,185,044 square feet (sqft) or 50.16± Acres.

Based upon the definitions above, the only applicable land not suitable for development category is #2 (floodplain) which encompasses 191,462± sqft. Net acreage reduces to 2,185,044 - 191,462 or 1,993,582 sqft.

If a figure of 20% of the modified area is used for streets or access (398,716 sqft), the Net Residential Acreage becomes 1,993,582 - 398,716 or 1,594,866 sqft. At 5,000 sqft per unit, 318 units would be possible.

- 2) Realistically, the wetlands are not developable. The area of wetlands and associated buffers on this site (which includes Article VIII, 16.7.8.1 items) is 1,128,513 sqft. The area associated with the Wilson cemetery (& buffer) is 7,290 sqft. There is a large upland (99,408 sqft) that is not easy to access due to a stream that comes from I-95.

Starting with the gross lot area and deducting the items above we would have a net area of 2,185,044 - 1,128,513 - 7,290 - 99,408 or 949,833 sqft. Deducting 20% for access (189,967 sqft) leaves 769,866 sqft. If we set aside 10% of the remaining space (76,987 sqft) for adjacent open space & a community center, we have a net residential acreage of 692,879 sqft. 138 units are possible at 5,000 sqft/unit.

- 3) We are proposing 78 units (which only needs an area of 390,000 sqft < 1,594,866 sqft available).

*NOTE: Actual access area is 145,900± sqft (about 15% of net area).*

**HISTORY & OVERVIEW**  
**YANKEE COMMONS EXPANSION PROJECT - THE HYNES GROUP**

**Enclosure 2 - Consistency Overview**

**CONSISTENCY with TITLE 16 & COMPREHENSIVE PLAN**

**A. CONSISTENT with CLUSTERED DEVELOPMENT CONCEPTS**

*Article XI. Cluster Residential and Cluster Mixed-Use Development.*

*16.8.11.1 Purpose.*

*To implement adopted Comprehensive Plan policies regarding the Town's natural, scenic, marine, cultural and historic resources, land use patterns and recreation and open space, this Article is intended to encourage and allow new concepts and innovative approaches to housing/commercial development and environmental design so development will be a permanent and long-term asset to the Town, while in harmony with the natural features of the land, water and surrounding development. Objectives include:*

- A. efficient use of the land and water, with small networks of utilities and streets;*
- B. preservation of open space and creation of recreation areas;*
- C. maintenance of rural character, preserving farmland, forests and rural viewscapes;*
- D. preservation of areas with the highest ecological value;*
- E. location of buildings and structures on those portions of the site most appropriate for development;*
- F. creation of a network of contiguous open spaces or 'greenways' by linking the common open spaces within the site and to open space on adjoining lands wherever possible;*
- G. reduction of impacts on water resources by minimizing land disturbance and the creation of impervious surfaces and stormwater runoff;*
- H. preservation of historic, archaeological, and cultural features; and*
- I. minimization of residential development impact on the municipality, neighboring properties, and the natural environment.*

The project design implements cluster development principles. Cluster Development, also known as conservation development, is a site planning approach that is an alternative to conventional subdivision development. It is a practice of Low Impact Development that groups residential properties in a proposed subdivision closer together in order to utilize the rest of the land for open space, recreation or agriculture.

The benefits of cluster development, as opposed to a conventional subdivision, include: more preserved land for open/recreational space, a better setting for community building, possible local agriculture production, and an optimal arrangement in storm water management. Furthermore cluster development makes more ecological and economical sense.

By clustering residential properties there is less impervious surface and more natural drainage, which reduces storm water flooding and soil erosion. As well, strategic areas in the extra space can be used trap nutrients and suspend runoff. Economical benefits include having fewer roads, water/sewer/drainage, and electric/gas utility infrastructure to construct. Higher density means reduced travel time for services as well as the possibility for public transportation, increased bicycle usage, and pedestrianism. This subsequently would mean less petroleum usage, and CO<sub>2</sub> emissions. Higher density also has implications for an increase in recreation and community.

## HISTORY & OVERVIEW

### YANKEE COMMONS EXPANSION PROJECT - THE HYNES GROUP

#### Enclosure 2 - Consistency Overview

#### B. CONSISTENT with ELDERLY HOUSING CONCEPTS

##### **16.2.2 Definitions.**

*Elderly housing means a residential use occupied principally by residents who are at least fifty-five (55) years of age (or in the case of a couple, at least one of whom is at least fifty-five years of age) in which the accommodations are all dwelling units with private bathrooms and cooking facilities. Occupants of this residential use may also include handicapped individuals of any age. This housing does not provide a regular program of services to all of its residents although individual residents may arrange for the provision of services within the facility. Elderly housing includes very limited shared community space and shared dining and kitchen facilities but may include limited facilities for allied health services, social services, and personal services such as physical and occupational therapy, a beauty shop, recreational programs, elderly day care, and similar programs. The use of these facilities must be accessory to the primary residential use of the facility but may be open to nonresidents of the facility. Elderly housing does not include eldercare facilities that are typically referred to as independent living units, congregate care units, assisted living units, dementia or Alzheimer's units, or hospice units, or a nursing care or convalescent care facility that provides nursing services.*

We are proposing to develop the project for elderly housing. Maine is aging and Kittery is increasingly gentrifying. A great many local homeowners with residency of 30-40-50 years are approaching, or in, retirement with reduced income. They are finding taxes and upkeep of their highly valued property moving out of their reach. Reasonably affordable alternatives mainly exist in other towns some distance inland. Selling and moving elsewhere uproots folks from the town where they have a long history they would prefer to maintain.

With EnergyStar-certified quality-built homes and garages in the \$125-\$175K range, the individuals could sell their current homes and live comfortably right in this town with all it means to them. Additionally, the project becomes something of a "walkable community" (4/10ths of a mile furthest to the Community Center; a half-mile to Rte 1; ¾ of a mile to Landmark Hill businesses; a mile to Three Buoys restaurant). In addition, this would include a community garden; community center group activities, meeting spaces, and personal services (potentially); and walking trails in an out-of-the-way quiet setting.

#### C. COMPLIANT for MIXED USES

##### **16.3.2.13 Mixed Use MU.**

*".....A mix of uses on a site is desired and in some cases, required...."*

##### ***Permitted Use***

- 5. Business and professional offices;*
  - 19. Personal services;*
  - 20. Public open space or recreation;*
  - 29. Accessory buildings and uses including minor or major home occupations;*
  - 32. Specialty food and/or beverage facility.*
- [Function Hall]*

##### ***Special Exception Use***

- 6. Housing for elderly as part of a mixed use project;*
- 11. Public utility facilities including substations, pumping stations, and sewage treatment facilities;*

## HISTORY & OVERVIEW

### YANKEE COMMONS EXPANSION PROJECT - THE HYNES GROUP

#### Enclosure 2 - Consistency Overview

The project includes all the above listed uses. The Community Center facility will contain business and sales offices; meeting rooms; a medium size (125 seating) function room; and an accessory maintenance shop/garage. There is also the potential for future development of personal services, such as OT/PT and equipment; hair care; etc., although these must be viable for the provider. The non-developed 30+ acres is proposed to the Kittery Land Trust, or another similar conservation group, for a conservation easement with public access walking trails. The project must pay for a water department pumping station benefitting its system.

Also noted is the net positive fiscal impact to the town. Significant Public Safety Impact Fees will be paid. In addition, with the owner taking care of on-site roads, water, sewer, street lighting, waste disposal; and few, if any, school students, the project will have very limited financial cost to the Town. The estimated added valuation, when completed, would contribute more than \$200,000 annually in new taxes, along with the sewer and water department added revenues.

#### D. PURSUANT TO KITTELY COMPREHENSIVE PLAN

As may be seen following, the project overall meets objectives of the current plan:

##### *1999 Update of the Kittery Comprehensive Plan / Revised 11/10/00*

*ADOPTED BY COUNCIL 3/25/02*

<i>1. Housing.....</i>	<i>164</i>
<i>5. Issues and Implications .....</i>	<i>183</i>
<i>6. Goals and Policies.....</i>	<i>184</i>

#### **6. GOALS AND POLICIES**

***State Goal: To encourage and promote affordable, decent housing opportunities for all Maine citizens. (Growth Management Act)***

***Local Goals: To encourage a diversity of housing to meet the needs of a wide range of residents.***

***To assure that as new housing is built in Kittery, at least 10% of the new units are affordable to lower or moderate income households.***

*2. The Town will continue to allow housing for the elderly to be built at higher densities than other types of housing in areas that are currently zoned Urban Residential and will explore providing an elderly housing density bonus in other areas that are residentially zoned and served by public sewerage in recognition of the lower impact that this type of housing has on the community.*

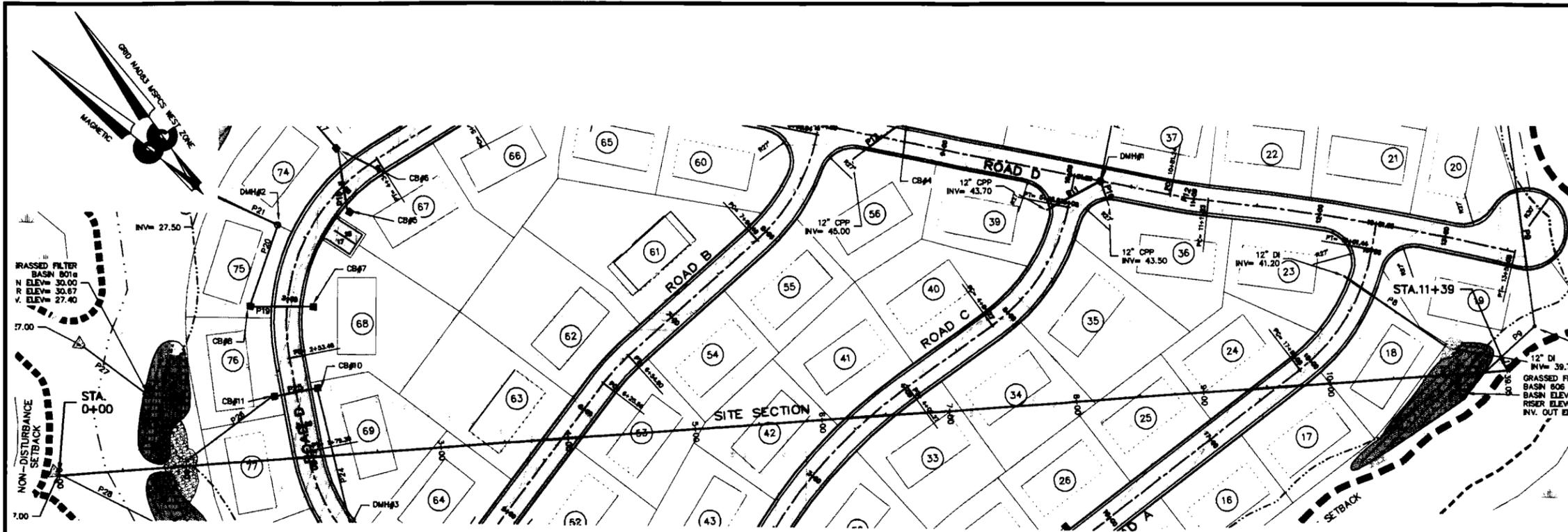
*4. The Town should work with nonprofit organizations and private developers to encourage that a balance is maintained in the supply of housing so that a range of lower, mid, and higher cost housing is available in Kittery including housing that is affordable to low and moderate income households.*

# HISTORY & OVERVIEW

## YANKEE COMMONS EXPANSION PROJECT

### THE HYNES GROUP

#### Enclosure 3 - Earth Removal



The profile shown (bottom of page) follows the section line shown on the plan view (top of page). It represents the methodology used throughout the site in developing the finished grade lines.

Beginning at the edge of the wetland setback, slopes were generally graded upward at a maximum grade of 3:1 (33%) to whatever feature came next (swale, road house pad, etc.). The 3:1 slope was selected as it results in an easily maintained (mowed) surface and does not require guard rails when adjacent to a roadway.

Roadway grades were kept between 1% (minimum to promote surface water drainage) and 10% (the maximum allowed by the Manufacture Housing Board -MHB). Due to the compact design of the lots and to improve safety for entering and exiting lots, the roadway grades were kept to 3.5% adjacent to lot driveways.

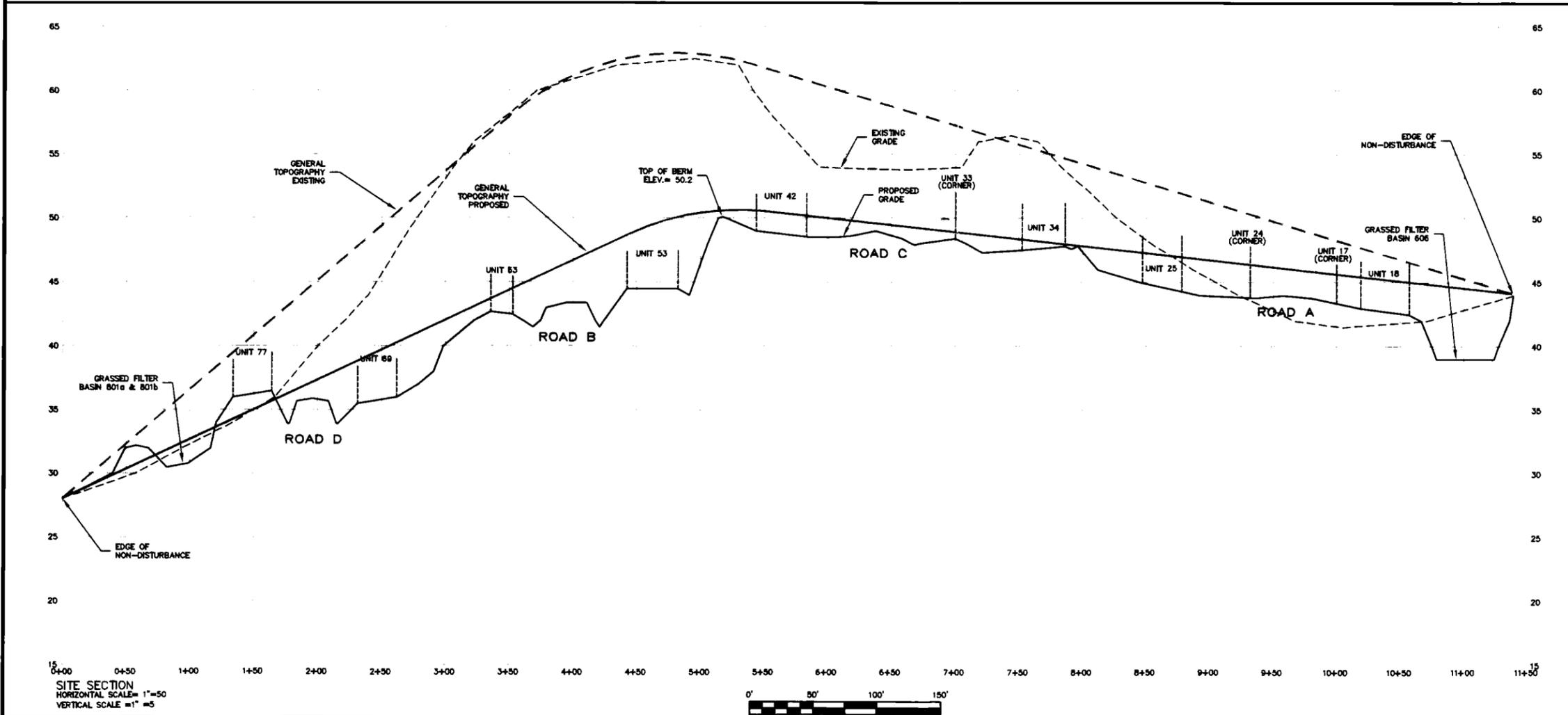
To minimize the potential for sideslope erosion, all swale sideslopes were designed at 3:1.

Pursuant to MHB pad standards, all pads slope <5% in any direction (most are closer to 3%).

As seen on the section, both ends start at a wetlands setback. Both continue generally upwards until they meet at the top of a berm near Station 5+10. The volume of material that needs to be removed is the difference shown between the Existing Grade line (dashed) and the Proposed Grade line (solid).

As illustrated by the orange lines on the profile, the final site generally follows the original topographic surface.

NOTE: Extraction operations will comply with Kittery Title 16, Section 16.9.1.2 B. Sub-Sections 4-13 standards as well as state regulations.



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

NO.	REVISIONS	INT.	DATE

**HISTORY & OVERVIEW**  
 YANKEE COMMONS EXPANSION PROJECT - THE HYNES GROUP  
 BLEWIS LANE/ U.S. ROUTE 1 KITTERY, MAINE  
 PREPARED FOR:  
 STEPHEN A. HYNES, TRUSTEE  
 REAL PROPERTY TRUST AGREEMENT  
 MAILING ADDRESS: 1571 BELLEVUE AVE., SUITE 210 WEST WINDSOR, B.C. V7Y1A6

**CIVIL CONSULTANTS**  
 DRAWN: JAA    CALC:  
 DATE: 21 APRIL 2015  
 CHECKED:  
 APPROVED:  
 SCALE: 1"=50'  
 SHEET TITLE:  
**ENCLOSURE 3**  
 SHEET NUMBER:  
**EC3**  
 SHEET  
 PROJECT # **06-684.02**

SITE SECTION  
 HORIZONTAL SCALE = 1"=50'  
 VERTICAL SCALE = 1"=5'



## HISTORY & OVERVIEW

### YANKEE COMMONS EXPANSION PROJECT - THE HYNES GROUP

#### Enclosure 4 - Earth Removal Traffic Impact

#### POTENTIAL TRAFFIC IMPACTS from EARTH REMOVAL OPERATIONS

The following is a gross calculation of the potential traffic impact due to excavation removal. Up to approximately 190,000 cubic yards of material may be removed (that material above site final grade). As shown below, this could result in approximately 8,637 total round trips over a ten month period (excluding weekends/holidays) with an expected maximum of 40 hauls/day (80 trips). The 2013 Maine DoT average daily traffic count for the Information Center entrance on Rte 1 reflects 9,900 trips headed Northeast and 9,820 Southwest (1,260 fewer than 2010). The data for the outlet area and Foreside portions of Rte 1 are provided for reference.

Amount of Material Removed* (in cubic yards)	190,000
# 25 cu yd Dump Trips (190,000/22 - allows for voids)	<b>8,637</b>
# Daily Round Trips (@4 trips/hr for 10 hrs/day)	40**
# Days of Trips (8,637 total yardage/40 trips per day)	216
# Work Weeks (216 days/5 wk days/wk)	43.2
Total # Days Elapsed (43.2 Weeks x 7 days per week)	303
# Months Elapsed (303 days / 30 day ave month)	10

*\* Amount of material removed is all material above finish grade.*

*\*\* 40 round trips equates to 80 trip ends for traffic count purposes.*

#### August 26, 2014 Page 23 of 62 County 2013 Maine Transportation Count Book - York

##### **AADT = AVERAGE ANNUAL DAILY TRIPS**

TOWN	STATION	ROAD	LOCATION	TYPE	GROUP	AADT10	AADT13
KITTERY	1106	0001X	US 1 SW/O SR 101 (WILSON RD)	C	II+III	18,730	16,930
KITTERY	900	0001X	US 1 @ SPRUCE CREEK BR# 2553	C	II+III	17,650	16,260
KITTERY	302	0001X	US 1 NE/O HALEY RD	C	II+III	12,330	10,940
KITTERY	3702	0001X	US 1 NE/O REST AREA RD (to York)	C	II+III	.	<b>9,900</b>
KITTERY	3706	0001X	US 1 SW/O REST AREA RD (to Circle)	C	II+III	11,080	<b>9,820</b>
KITTERY	1301	0001X	US 1 (NEW STATE RD) N/O LOVE LN	C	I	9,790	8,390
KITTERY	500	0001X	US 1 @ NH SL @ VETERAN'S MEMORIAL BR	C	I	8,650	.

at: [http://www.maine.gov/mdot/traffic/docs/ytc/CountReport\\_York2013.pdf](http://www.maine.gov/mdot/traffic/docs/ytc/CountReport_York2013.pdf)

or: <http://me-avcog.civiccities.com/index.aspx?nid=1009>



**HISTORY & OVERVIEW**  
**YANKEE COMMONS EXPANSION PROJECT - THE HYNES GROUP**

**Enclosure 6 - Kittery Mobile Home Park  
Standards Compliance**

**KITTERY VS. STATE STANDARDS & PROPOSED**

The following table shows the town, state standards as well as the standard we propose to follow:

		<b>TITLE 16</b>	<b>MRS/MHB</b>	<b>Proposed</b>
1	Min Lot Area	6,000 sqft	5,000 sqft	<b>5,000 sqft (30-A §4358)</b>
2	Min Lot Coverage	50%		*1,800 sqft (36%)
3	Min Lot Width	50 ft		50 ft
4	Min Bldg Separation	20 ft	10 ft	20 ft
5	Min Unit Dist - Side-Side	20 ft	10 ft	20 ft
6	Min Unit Dist - End-End	20 ft	8 ft	20 ft
7	Min Unit Dist - End-Side	20 ft	6 ft	20 ft
8	Min Front Setback (Street)	20 ft		20 ft
9	Min Side Setback	20 ft		<b>10 ft (16.8.12.3D)</b>
10	Min Rear Setback	10 ft		10 ft
11	Min Angle Intersect	75°		75°
12	Min Grade w/i 75'	3%		3%
13	Max Road Grade		10%	10%
14	Min ROW	23 ft	23 ft	24 ft
15	Min Road Width	20 ft	18 ft	20 ft
16	Max Straight Rd Sect	200 ft		200 ft
17	Min Parking Space/Unit	2		2
18	Min Storage Unit	300 cuft		600 cuft / Garage
19	Min Dist to Refuse Container	150 ft		<b>Service (16.8.12.3U)</b>
20	Min Buffer at PL	50 ft		50 ft
21	Min Dist to Buffer Screen	25 ft		25 ft
22	Min Sight Distance	10 X MPH	10 X MPH	10 X MPH
23	Min Side Slopes		3:1	3:1
24	Min Width Walks	3 ft		<b>Road (16.8.12.3M)</b>
25	Min Guest Park/Unit	1/4 Units		1/4 Units
26	Open Space	10% Lot Area	10%	10% Lot Area
27	Usable Open Space	50%		<b>TBD</b>

\* Planned Unit/Garage footprint is 30' x 60' - Actual coverage within that footprint is a function of chosen unit dimensions.

**Title 30-A: MUNICIPALITIES AND COUNTIES**

**Part 2: MUNICIPALITIES**

**Subpart 6-A: PLANNING AND LAND USE REGULATION**

**Chapter 187: PLANNING AND LAND USE REGULATION**

**Subchapter 3: LAND USE REGULATION**

**§4358. Regulation of manufactured housing**

**3. Regulation of mobile home parks.** This subsection governs a municipality's regulation of mobile home parks.

**A. Except as required under Title 38, or an ordinance adopted pursuant to Title 38, a municipality shall not require:**

(1) The size of any mobile home park lot served by a public sewer system to be larger than the smaller of:

(a) Six thousand five hundred square feet; or

(b) The area of the smallest residential lot permitted in the municipality;

## HISTORY & OVERVIEW

### YANKEE COMMONS EXPANSION PROJECT - THE HYNES GROUP

#### Enclosure 6 - Kittery Mobile Home Park Standards Compliance

##### *Kittery Town Code Title 16*

##### **16.8.12.3 Mobile Home Parks.**

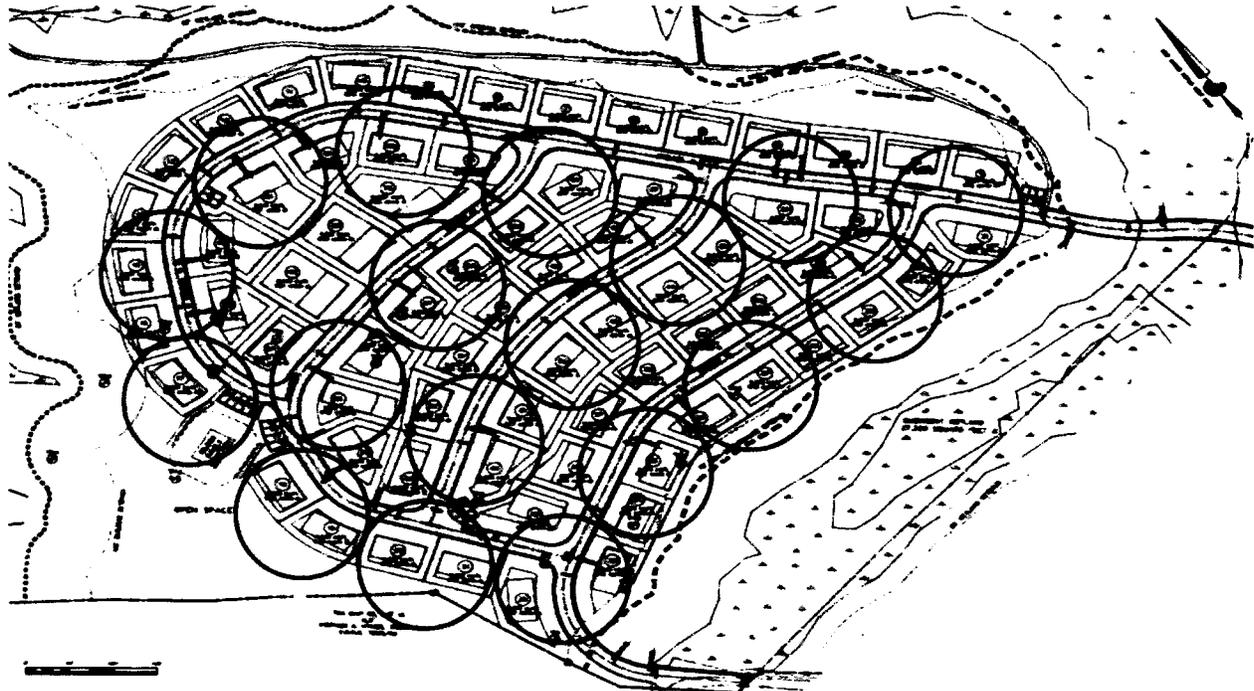
- D.** *The following setback rules apply to all mobile homes and accessory buildings:*
- 1 Front and side setbacks are to be twenty (20) feet; rear setbacks, ten (10) feet.*
  - 5 The CEO may allow side yard setbacks to be reduced to five feet provided a distance of twenty (20) feet is maintained between mobile homes for the purpose of providing more usable yard space on one side of the home.*
- M.** *The mobile home park must contain pedestrian walkways that link all units and all service and recreational facilities. Such walkways are to be adequately surfaced and lit. A portion of the road surface may be reserved for walkways provided the street width is increased accordingly. Walkways should be a minimum width of three feet.*
- O.** *Open space calculations are as follows:*
- 1 For mobile home parks served by a public sewer, an area amounting to ten (10) percent of the total area devoted to individual lots must be set aside for open space and/or recreation. Such space is to be accessible and usable by all residents of the park. Parking space, driveways and streets and buffer areas are not considered usable open space but community recreation buildings, pools and courts are considered as open space.*
  - 2 At least fifty (50) percent of the required open space must consist of land that is suitable for active recreation.*
  - 3 All developed open space is to be designed and landscaped for the use and enjoyment of the park residents and maintained for their long-term use. Plans for these areas must be submitted by the developer.*
  - 4 To the maximum extent possible, undeveloped open space must be left in its natural state. Improvements to make trails for walking and jogging or to make picnic areas are permitted.*
  - 5 The developer must submit, as part of the application, a copy of that portion of the proposed park rules and a plan which specify how the open space is to be used and maintained and what conditions apply to its use. The plan must specify the area to be dedicated open space or recreation.*
- The term "usable open space" refers to land which, due to its topographic and drainage characteristics is suitable for use as active or passive recreation, or for agriculture.*
- U.** *Each mobile home lot must be provided with an area for refuse storage. Within a maximum one hundred fifty (150) feet from each mobile home lot, there must be a flytight, watertight and rodent-proof container capable of storing the amount of refuse that the mobile home park for which it was designed could generate within one week as well as any separation containers as required by the Kittery recycling program. The park management is responsible for disposal of refuse from such containers at least once a week.*

**HISTORY & OVERVIEW**  
**YANKEE COMMONS EXPANSION PROJECT - THE HYNES GROUP**

**Enclosure 7 - Waste Disposal vs. Dumpsters**

**KITTERY VS. STATE STANDARDS & PROPOSED**

The following diagram illustrates how the current requirement for individual dumpsters impacts the overall park layout.



The red circles are a general representation of the 150 foot areas that section 16.8.12.3U would require for dumpsters. The overall project would require more than two dozen. Yankee proposes to provide curbside pickup service as an amenity (included in rent) as we currently do with the existing parks. Service is provided three times weekly, once each for household waste; recyclables, and landfill/recoverable materials. Notwithstanding the question of "flytight, watertight and rodent-proof container", the dumpsters/pads would be an eyesore and in our opinion not environmentally friendly.

Additionally, we question the validity of this requirement in the context of 30-A MRS §4358. Regulation of manufactured housing §§ K. "Except as required under Title 38, or an ordinance adopted pursuant to Title 38, a municipality may not enact or enforce land use regulations or ordinances, including, but not limited to, subdivision regulations or ordinances, which limit the number of lots in a mobile home park, which circumvent the intent of this section or which conflict with the provisions of this section." Incorporating pads for these dumpsters would result in the loss of at least one home lot, or expansion of the development footprint inconsistent with the statute.

# **Yankee Commons Mobile Home Park Expansion**

Subdivision Review Application  
Town of Kittery

*for*

Stephen A. Hynes, Trustee, c/o Gary Beers  
3 Idlewood Lane, Kittery, Maine

***Original Preliminary Submission - 1 August 2012***

***Submittal Updated - 4 September 2012***

***Plans Updated - 18 April 2013***

***Consolidated Package Provided - 20 April 2015***

J:\aaa\2006\0668402\Planning Board\20150417submittal\20150417Chronology



CIVIL  
CONSULTANTS

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

The materials contained herein are provided in support of the continued application review of the Yankee Mobile Home Park Expansion Project presently before the Town of Kittery Planning Board.

This package includes:

- Section 1 - A chronological summary of the project
- Section 2 - Copy of the application as it was submitted on 4 September 2012
- Section 3 - Copy of the DEP Site Location of Development Project Approval

#### PLAN SETS

- Section 4 - Copy of the original Sketch Plan drawings
- Section 5 - Copy of the original preliminary plan set drawings
- Section 6 - Copy of the revised preliminary plan set submitted 18 April 2013  
(w/requisite construction details)



CIVIL  
CONSULTANTS

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

# **Section 1**

## **Project Chronology**

**(not part of 4 September 2012 submission)**



**CIVIL  
CONSULTANTS**

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

## Yankee Commons Mobile Home Park Expansion - Project Synopsis/Chronology:

Filed for sketch plan review	20 Dec 2011	
“Sketch Plan” site walk	17 Jan 2012	
Sketch Plan accepted	23 Feb 2012	oklet
Preliminary plans submitted	01 Aug 2012	
Preliminary Submittal Accepted	23 Aug 2012	2)
“Preliminary Plan” site walk	04 Sep 2012	
Updated Preliminary Submittal	04 Sep 2012	
Public Hearing	13 Sep 2012	
Excavation Permit Application <sup>1</sup> Filed	12 Nov 2012	<sup>1</sup> Planning Board declared that an excavation permit was needed
Excavation Permit Appeal Filed with BOA <sup>2</sup>	21 Feb 2013	<sup>2</sup> Based on CEO denial of excavation permit request
Updated Preliminary Plans Submittal <sup>3</sup>	18 Apr 2013	<sup>3</sup> Based on Town Engineer/Town Staff comments and DEP approval
Excavation Permit Application Re-filed <sup>4</sup>	05 Aug 2013	<sup>4</sup> Based on discussion with the Planning Board and Town Attorney comments
Planning Board Denied the project	26 Sep 2013	

Applicant filed an appeal with the Maine Superior Court, which overturned the decision to deny the project on March 11, 2015 and remanded the project back to the Planning Board for continued review.



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**CIVIL  
CONSULTANTS**

*Engineers*

*Planners*

*Surveyors*

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**Yankee Commons  
Mobile Home Park Expansion**  
Town of Kittery  
Subdivision Review Application  
*for*  
Stephen A. Hynes, Trustee  
c/o Gary Beers  
3 Idlewood Lane  
Kittery, Maine

*Updated 04 September 2012*

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

**Yankee Commons  
Mobile Home Park Expansion**

Town of Kittery  
Subdivision Review Application

*for*

Stephen A. Hynes, Trustee

*c/o* Gary Beers

3 Idlewood Lane

Kittery, Maine

*Updated 04 September 2012*



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**CIVIL  
CONSULTANTS**

*Engineers*

*Planners*

*Surveyors*

---

***Application form  
(updated)***



# TOWN OF KITTEERY PLANNING OFFICE

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

## APPLICATION: SUBDIVISION REVIEW

<b>FEE FOR PLAN REVIEW:</b>	<input type="checkbox"/> \$500.00 PLUS	<input type="checkbox"/> \$50.00/LOT OR DWELLING UNIT	<input type="checkbox"/> Minor Subdivision: not more than 4 lots  <input checked="" type="checkbox"/> Major Subdivision: 5 or more lots	<b>Fee Paid:</b> \$ _____ <b>Date:</b> _____ <b>Escrow Fee Paid</b> \$ _____ <b>Date:</b> _____
-----------------------------	--	---	---	--

<b>PROPERTY DESCRIPTION</b>	Parcel ID	Map	66	Lot	24 (amended)	Zoning District	MU & R-RL	Total Land Area	50.1 acres (after lot line adjustment)
	Physical Address		Idlewood Lane/U.S. Route 1						

<b>PROPERTY OWNER/APPLICANTS INFORMATION</b>	Name	STEPHEN A HYNES, TRUSTEE REAL PROPERTY TRUST AGREEMENT	Mailing Address	1571 Belleview Ave Ste 210 West Vancouver BC V7V1A6	
	Phone/Fax				
	Email				

<b>PROPERTY OWNER'S AGENT INFORMATION</b>	Name	GARY BEERS	Name of Business	Yankee Commons Mobile Home Park Expansion	
	Phone	207-451-0747			
	Email	gb-pksvc@hotmail.com			

<b>APPLICANT'S AGENT INFORMATION</b>	Name	THOMAS W. HARMON, PE	Name of Firm	CIVIL CONSULTANTS	
	Phone/Fax	207-384-2550/207-384-2112			
	Email	tharmon@civcon.com			

<b>PROJECT DESCRIPTION</b>	Existing Use: Woodland				
	<b>Number of Proposed Lots</b>	77 mobile home sites	<b>Subdivision Name</b>	Yankee Commons Mobile Home Park Expansion	
	<b>Proposed Subdivision:</b> Expansion of existing mobile home park				
	<b>Design: (check)</b>	___ Conventional	<b>Responsibilities: (check)</b>	X ___ Total Development	___ Landscaping
		___ Cluster Development		___ Other	___ Road
	<b>Ownership: (check)</b>	X ___ Fee Simple		___ Post Construction Storm Water Runoff System Maintenance	
		___ Condominium	This application includes the following supporting documents: 1) Representation letter; 2) Plan w/portion of Kittery assessors map & ownership listing; 3) Section 16.10.5.2 Discussion; 4) Section 16.8.12.3 Discussion; 5) USGS location map; 6) Deeds for property; 7) Water District Letter; 8) Soils Report; 9) Sewer District letter; 10) Flood Map; 11) Plan of typical site layout; 12) Comparison sheet of Kittery, MHR/MHBS & proposed site requirements/dimensions; 13) copy of State Manufactured Housing Regulations (MHR); 14) copy of State Manufactured Housing Board Standards (MHB); and 15) 22 sheet plan set (inc/cover)		
	<b>Homeowner's Association</b>	___ YES X ___ NO			

## WAIVER REQUEST (Submittal Information or Development Standard)

DESCRIPTION	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.A.2. Scale of drawings.	Waiver for scale on overall site plan page (all other sheets conform to scale requirements) Larger scale allows the entire site to be viewed on one sheet.
	16.10.5.2.C.6. Prevention of Erosion Subsection C.	Since this ordinance was put in place much emphasis has been put on erosion control and prevention. Personnel in Civil Consultants office are Certified Professionals in Erosion and Sedimentation Control (CPESC) and are responsible for preparation of erosion control plans.
	16.8.12.3.S Review of storm drainage by YCSWC.	A storm drainage plan has been prepared and a peer reviewer has been contracted to the town of Kittery to review plans.
	16.8.12.3.I.4 Minimum turn around radius	Waiver request to reduce cul-de-sac turn around radius from 50' to 30'. The turn around only services 2 sites and a 30' radius is more than adequate.

Related Kittery Land Use Code:

**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.

**16.7.4.1 Objectives Met.** 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.

### 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 Application must include a list showing the names and addresses of the abutters notified and date mailed.**

**The Abutter Notice must include a copy of page one and where applicable page 2 of a signed Application.**

I certify, to the best of my knowledge, the information provided in this Application is true and correct, abutters to the project have been notified, and I will not deviate from the Plan submitted without notifying the Kittery Planning Department of any changes.			
Applicant's Signature:	_____	Owner's Signature:	_____
Date:	_____	Date:	_____

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# Minimal Plan Requirements

- 15 COPIES OF THE SUBDIVISION PLAN APPLICATION AND PLAN – 5 COPIES MUST BE 24" X 36"
- 1 PDF OF THE SUBDIVISION PLAN SHOWING GPS COORDINATES

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

**NOTE: THE APPLICANT IS RESPONSIBLE TO PRESENT A CLEAR UNDERSTANDING OF THE PROJECT.**

- A) Paper size:
  - No less than 11" X 17" (reduced) or greater than 24" X 36" (full)
- B) Scale size:
  - Under 10 acres: no greater than 1" = 30'
  - 10 + acres: 1" = 50' (waiver requested for overall site plan)
- C) Title block:
  - Applicant's name and address
  - Name of preparer of plans with professional information and professional seal (seal at final approval)
  - Parcel's tax map identification (map – lot)
  - Date of plan preparation
- D) Boundary survey performed and sealed by licensed surveyor:
  - Identify all existing boundary markers
  - Show all proposed boundary monuments (per ordinance)
- E) Provide orientation:
  - Arrow showing true north and magnetic declination
  - Graphic scale  Parcel Owners and map and lot
  - Deed docket and page numbers  Draft Deed of Covenants **NA**
  - Signature block for planning board
- F) Show location and description of:
  - Elevations of dwelling units. If applicable **NA**
  - All structures and accesses within 100 feet
- G) Show parcel data:
  - Zoning District(s)  Lots  Lot Widths  Lot Depths
  - Street frontage  Building setback lines  Lot Areas
  - Rights-of-way  ROW area  Exist. & new street names
  - Wetlands  Wetland area  Wetland setbacks
  - Common tracts  Easements  parcel areas
  - Shoreland Zoning setbacks  undisturbed areas
  - Note on the subdivision plan regarding areas to be taped off and protected until project construction is completed.
- H)  Show names and addresses of all owners of record on abutting parcels and the assessor's map and lot numbers.  
**Owners list is separate attachment**
- I)  Label all zoning districts abutting the property boundaries.
- J)  Show locations of natural physical features such as water bodies, watercourses, forest cover, and ledge outcroppings.
- K) Show the location 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

- L) Indicate required landscaping including:
  - Type of plant material  Plant/Tree sizes
  - Placement  Irrigation systems **NA**
- M) Show natural and historical topography:
  - Rock walls  Railroad beds **NA**
  - The location of all natural features or site elements to be preserved. **Wilson cemetery to be preserved**
- N) Provide a vicinity map 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 (Plan set Cover) 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 locus map is at least five hundred (500) feet from any boundary of the proposed development.
- O) Show the locations of any:
  - Parks **NA**  Preserved Open space  Conservation easements **NA**
  - Note on the subdivision plan regarding areas to be dedicated for public use and conditions of such dedication. **NA**
- P) Identify and locate each:
  - Easements  Rights-of-way  Street alignments
  - All intersecting property lines within 50 feet of the parcel.
- Q) 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
- R) Show all existing and proposed lighting
  - Map of all street lighting, attached lighting, and area lighting
  - Location of lighted signs **NA**  Photo-metrics map
- S) Indicate the location of any permanently installed machinery likely to cause appreciable noise at the lot lines.
- T) Provide description of these materials stored on the property: **NA**
  - Hazardous  Toxic  Raw Waste
- U)  Show existing contours and finished grade elevations onsite and sufficiently offsite to demonstrate how the project is situated in the surrounding environment.
- V) Indicate the location and dimensions of:
  - Sidewalks  Curbs  Driveways
  - Fences  Retaining walls  Other artificial features
- W) Copies of State and Local permit applications: **TO BE OBTAINED**
  - Notice of Intent  NRPA  Permit by Rule
  - All other applicable permits **SITE LOCATION & STORMWATER**
- X)  Copy of FIRM Map showing the proposed subdivision boundary to scale.

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

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





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**CIVIL  
CONSULTANTS**

*Engineers*

*Planners*

*Surveyors*

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***Authorization/Representation Letter***  
***(as filed 1 August 2012)***



*Stephen A. Hynes, B.A., LL.B.*

*Phone (604) 922-4161  
Telecopier (604) 922-4168  
Email: hynes1126@shaw.ca*

*Suite 210 - 1571 Bellevue Avenue  
West Vancouver, British Columbia  
V7V 1A6*

July 26, 2012

Town of Kittery

Re: Yankee Commons expansion project

Dear Sir or Madame,

Please be advised that Gary Beers is hereby authorized to sign application documents and to represent me before state and local regulatory agencies in matters related to application for development in the Town of Kittery, Map 66, Lots 24 and 25.

Please further note that Tom Harmon, Civil Consultants, is the civil engineering agent for this development and, as such, is authorized to represent me as technical agent for the application.

Yours truly,



Stephen A. Hynes





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**CIVIL  
CONSULTANTS**

*Engineers*

*Planners*

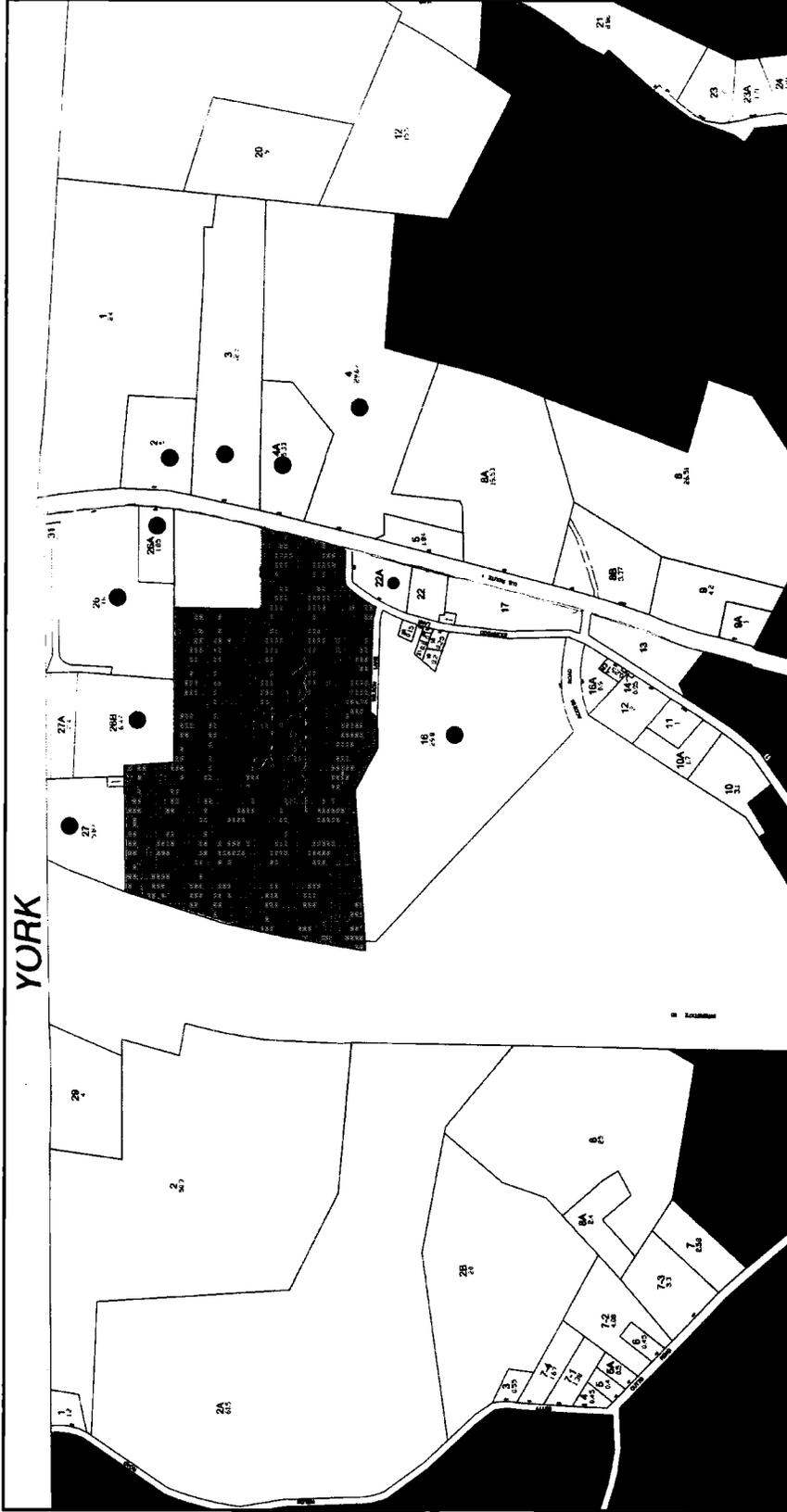
*Surveyors*

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***Abutter's List and portion of Tax Maps 66 & 67  
(as filed 1 August 2012)***



*Residential Development off Idlewood Lane, Kittery, Maine  
Prepared for Gary Beers, Yankee Mobile Home Parks*



<p><i>Residential Development Stephen A. Hynes Trustee, Real Property Trust Agreement c/o Gary Beers, Yankee Mobile Home Parks</i></p>	<p><b>PREPARED FOR:</b></p>	<p><b>Portion of Kittery Tax Maps 66 &amp; 67 Site Location: Tax Map 66, Lots 24 &amp; 25</b></p>
<p>J:\aaa\2006\0668402\TaxMap.doc</p>	<p><b>JOB NO: 06-684.02</b></p>	<p><b>SCALE: NTS</b></p>



**LIST OF ABUTTERS**  
**Yankee Commons**  
**Map 66, Lots 24 & 25**  
**Project #06-684.02**  
 July 12, 2012 (Vision)

MAP	LOT	NAME & MAILING ADDRESS
66	28	State of Maine Department of Transportation Visitor Information Center 16 State House Station Augusta, ME 04333-0016
66	30	State of Maine Department of Transportation 16 State House Station Augusta, ME 04333-0016
66	16	Hynes Trustee, Stephen A. Real Property Trust Agreement 1571 Bellevue Ave; Suite 210 West Vancouver BC V7V1A6
66	22	Yanco, Trs. Philip J. & Christine C. PJY & CCY Revocable Trust 11/15/06 27 Labine Street Nashua, NH 03060
66	23	Donnell, Steven C Donnell, Life Estate, Caroline A. 27 Idlewood Lane Kittery, ME 03904-5515
66	22A	Disalvo, Salvatore J Dysart, Shivon, M Po Box 479 Kittery, ME 03904-0479
66	24 (Locus)	Hynes Trustee, Stephen A. Real Property Trust Agreement 1571 Bellevue Ave; Suite 210 West Vancouver BC V7V1A6
66	25 (Locus)	Hynes Trustee, Stephen A. Real Property Trust Agreement 1571 Bellevue Ave; Suite 210 West Vancouver BC V7V1A6
66	26	Ferguson Trustee, Robert Daniel Lynch Trust PO Box 97 Springvale ME 04083
66	26a	Wilson Five Services Co., Inc. PO Box 810 Kittery ME 03904
66	26b	Kevin, Inc. PO Box 904 Kittery ME 03904



YANKEE COMMONS MOBILE HOME PARK, KITTERY

66	27	Farr, Conrad 9 Tara Lane South Berwick, ME 03908
67	2	Landmark Properties LTD PO Box 186 York ME 03909
67	3	Crawford TR, William Crawford TR, Betty Crawford Rev. Trust 2004 510 US Route 1 Kittery ME 03904
67	4	M&T Realty LLC P.O. Box 125 York, ME 03909-0125
67	4a	Route 1 Fun, LLC. PO Box 475 Kittery ME 03904
67	5	State of Maine Department of Transportation 16 State House Station Augusta, ME 04333-0016
		Town of Kittery PO Box 808 Kittery ME 03904

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**CIVIL  
CONSULTANTS**

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



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**CIVIL  
CONSULTANTS**

*Engineers*

*Planners*

*Surveyors*

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***Updated Section 16.10.5.2 discussion  
with Project Narrative***



<b>MEMORANDUM TO</b>	<b>KITTERY PLANNING BOARD</b>
<b>FROM:</b>	<b>Thomas W. Harmon, P.E.</b>
<b>DATE:</b>	<b>August 1, 2012 rev August 30, 2012</b>
<b>RE:</b>	<b>Yankee Commons Mobile Home Expansion Preliminary Plan Application Review Checklist</b>

**16.10. DEVELOPMENT PLAN APPLICATION AND REVIEW**

**Article V. Preliminary Plan Application Review and Approval Process Phase**

**16.10.5.2 Planner Review and Confirmation of Submittal Content - Preliminary Plan.**

**Narrative:**

This project proposes to construct roadways and infrastructure to accommodate 77 mobile home units and a two story community building with a 3,800 sq. ft. footprint housing offices and meeting space. The existing parcel being utilized is approximately 50 acres. Infrastructure development will include: sewer, storm drain facilities, water pipe, and roadway construction. The existing site is wooded and pasture land which has recently been re-cleared.

The limits of development are defined by setbacks from various classes of wetland and streams. The attached plans show existing and proposed 2 foot contours. The developer proposes to construct approximately 4,850 linear feet of 20' wide paved roads. There will be approximately 20.6 acres of developed area including 6.8 acres of impervious area.

Construction will involve the following: Erosion control measures constructed and installed as needed, clearing and grubbing, excavation to sub grade, the installation of surface drainage structures, and construction of infrastructure including sewer, water, storm drain, and roadways. The individual lots will be graded with service utilities added and pads for the mobile homes.

The development is being proposed under the guidelines of the State of Maine Legislation Title 30-A 4358 Regulation of manufactured housing in conjunction with the environmental guidelines of the Town of Kittery. Exceptions to Kittery Mobile Home regulations Under Title 16 include:

1. Kittery Title 16 requires 6,000sf lots, the state requires 5,000 or 6,500 or whatever the lowest dwelling unit lot size is in the Town. Kittery has a 5,000 single family dwelling standard which we have followed.
2. Kittery Title 16 requires a dumpster no further than 150 from each dwelling. That would entail more than twenty 80sf pads and dumpsters. The park offers weekly curbside pickup, recycling separation, and by appointment recovery facility material disposal in lieu of separate dumpsters.
3. Kittery Title 16 calls for sidewalks, which would reduce density and add additional impervious surface. The traveled ways of the lot sites will have a 10mph speed limit by MHB rule. With 2 foot gravel shoulders on each side we provide 4 feet more than more than the Kittery standard, achieving better vehicular travel ways and space for pedestrians.
4. The Manufactured Housing Board (MHB) rules promulgated under state law allow building separation as little as six feet. There appears to be inconsistency in Kittery Title 16 that requires 20 foot side setbacks but a minimum separation between buildings of 20 feet. We have provided 10 foot sideline setbacks which will require a minimum separation of 20 feet between dwellings.

Attached are copies of the State of Maine Title 30-A §4358.



<b>MEMORANDUM TO</b>	<b>KITTERY PLANNING BOARD</b>
<b>FROM:</b>	<b>Thomas W. Harmon, P.E.</b>
<b>DATE:</b>	<b>August 1, 2012 rev August 30, 2012</b>
<b>RE:</b>	<b>Yankee Commons Mobile Home Expansion Preliminary Plan Application Review Checklist</b>

<u>Submittal Requirement</u>	<u>Applicant Response</u>	<u>Planner</u>
<b>16.10.5.2</b>		
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>Provided.</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 for overall site plan to be 1" = 100' to show entire site on one page.</i>	
3. Code block in the lower right-hand corner. The block must contain:	<i>Along right side of plan.</i>	
a. Name(s) and address(es) of the applicant and owner,	<i>Shown on Site Plans.</i>	
b. Name of the project.	<i>Shown on Site Plans.</i>	
c. Name and address of the preparer of the plan, with professional seal, if applicable,	<i>Shown on Site Plans.</i>	
d. <i>Intentionally Blank.</i>		
e. Date of plan preparation/revision, and a unique ID number for the plan and any revisions;	<i>Shown on Site Plans.</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>Provided.</i>	
5. An arrow showing true north and the magnetic declination, a graphic scale, and signature blocks for the owner(s) and members of the Planning Board;	<i>Shown on Site Plans.</i>	



<b>MEMORANDUM TO</b>	<b>KITTERY PLANNING BOARD</b>
<b>FROM:</b>	<b>Thomas W. Harmon, P.E.</b>
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<b>RE:</b>	<b>Yankee Commons Mobile Home Expansion Preliminary Plan Application Review Checklist</b>

<b>16.10.5.2</b> <i>continued</i>		
6. Locus map showing the property in relation to surrounding roads, within two thousand (2,000) feet of any property line of the development.	<i>Shown on Site Plans. Also on attached USGS Plan</i>	
7. Surveyed acreage of the total parcel, of rights-of-way, wetlands, and area to be disturbed and amount of street frontage;	<i>Shown on Site Plans.</i>	
8. Names and addresses of all owners of record of property abutting the development, including those across a street;	<i>Provided as separate attachment.</i>	
9. Locations of essential physical features such as watercourses, forest cover, and outcroppings	<i>Shown on Site Plans.</i>	
10. 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>Not applicable. Location, size &amp; layout of Community Center included on plans.</i>	
b. Utilities proposed including power, water, sewer, holding tanks, bridges, culverts and drainage ways;	<i>Shown on Site Plans.</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>Shown on plan. Test pits not applicable. Test pit locations for soils mapping provided on sheet C1.</i>	
d. <i>Intentionally Blank.</i>		
e. Domestic water source;	<i>Public Water.</i>	
f. Parks, open space, or conservation easement locations;	<i>Open space shown on site plan.</i>	
g. Lot lines, interior and exterior, right-of-way, and street alignments;	<i>Shown on plan.</i>	
h. Road and other paved ways plans, profiles and typical sections including all relevant data;	<i>Shown on plan.</i>	
i. Setbacks Existing and proposed;	<i>Shown on plan.</i>	
j. Machinery permanently installed locations likely to cause appreciable noise at the lot lines;	<i>Not applicable.</i>	
k. Raw, finished or waste materials to be stored outside the buildings, and any stored material of a toxic or hazardous nature;	<i>Not applicable.</i>	



<b>MEMORANDUM TO</b>	<b>KITTERY PLANNING BOARD</b>
<b>FROM:</b>	<b>Thomas W. Harmon, P.E.</b>
<b>DATE:</b>	<b>August 1, 2012 rev August 30, 2012</b>
<b>RE:</b>	<b>Yankee Commons Mobile Home Expansion Preliminary Plan Application Review Checklist</b>

<b>16.10.5.2</b> <i>continued</i>		
l. Topographic contours of existing contours and finished grade elevations within the development;	<i>Shown on plan.</i>	
m. Sidewalks, curbs, driveways, fences, retaining walls and other artificial features locations and dimensions proposed;	<i>Shown on plan.</i>	
n. Landscaping required including size and type of plant material;	<i>Landscaping plan within Park included on sheets L1 &amp; L2. General landscaping around Community building to be detailed at final submittal.</i>	
o. Temporary markers locations adequate to enable the Planning Board to readily locate and appraise the layout of the development;	<i>Available.</i>	
p. Land proposed to be dedicated to public use and the conditions of such dedication;	<i>Not applicable.</i>	
q. Natural features or site elements to be preserved.	<i>As shown on plan.</i>	
<b>C. Supporting documentation must include:</b>		
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>Included on cover sheet.</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>Shown on sheet C2. (Access indicated on plan.)</i>	
b. Essential physical features such as watercourses, wetlands, flood plains, wildlife habitat areas, forest cover, and outcroppings;	<i>Shown on plan sheets.</i>	
c. Utilities existing, including power, water, sewer, holding tanks, bridges, culverts and drainage ways;	<i>Shown on 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>Deeds attached. Lot line adjustment documents to be provided at final approval.</i>	



<b>MEMORANDUM TO</b>	<b>KITTERY PLANNING BOARD</b>
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<b>RE:</b>	<b>Yankee Commons Mobile Home Expansion Preliminary Plan Application Review Checklist</b>

<b>16.10.5.2</b> <i>continued</i>		
4. Property encumbrances currently affecting the property, as well as any proposed encumbrances;	<i>None known except regarding Wilson Family Cemetery.</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>Letter from Water District Included.</i>	
6. Erosion and sedimentation control plan endorsed by the York County soil and water conservation district;	<i>Waiver requested.</i>	
7. Stormwater management plan for stormwater and other surface water drainage prepared by a registered professional engineer including a Maintenance Plan and Agreement that defines maintenance responsibilities, responsible parties, shared costs, and schedule. Where applicable, a Maintenance Agreement must be included in the Document of Covenants, Homeowners Documents and/or as riders to the individual deed and recorded with the York County Registry of Deeds.	<i>A stormwater management report is provided as a separate attachment.</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>Portions of York County Soils Survey included. Soils Report attached.</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>77 units Wkday 4.99 trips/unit/day = 385 trips Sat 5.00 trips/unit/day = 385 Sun 4.36 trips/unit/day = 336 trips *Institute of Transportation Engineers, 8<sup>th</sup> Edition</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 – (less than 400 trips per day and less than 40 parking spaces for community center).</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>Not applicable.</i>	



<b>MEMORANDUM TO</b>	<b>KITTERY PLANNING BOARD</b>
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<b>RE:</b>	<b>Yankee Commons Mobile Home Expansion Preliminary Plan Application Review Checklist</b>

<b>16.10.5.2</b> <i>continued</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>Public Sewer. See attached letter from Kittery Sewer Department.</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>No additional submissions requested to date.</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>Town Planner to address.</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>Board determination. No additional requirements identified to date.</i>	

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From Kittery Ordinance 08/26/2010  
04/12/12 rld



**CIVIL  
CONSULTANTS**

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



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**CIVIL  
CONSULTANTS**

*Engineers*

*Planners*

*Surveyors*

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***Updated Section 16.8.12.3 discussion***



<b>MEMORANDUM TO</b>	<b>KITTERY PLANNING BOARD</b>
<b>FROM:</b>	<b>Thomas W. Harmon, P.E.</b>
<b>DATE:</b>	<b>August 1, 2012, rev August 30, 2012</b>
<b>RE:</b>	<b>Yankee Mobile Home Park Expansion 16.8.12.3 Mobile Home Park Checklist</b>

**Chapter 16.8 DESIGN AND PERFORMANCE STANDARDS – BUILT ENVIRONMENT**

**16.8.12.3 Mobile Home Park Checklist**

**Article XII. Mobile Home Parks, Seasonal Trailer Parks and Campgrounds**

<u>Submittal Requirement</u>	<u>Applicant Response</u>
<b>16.8.12.3 Mobile Home Parks.</b>	
A. Mobile home parks, by special exception, may be located as indicated in Chapter 16.3.	<i>Not applicable. Expansion of existing mobile home park.</i>
B. Lots within a shoreland zoning district must meet the lot area, setback and shore frontage requirements for that district.	<i>Not applicable.</i>
C. Lots in a mobile home park must meet the following lot size, width and density requirements:	<i>State guidelines differ. State Manufactured Housing Regulations/ Manufactured Housing Board Standards (MHR/MHBS) apply.</i>
1. Lots by public sewer:	
Minimum lot area 6,000 square feet	<i>5,000 sq. ft. per MHR/MHBS.</i>
Minimum lots width 50 feet	<i>Provided.</i>
2. Lots served by individual on-site subsurface wastewater disposal system:	<i>Not applicable.</i>
Minimum lot area 20,000 square feet	<i>Not applicable.</i>
Minimum lot width 100 feet	<i>Not applicable.</i>
3. Lots served by a central on-site subsurface wastewater disposal system*:	<i>Not applicable.</i>
Minimum lot area 12,000 square feet	<i>Not applicable.</i>
Minimum lot width 75 feet	<i>Not applicable.</i>
*The overall density of a mobile home park served by a central on-site subsurface wastewater disposal system may be no greater than one unit per twenty thousand (20,000) square feet of total park area.	<i>Not applicable.</i>
4. The overall density of the mobile home park is the combined area of its mobile home lots plus:	<i>Indicated on plan.</i>
a. The area required for road rights-of-way;	
b. The area required for buffer strips, if any;	
c. For areas served by public sewer, an open space area for storage and recreation equal to ten (10) percent of the combined area of the individual lots; and	
d. The area within the municipality's shoreland setback.	



<b>MEMORANDUM TO</b>	<b>KITTERY PLANNING BOARD</b>
<b>FROM:</b>	<b>Thomas W. Harmon, P.E.</b>
<b>DATE:</b>	<b>August 1, 2012, rev August 30, 2012</b>
<b>RE:</b>	<b>Yankee Mobile Home Park Expansion 16.8.12.3 Mobile Home Park Checklist</b>

5. All buildings on the lot, including accessory buildings and structures, but excluding open decks and parking spaces, may not cover more than fifty (50) percent of the lot area.	<i>Land for each unit is identified. Layout within each site shall be verified by individual permits by site.</i>
D. The following setback rules apply to all mobile homes and accessory buildings:	
1. Front and side setbacks are to be twenty (20) feet; rear setbacks, ten (10) feet. If these requirements conflict with the requirements of the Code 38 M.R.S. §435-449, Shoreland Protection, or subsequent amendments or revisions thereto, the stricter standards apply.	<i>Side setbacks are 10' with minimum separation of 20' between homes per MHR/MHBS.</i>
2. If a lot is on a public road, the setback must conform with the residential setback requirements applicable to other residential dwelling units in the zone.	<i>Provided at Idlewood Lane.</i>
3. So as to avoid monotony and sameness, the Code Enforcement Officer may allow:	
a. the front setback on a private road within a mobile home park to be varied provided no mobile home may be closer than ten (10) feet from the right-of-way and the average distance is at least twenty (20) feet for all units.	<i>Not applicable.</i>
b. the replacement and/or relocation of a mobile home to be located no closer to the front yard setback than the existing mobile home or pad.	<i>Not applicable.</i>
4. Carports of noncombustible materials are not subject to setback requirements.	<i>Code Enforcement issue.</i>
5. The CEO may allow side yard setbacks to be reduced to five feet provided a distance of twenty (20) feet is maintained between mobile homes for the purpose of providing more usable yard space on one side of the home.	<i>Code Enforcement issue. (See D.1 above).</i>
6. A minimum twenty (20) foot separation must be maintained between all mobile homes in all directions.	<i>Available space is provided.</i>
E. All buildings on the lot, including accessory buildings and structures, but excluding open decks and parking spaces, may cover not more than fifty (50) percent of the lot area.	<i>Code Enforcement issue. (See item C.5 above).</i>
F. Where a developer elects to create a mobile home park where all land is under unified ownership, the park plan must demonstrate that the development standards described herein are met.	<i>Provided. Meets MHR/MHBS.</i>
G. Privately-owned roads within the mobile home park must be designed by a professional engineer, registered in the state of Maine, and built according to accepted engineering standards and in accordance with 30-A, M.R.S.	<i>Provided.</i>



**MEMORANDUM TO KITTERY PLANNING BOARD**

**FROM: Thomas W. Harmon, P.E.**

**DATE: August 1, 2012, rev August 30, 2012**

**RE: Yankee Mobile Home Park Expansion  
16.8.12.3 Mobile Home Park Checklist**

1. The layout and general development plan for major and minor access streets within the mobile home park, together with the location and dimensions of access junctions with existing public streets and rights-of-way must be approved by the Planning Board.	<i>Planning Board Action.</i>
2. For mobile home parks expected to generate two hundred (200) trips per day or more, there must be at least two entrances from public streets or roads.	<i>Proposed via split entrance.</i>
H. Mobile home park streets which intersect with public roads must meet the following standards:	
1. Angle of Intersection. The desired angle of intersection is to be ninety (90) degrees. The minimum angle of intersection is to be seventy-five (75) degrees.	<i>Provided.</i>
2. Grade. The maximum permissible grade within seventy-five (75) feet of the intersection is two percent.	<i>Provided.</i>
3. Minimum Sight Distance. The minimum sight distance must be ten (10) times the posted speed limit on the existing road. Sight distances is measured from the driver's seat of a vehicle that is ten (10) feet behind the curb or edge of shoulder line with the height of the eye three and one-half feet above the pavement and the height of object four and one-fourth feet.	<i>Provided.</i>
4. Distance from Other Intersections. The centerline of any street within a park intersecting an existing public street must be at least one hundred twenty-five (125) feet from the centerline of any other street intersecting that public street.	<i>Provided.</i>
I. Right-of-way and pavement width are to be as follows:	
1. Two-way park roads must have a minimum right-of-way of twenty-three (23) feet and a minimum paved surface of twenty (20) feet. On-street parking is prohibited.	<i>Provided; 24' right of way and 20' pavement width. Some guest parking provided on parking lane adjacent to roadway.</i>
2. One-way streets must have a minimum right-of-way of eighteen (18) feet and a minimum paved surface of fourteen (14) feet. On-street parking is prohibited.	<i>Provided. Only "one-way" roadways on-site are part of split entrance used for item G.2 above. Pavement width is 20' per each one-way lane.</i>
3. Parking lanes are to be a minimum of eight feet in width, if provided.	<i>Provided.</i>
4. Cul-de-sac turnarounds are to have minimum radii of fifty (50) feet at the outer edge of the pavement, exclusive of any parking areas.	<i>Waiver request.</i>



**MEMORANDUM TO KITTEERY PLANNING BOARD**

**FROM: Thomas W. Harmon, P.E.**

**DATE: August 1, 2012, rev August 30, 2012**

**RE: Yankee Mobile Home Park Expansion  
16.8.12.3 Mobile Home Park Checklist**

5. Curvilinear streets must be utilized wherever possible. No street within the park may be more than two hundred (200) feet without a curve or bend.	<i>Horizontal and vertical curves satisfy.</i>
6. If the developer intends to dedicate park streets to the public, such streets must meet municipal standards as contained in Article V of Chapter 16.8.	<i>Not applicable.</i>
J. No mobile home lot may have vehicular access directly onto a state highway.	<i>Provided.</i>
K. A traffic impact analysis is required if the park will generate more than five hundred (500) trips/day.	<i>Less than 500 trips per day.</i>
L. Parking requirements for mobile home parks areas follows:	
1. For each mobile home lot there must be provided and maintained at least two off-street parking spaces. This requirement may be waived if an equivalent number of spaces are provided by a parking lane. Each space is design dependent as indicated in Figure 2 for Chapter 16.8, set out at the end of this chapter. This requirement may be waived if an equivalent number of spaces are provided by a parking lane.	<i>Will be verified by code enforcement as individual lots are developed.</i>
2. In addition to occupant parking, off-street guest and service parking must be provided within the boundaries of the park at a ratio of one space for each four mobile home lots. Such parking must be reserved for that sole use. This requirement may be waived if a parking lane provides an equivalent number of spaces.	<i>Provided.</i>
3. On-street parking is prohibited unless an eight-foot parking lane is provided, in which case on-street parking may be permitted on the side of the road where the parking lane is located.	<i>Provided. See 1.3 above.</i>
M. The mobile home park must contain pedestrian walkways that link all units and all service and recreational facilities. Such walkways are to be adequately surfaced and lit. A portion of the road surface may be reserved for walkways provided the roadway width is increased accordingly. Walkways should be a minimum of width of three feet.	<i>Roadways are 20' wide with 2 foot gravel shoulders. Based upon observations of pedestrian traffic within the adjacent park, it is our opinion that the sidewalk is effectively co-located within the 2' shoulders.</i>
N. Outdoor lighting is to be provided to adequately illuminate internal streets and pedestrian walkways. Lights are to be sized and directed to avoid adverse impacts on adjacent properties and vehicular traffic.	<i>Provided. See Plan sheets ES &amp; EP.</i>
O. Open space calculations are as follows:	



<b>MEMORANDUM TO</b>	<b>KITTERY PLANNING BOARD</b>
<b>FROM:</b>	<b>Thomas W. Harmon, P.E.</b>
<b>DATE:</b>	<b>August 1, 2012, rev August 30, 2012</b>
<b>RE:</b>	<b>Yankee Mobile Home Park Expansion 16.8.12.3 Mobile Home Park Checklist</b>

1. For mobile home parks served by a public sewer, an area amounting to ten (10) percent of the total area devoted to individual lots must be set aside for open space and/or recreation. Such space is to be accessible and usable by all residents of the park. Parking space, driveways and streets and buffer areas are not considered usable open space but community recreation buildings, pools and courts are considered as open space.	<i>Total lot area 77 x 6000 = 462,000 Requires 46,200 sq. ft. open space Over 451,407 sq. ft of usable open space is provided.</i>
2. At least fifty (50) percent of the required open space must consist of land that is suitable for active recreation.	<i>Over 23,100 sq. ft. active recreation space is made up of graded loam and seeded area at Wilson Cemetery and off road walking paths.</i>
3. All developed open space is to be designed and landscaped for the use and enjoyment of the park residents and maintained for their long-term use. Plans for these areas must be submitted by the developer.	<i>Provided.</i>
4. To the maximum extent possible, undeveloped open space must be left in its natural state. Improvements to make trails for walking and jogging or to make picnic areas are permitted.	<i>Provided.</i>
5. The developer must submit, as part of the application, a copy of that portion of the proposed park rules and a plan which specify how the open space is to be used and maintained and what conditions apply to its use. The plan must specify the area to be dedicated open space or recreation.	<i>Park rules will be provided as part of the final submission. A plan of the trail system will be included in the Park Rules.</i>
6. Open space must be maintained and used for its approved purposes.	<i>Concur.</i>
P. All mobile home parks must provide permanent electrical, water and sewage disposal connections to each mobile home in accordance with applicable state and local rules and regulations. If other than public water is to be utilized, the water system(s) must be capable of delivering two hundred fifty (250) gallons per day per lot of water certified to be of primary drinking water standards.	<i>Provided.</i>
Q. Signs and advertising devices are prohibited in a mobile home park except:	
1. One identifying sign at each entrance of the mobile home park sized in compliance with Article XII of Chapter 16.8 may be installed.	<i>Code Enforcement.</i>
2. Directional and informational signs for the convenience of tenants and the public relative to parking, office, traffic movement, et cetera are permitted.	<i>Code Enforcement.</i>



**MEMORANDUM TO KITTERY PLANNING BOARD**

**FROM: Thomas W. Harmon, P.E.**

**DATE: August 1, 2012, rev August 30, 2012**

**RE: Yankee Mobile Home Park Expansion  
16.8.12.3 Mobile Home Park Checklist**

3. Mobile/manufactured home —For Sale signs, provided that such signs that face a public road may be no more than ten (10) square feet and limited to two signs per mobile home park.	<i>Code Enforcement.</i>
4. Mobile/manufactured homes address signs are permitted when in compliance with Article XII of Chapter 16.8.	<i>Code Enforcement.</i>
5. The styles and location of the identifying sign must not interfere with vehicle sight distance and be constructed in accordance with Article XII of Chapter 16.8.	<i>Code Enforcement.</i>
R. At least three hundred (300) cubic feet of enclosed tenant storage facilities must be conveniently provided on or near each mobile home lot for the storage of materials and equipment.	<i>Either individual sheds or garages will be provided.</i>
S. A storm drainage plan must be prepared by a professional engineer, registered in the state of Maine, in accordance with Section 16.8.8.1, Stormwater Drainage. Such plan must be approved by the York County Soil and Water Conservation District prior to Planning Board approval of the final plan.	<i>Provided. Waiver requested.</i>
T. Groundwater requirements for mobile home parks are as contained in Section 16.9.1.5, which must be complied with for all mobile home park applications.	<i>Not applicable.</i>
U. Each mobile home lot must be provided with an area for refuse storage. Within a maximum one hundred fifty (150) feet from each mobile home lot, there must be a flytight, watertight and rodent-proof container capable of storing the amount of refuse that the mobile home park for which it was designed could generate within one week as well as any separation containers as required by the Kittery recycling program. The park management is responsible for disposal of refuse from such containers at least once a week.	<i>In lieu of multiple outside refuse containers, the park management will be providing weekly individual lot trash pick-up (i.e. similar to existing park services). It is our opinion that this plan meets or exceeds the intent of the ordinance and a waiver is not needed.</i>
V. Buffering requirements are as follows:	
1. A fifty (50) foot wide buffer strip must be provided along all property boundary lines that:	
a. Abut residential land which has a gross density of less than half that proposed in the park; or	<i>Not applicable.</i>
b. Abut residential land that is zoned at a density of less than half that proposed in the park.	<i>Not applicable.</i>
2. Further, no structures, streets or utilities may be placed in the buffer strip, except that they may cross a buffer strip to provide services to the park.	<i>Not applicable.</i>



**MEMORANDUM TO KITTERY PLANNING BOARD**

**FROM: Thomas W. Harmon, P.E.**

**DATE: August 1, 2012, rev August 30, 2012**

**RE: Yankee Mobile Home Park Expansion  
16.8.12.3 Mobile Home Park Checklist**

3. Within twenty-five (25) feet of any property line and within the buffer strip, visual screening and/or landscaping must be provided. The visual screening may consist of fences, berms, landscaping (such as shrubs or trees) and/or natural existing vegetation. This screening is to effectively screen at least eighty (80) percent of the homes from view from the adjacent property and be maintained throughout the life of the project.	<i>Provided.</i>
W. The owner or operator of a mobile home park is responsible for ensuring the maintenance of all park-owned structures, open space areas, roads and sidewalks. Park management must comply with state laws. Compliance with this Code does not exempt the park owner, developer, or manager from complying with other applicable local, state and federal codes and regulations	<i>Code Enforcement.</i>
X. No development or subdivision which is approved under this Section as a mobile home park may be conveyed to another use without the approval of the Planning Board, and meeting the appropriate lot size, lot width, setback and other requirements contained in this Code. The approved final plan is to be recorded at the York County registry of deeds and filed with the Town and have noted the following restrictions as well as any other notes or conditions of approval:	<i>Sheet C2 to be recorded.</i>
1. The land within this park must remain in a unified ownership and the fee to lots or portions of lots not be transferred.	<i>Concur.</i>
2. No dwelling unit other than a mobile home unit may be located within the park.	<i>Concur.</i>

J:\aaa\2006\0668402\Planning Board\Subdivision Review\20120830\_MobileHomeChecklist\_working.doc



**CIVIL  
CONSULTANTS**

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





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**CIVIL  
CONSULTANTS**

*Engineers*

*Planners*

*Surveyors*

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***USGS Location Plan***  
***(as filed 1 August 2012 – plus scale)***





Portion of USGS Maps for Kittery & York Harbor		PREPARED FOR:	Residential Development Gary Beers, Yankee Commons Mobile Home Park Expansion
JOB NO: 06-684.02	SCALE: approx 1"=2000'		

J:\aaa\2006\0668402\USGSMap.doc



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*Engineers*

*Planners*

*Surveyors*

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***Property Documents***

***Draft of Deed for Portion of Lot 25 to Lot 24 (new)***  
***Deed for Lot 24 (as originally filed May 2007)***  
***Deed for Lot 25 (as originally filed May 2007)***



BK7378 PG062

WARRANTY DEED 011905

CONRAD L. FARR, of Kittery, County of York, State of Maine, for consideration paid, grant to STEPHEN A. HYNES, Trustee Under Real Property Trust Agreement Dated March 29, 1995, with a mailing address of Suite 210, 1571B Bellevue Avenue, West Vancouver B.C., Canada, V7V1A6

with Warranty Covenants

the land in Kittery, York County, State of Maine.

SEE SCHEDULE A ATTACHED HERETO AND MADE A PART HEREOF

MAINE REAL ESTATE TRANSFER TAX PAID

Witness my hand this 30<sup>th</sup> day of March, 1995.

[Signature] Conrad L. Farr  
Conrad L. Farr

The State of Maine

York, ss. March 30, 1995

Then personally appeared the above-named Conrad L. Farr, and acknowledged the foregoing instrument to be his free act and deed,

Before me, [Signature]  
Attorney at Law - Notary Public  
Print Name: Danny W. Thornhill  
My Commission Expires: 7/25/98

MAINE 882

MAP 66 LOT 24  
BACK LOT

SCHEDULE A

A certain lot or parcel of land shown on a plan entitled, "Standard Boundary Survey of Yankee Commons Mobile Home Park, Idlewood Lane, Kittery, Maine," dated March 1995, by Anderson Livingston Engineers, Inc., to be recorded in the York County Registry of Deeds, more particularly described as follows:

A certain parcel of land located northerly of, but not abutting, Route One in the Town of Kittery, York County and State of Maine, bounded and described as follows:

Beginning at an iron pipe at other land of Conrad L. Farr, being 602 feet, more or less, from Idlewood Lane along Wilson's Lane;

THENCE North 86 degrees 51 minutes 06 seconds West along said Farr land a distance of 38.06 feet to the Southeast corner of herein described parcel;

THENCE North 32 degrees 12 minutes 21 seconds West a distance of 136.48 feet;

THENCE North 05 degrees 55 minutes 38 seconds West a distance of 68.45 feet to a drill hole;

THENCE North 02 degrees 37 minutes 41 seconds West a distance of 183.20 feet to a drill hole in the stone wall;

THENCE North 38 degrees 18 minutes 38 seconds West along said stone wall a distance of 99.50 feet;

THENCE North 37 degrees 00 minutes 14 seconds West along the stone wall a distance of 85.13 feet to a drill hole;

THENCE North 40 degrees 22 minutes 17 seconds West along said stone wall a distance of 75.35 feet to a drill hole;

THENCE North 34 degrees 46 minutes 55 seconds West along said stone wall a distance of 115.91 feet to a drill hole;

THENCE North 37 degrees 47 minutes 20 seconds West a distance of 355.44 feet to a fence post;

THENCE North 36 degrees 34 minutes 41 seconds West a distance of 123.59 feet;

THENCE North 29 degrees 42 minutes 18 seconds West a distance of 48.42 feet to a concrete highway bound;

THENCE North 17 degrees 53 minutes 09 seconds West a distance of 12.23 feet to a concrete highway bound;

THENCE along a curve to the right having a radius of 5,479.58 feet, an arc length of 1,390.03 feet, and a chord which bears North 69 degrees 56 minutes 09 seconds East having a chord distance of 1,386.30 feet to a stone wall;

**THENCE South 35 degrees 02 minutes 13 seconds East along other land of Conrad L. Farr a distance of 258.86 feet along said stone wall;**

**THENCE South 34 degrees 25 minutes 01 seconds East along said stone wall a distance of 208.39 feet;**

**THENCE South 34 degrees 58 minutes 39 seconds East a distance of 92.83 feet to a drill hole at an intersecting stone wall;**

**THENCE South 31 degrees 51 minutes 31 seconds East along a stone wall at the Parsons Family Cemetery a distance of 61.93 feet to a drill hole in the stone wall;**

**THENCE South 35 degrees 36 minutes 44 seconds East along land now or formerly of Robert & Kathleen Prewitt a distance of 70.96 feet to a drill hole;**

**THENCE South 58 degrees 16 minutes 52 seconds West along a stone wall and said Prewitt land a distance of 21.30 feet to a drill hole;**

**THENCE South 52 degrees 43 minutes 59 seconds West along the stone wall a distance of 257.03 feet to a drill hole;**

**THENCE South 35 degrees 03 minutes 19 seconds East along a stone wall a distance of 176.69 feet to a drill hole;**

**THENCE South 32 degrees 42 minutes 05 seconds East along the stone wall a distance of 92.02 feet to a drill hole;**

**THENCE South 33 degrees 36 minutes 16 seconds East along the stone wall and land of said Prewitt a distance of 182.49 feet to an iron pipe in the wall at land now or formerly of the Daniel O. Lynch Trust;**

**THENCE South 23 degrees 38 minutes 09 seconds East along the stone wall and land of said Lynch Trust a distance of 50.54 feet to a drill hole;**

**THENCE South 37 degrees 40 minutes 10 seconds East along said Lynch Trust land a distance of 76.82 feet to a drill hole in a stone wall;**

**THENCE South 33 degrees 38 minutes 07 seconds East along the stone wall and said Lynch Trust land a distance of 220.35 feet to a drill hole at a bend in the stone wall at other land of said Farr;**

**THENCE South 55 degrees 15 minutes 07 seconds West along the stone wall and land of said Farr a distance of 40.00 feet;**

THENCE South 58 degrees 36 minutes 16 seconds West along the stone wall a distance of 74.01 feet;

THENCE South 58 degrees 07 minutes 02 seconds West along the stone wall a distance of 90.86 feet to an iron pipe;

THENCE South 57 degrees 15 minutes 45 seconds West a distance of 190.23 feet to an iron pipe;

THENCE South 67 degrees 08 minutes 32 seconds West a distance of 55.71 feet to an iron pipe;

THENCE South 80 degrees 30 minutes 31 seconds West a distance of 26.00 feet to an iron pipe;

THENCE North 85 degrees 46 minutes 29 seconds West a distance of 168.76 feet to an iron pipe;

THENCE North 85 degrees 36 minutes 57 seconds West a distance of 205.88 feet to an iron pipe;

THENCE North 84 degrees 28 minutes 48 seconds West a distance of 229.23 feet to an iron pipe;

THENCE North 86 degrees 47 minutes 48 seconds West a distance of 229.75 feet to the POINT OF BEGINNING, and containing 43.9533 acres of land, more or less.

Subject to access rights to the Wilson Family Cemetery.

SUBJECT to the terms, conditions, easements, restrictions and exceptions as shown on said Plan and as contained in the Notes on said Plan.

BEING the same parcel of land conveyed to Conrad L. Farr by deed of Joseph Kozlowski Jr. et al., dated May 20, 1981 and recorded May 26, 1981 in the York County Registry of Deeds in Book 2790, Page 207. See also deed of Wilson Davison et al. to Conrad L. Farr dated December 13, 1982, recorded May 31, 1983, in Book 3093, Page 203, of the York County Registry of Deeds. See also deed of Kathleen Kozlowski et al. to Conrad L. Farr dated November 17, 1983 and recorded November 18, 1983 in Book 3200, Page 56, of the York County Registry of Deeds. See also deed of William W. Davison to Conrad L. Farr dated January 3, 1983 and recorded May 31, 1983 in Book 3093, Page 201, of the York County Registry of Deeds.

Misc/Descr/Farr.Koz

RECEIVED YORK S.S.

95 APR -5 AM 8:52

ATTEST: *John M. Mace*  
REGISTER OF DEEDS



## SCHEDULE A

A certain parcel of land situated northerly of Idlewood Lane and Route One in the Town of Kittery, York County and State of Maine, bounded and described as follows:

Beginning at the intersection of Idlewood Lane and Wilson Lane,

thence, North 29° - 25'-43" West along Wilson Lane for a distance of 17.35 feet to a drill hole;  
 thence, North 31° - 18'-24" West along Wilson Lane for a distance of 153.88 feet to a drill hole;  
 thence, North 31° - 48'-40" West along Wilson Lane for a distance of 97.55 feet to a drill hole;  
 thence, North 36° - 15'-47" West along Wilson Lane for a distance of 34.23 feet to a drill hole;  
 thence, North 33° - 21'-57" West along Wilson Lane for a distance of 44.64 feet to a drill hole;  
 thence, North 31° - 52'-53" West along Wilson Lane for a distance of 151.29 feet to a drill hole;  
 thence, North 33° - 50'-27" West along Wilson Lane for a distance of 103.24 feet to an iron pipe;  
 thence, South 86° - 47'-48" East for a distance of 229.75 feet to an iron pipe;  
 thence, South 84° - 28'-48" East for a distance of 229.23 feet to an iron pipe;  
 thence, South 85° - 36'-57" East for a distance of 205.88 feet to an iron pipe;  
 thence, South 85° - 46'-29" East for a distance of 168.76 feet to an iron pipe;  
 thence, North 80° - 30'-31" East for a distance of 26.00 feet to an iron pipe;  
 thence, North 67° - 08'-32" East for a distance of 55.71 feet to an iron pipe;  
 thence, North 57° - 15'-45" East for a distance of 190.23 feet to an iron pipe;  
 thence, North 58° - 07'-02" East for a distance of 90.86 feet along a stone wall;  
 thence, North 58° - 36'-16" East for a distance of 74.01 feet along a stone wall,  
 thence, North 55° - 15'-07" East for a distance of 40.00 feet along a stone wall to a drill hole in another stone wall;  
 thence, South 34° - 01'-41" East along land now or formerly of the Daniel O. Lynch Trust for a distance of 195.50 feet to an iron pipe;  
 thence, South 33° - 17'-40" East along land now or formerly of the Wilson Five Service Co., Inc. for a distance of 152.62 feet;  
 thence, South 36° - 57'-01" East for a distance of 46.10 feet;  
 thence, South 33° - 47'-10" East still along land now or formerly of said Wilson Five Service Co., Inc. for a distance of 121.10 feet to land of the State of Maine at the sideline of Route One;  
 thence, South 63° - 55'-00" West along the sideline of Route One for a distance of 343.99 feet to a concrete highway bound,  
 thence, along a curve to the right with a radius of 3,709.72 feet, an arc length of 443.29 feet and a central angle of 6° - 50'-47" to a concrete highway bound;  
 thence, North 72° - 51'-26" West for a distance of 177.68 feet to a point on a stonewall;  
 thence, North 59° - 44'-48" West along the stonewall for a distance of 23.49 feet;  
 thence, North 78° - 18'-45" West along the stonewall for a distance of 87.36 feet;  
 thence, North 70° - 55'-11" West along Idlewood Lane for a distance of 44.63 feet;  
 thence, South 89° - 41'-15" West along a stonewall and Idlewood Lane for a distance of 44.66 feet;

thence, South 80° - 31'-56" West along said stonewall for a distance of 46.77 feet;  
thence, South 74° - 01'-06" West along Idlewood Lane for a distance of 84.33 feet to the easterly  
side of Wilson Lane and the point of beginning.

Containing 14.152 acres, as shown on a plan entitled "Standard Boundary Survey of  
Yankee Commons Mobile Home Park" by Anderson-Livingston Engineers, Inc., dated March,  
1995.

BEING the same premises conveyed to Conrad L. Farr by Deed of  
Lester A. Avery and Dorothy M. Avery dated December 23, 1986 and  
recorded in the York County Registry of Deeds in Book 4124, Page 25.

RECORDED IN YORK S.C.  
95 NOV 30 PM 1:20

ATTEST: *[Signature]*  
REGISTER OF DEEDS

*[Signature]*

390



**6.21 ACRE PORTION OF TAX MAP 66, LOT 25 (ALONG IDLEWOOD LANE)**  
**TO BE COMBINED WITH TAX MAP 66, LOT 24**

The hereinafter-described parcel of land, located in the Town of Kittery, York County, State of Maine, situated on the northwesterly side of U.S. Route One and Idlewood Lane, being a portion of lands of Stephen A. Hynes, Trustee, described in a deed from Conrad L. Farr, dated November 30, 1995, and recorded in volume 7641, page 238 of the York County Registry of Deeds and being more particularly described as follows:

[Bearings in the following descriptions are based on Grid North, Maine State Plane Coordinate System, West Zone (NAD83 Epoch 2002.0)].

Beginning at the northwesterly corner of the herein described tract, located on the northerly side of Wilson Lane, approximately 600 feet northwesterly of the northwesterly sideline of Idlewood Lane, at a point in the northeasterly line of land now or formerly of Stephen A. Hynes, Trustee, described in a deed recorded in volume 7378, page 52 of the York County Registry of Deeds, being also a point in the southeasterly line of land now or formerly of Stephen A. Hynes, Trustee, described in a deed recorded in volume 7378, page 62 of the York County Registry of Deeds, said point of beginning being marked by an existing iron pipe at the northwesterly end of a stone wall;

thence N 73°35'05" E, by said land of Stephen A. Hynes, Trustee, 229.69 feet, to an existing iron pipe;

thence N 75°54'00" E, by said land of Stephen A. Hynes, Trustee, 229.23 feet, to an existing iron pipe;

thence N 74°45'51" E, by said land of Stephen A. Hynes, Trustee, 35.12 feet, to a 5/8" diameter rebar with plastic identification cap marked "CIVIL CONSULT PLS 2362" to be set;

thence S 62°52'56" E, severing the land of the grantor, 666.41 feet, to a 5/8" diameter rebar with plastic identification cap marked "CIVIL CONSULT PLS 2362" to be set in the northwesterly sideline of U.S. Route One;

thence southwesterly by the northwesterly sideline of U.S. Route One, along a curve concave to the northwest, 146.63 feet, to an existing granite highway bound at the intersection of the northwesterly sideline of U.S. Route One and the northwesterly sideline of Idlewood Lane (Old U.S. Route One), said curve having a chord bearing of S 50°00'35" W, a chord length of 146.62 feet, a radius of 3,709.72 feet and an included angle of 2°15'53";

thence S 87°31'18" W, by said northwesterly sideline of Idlewood Lane and/or Old Route One, 103.39 feet, to a point;

thence S 87°31'18" W, by said northwesterly sideline of Idlewood Lane and/or Old Route One, along a stone wall, 74.29 feet, to a point;

thence N 79°22'04" W, by said northwesterly sideline of Idlewood Lane and/or Old Route One, along a stone wall, 23.49 feet, to a point;

thence S 82°03'59" W, by said northwesterly sideline of Idlewood Lane and/or Old Route One, along a stone wall, 87.36 feet, to a point;

thence S 89°27'33" W, by said northwesterly sideline of Idlewood Lane and/or Old Route One, along a stone wall, 44.63 feet, to a point;



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thence S 70°03'59" W, by said northwesterly sideline of Idlewood Lane and/or Old Route One, along a stone wall, 44.66 feet, to a point

thence S 60°54'40" W, by said northwesterly sideline of Idlewood Lane and/or Old Route One, along a stone wall, 46.77 feet, to a point;

thence S 54°23'50" W, by said northwesterly sideline of Idlewood Lane and/or Old Route One, 84.33 feet, to an existing painted rock at land now or formerly of Stephen A. Hynes, Trustee, described in a deed recorded in volume 7378, page 52 of the York County Registry of Deeds;

thence N 49°02'59" W, by said land of Stephen A. Hynes, Trustee, along a stone wall, 17.35 feet, to an existing drill hole;

thence N 50°55'40" W, by said land of Stephen A. Hynes, Trustee, along a stone wall, 153.88 feet, to an existing drill hole;

thence N 51°25'56" W, by said land of Stephen A. Hynes, Trustee, along a stone wall, 97.55 feet, to an existing drill hole;

thence N 55°53'03" W, by said land of Stephen A. Hynes, Trustee, along a stone wall, 34.23 feet, to an existing drill hole;

thence N 52°59'13" W, by said land of Stephen A. Hynes, Trustee, along a stone wall, 44.64 feet, to an existing drill hole;

thence N 51°30'09" W, by said land of Stephen A. Hynes, Trustee, along a stone wall, 151.29 feet, to an existing drill hole;

thence N 53°27'43" W, by said land of Stephen A. Hynes, Trustee, along a stone wall, 103.24 feet, to the POINT OF BEGINNING, containing approximately 6.21 acres.

The parcel described herein is depicted on a plan entitled "REVISED COMPILED BOUNDARY AND EXISTING CONDITIONS PLAN OF LAND OF STEPHEN A. HYNES, TRUSTEE, IDLEWOOD LANE / U.S. ROUTE ONE, TOWN OF KITTERY, YORK COUNTY, MAINE", dated May 22, 2012, to be recorded.

The perimeter boundary of the parent tract is based on a plan entitled "STANDARD BOUNDARY SURVEY OF YANKEE COMMONS MOBILE HOME PARK, IDLEWOOD LANE, KITTERY, MAINE", dated March, 1995, prepared by Anderson Livingston Engineers, Inc. (ALE) Monuments in the hereinabove described legal description are based on the ALE plan. CIVIL CONSULTANTS has not independently verified the position of every monument depicted on the ALE plan. Deed research has been limited to the time period between 1995 (date of ALE plan) and May 21, 2012. CIVIL CONSULTANTS has not performed an independent boundary retracement survey.

Prepared by Michael P. Peverett, Maine PLS #2362

Date: May 22, 2012





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**CIVIL  
CONSULTANTS**

*Engineers*

*Planners*

*Surveyors*

---

***Letter from Water District  
(as filed 1 August 2012)***



06-684-02

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

**RECEIVED**

MAY 07 2012

**CIVIL CONSULTANTS**

Kittery Planning Board  
200 Rogers Road  
Kittery, ME 03904

May 3, 2012

Re: Proposed Expansion of the Yankee Commons Mobile Home Park Off Idlewood Lane, Kittery

Dear Planning Board Members,

Please accept this letter as verification that the Kittery Water District does have the capacity to supply the proposed expansion of the Yankee Common Mobile Home Park with municipal water service including fire protection service.

Sincerely,



Michael S. Rogers  
Superintendent

cc: George D. Chobanian, P.E., Civil Consultants





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**CIVIL  
CONSULTANTS**

*Engineers*

*Planners*

*Surveyors*

---

**Soils Report**  
*(as filed 1 August 2012)*



RECEIVED

JAN 17 2008

CIVIL CONSULTANTS

**KENNETH GARDNER  
Soil Consultant – SS #61  
JRK SOIL SEARCH, INC.  
PO BOX 291  
LIMINGTON, ME 04049  
(207) 637-2260**

**December 28, 2007**

**Tom Harmon  
Civil Consultants  
PO Box 100  
So. Berwick, ME 03908**

**Re: Soil Narrative, Route 1 Kittery, ME**

**Dear Mr. Harmon;**

**The enclosed Soils Map is a Class B Soil Survey. The test pits were located by G.P.S. and the wetland boundary was also located by G.P.S.**

**The site is generally wooded with pine, hemlock, birch, aspen, oak and maple. There is a wetland area on the site with alders, birch and cattails.**

**The soils on the site are generally shallow to moderately deep to bedrock loamy glacial till. These areas are at the highest areas of the site. The lower areas consist of poorly drained to very poorly drained marine sediments.**

**There is a small stream which runs through the northern portion of the property.**

**If you have any questions, please contact me.**

**Sincerely,**



**Kenneth Gardner**

*C. SS #61*

SOIL CONDITIONS SUMMARY TABLE		SUMMARY LOG OF SUBSURFACE EXPLORATIONS AT PROJECT SITES	
Project Name: <i>Yankee Commons</i>	Applicant Name: <i>210 Civil Consultants</i>	Project Location (municipality): <i>Kittery</i>	

Lot No.	Exploration Symbol (TP 1, B 2, etc.)	✓ or X 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 (check one): <input type="checkbox"/> inches <input type="checkbox"/> cm				Ground Surface Slope (%)
				Mottling (seasonal watertable)	Bedrock	Firm or Restrictive Layer	Limit of Exploration	
	TP1		Peru f.s.l.	22"	None in 36"	24	33"	3-8
	TP2		Tunbridge f.s.l.	None	30"	None	30"	5-8
	TP3		Lyman f.s.l.	None	16"	None	16"	3-8
	TP4		40" Filled land over Lyman S.S.	None	60"	None	60"	3-8
	TP5		36" Filled land (sandy loam)	None	36"	None	36"	3-8
	TP6		Tunbridge f.s.l.	None	31"	None	31"	3-8
	TP7		Abrams f.s.l.	None	6"	None	6"	3-8
	TP8		Abrams f.s.l.	None	10	None	10	8-15
	TP9		Peru f.s.l.	18"	None	20	40	8-15
	TP10		Lamoine Si L.	15"	None	18	41	3-8
	TP11		Peru f.s.l.	22"	None	23	43	8-15
	TP12		Lamoine Si L.	10"	None	13	28	3-8
	TP13		Tunbridge f.s.l.	None	22	None	22	8-15
	TP14		Scantic Si L.	4	None	8	20	3-8
	TP15		Abrams f.s.l.	None	6	None	6	3-8
	TP16		Tunbridge f.s.l.	None	26	None	26	3-8
	TP17		Scantic Si L.	4	None	9	24	3-8
	TP18		Scantic Si L.	4	None	8	23	3-8
	TP19		Peru f.s.l.	16	None	18	32	8-15
	TP20		Becket f.s.l.	None	None	30	49	3-8
	TP21		Skerry f.s.l.	30	None	33	49	3-8
	TP22		Marlow f.s.l.	None	None	28	46	8-15
	TP23		Skerry f.s.l.	18	None	22	49	3-8
	TP24		Lyman f.s.l.	None	18	None	18	3-8
	TP25		Tunbridge f.s.l.	None	30	None	30	15-25%
	TP26+27		Filled land with loam material	Firm	and Mottled	throughout		0-3
	TP28		Lyman f.s.l.	None	18	None	18	15-25%
	TP29		Peru f.s.l.	24	None	28	46	3-8
	TP30		Lyman f.s.l.	None	14	None	14	3-8
	TP31		Tunbridge f.s.l.	None	34	None	34	3-8

INVESTIGATOR INFORMATION AND SIGNATURE	
Signature: <i>Kenneth Gardner</i>	Date: <i>1-15-08</i>
Name Printed/typed: <i>Kenneth Gardner</i>	Cert/Lic/Reg. # <span style="border: 1px solid black; padding: 2px;">61</span>
Title: <input type="checkbox"/> Licensed Site Evaluator <input checked="" type="checkbox"/> Certified Soil Scientist <input type="checkbox"/> Certified Geologist <input type="checkbox"/> Other:	





**KENNETH GARDNER  
Soil Consultant – SS #61  
JRK SOIL SEARCH, INC.  
PO Box 291  
Limington, ME 04049  
(207) 637-2260**

**Applicant: Civil Consultants  
Town: Kittery  
Road: Route 1**

**SOIL SERIES: Scantic Silt Loam 0 – 8%  
Typic Haplaquepts**

**Parent Material: Glacio marine**

**Landform: nearly level, to bottom of gullies**

**Position in Landscape: lower area on the site**

**Slope Gradient Ranges: 0 – 8% gently rolling**

### **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” gray firm silty clay loam mottled**

**Hydrologic Group : D**

**Surface Run Off: Slow**

**Permeability: Moderate 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: Swanton 5%**

**Contrasting: Lamoine 10%**

### **USE AND MANAGEMENT**

**These areas have a very high seasonal water table which must be considered in the road and building construction.**

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PO Box 291  
Limington, ME 04049  
(207) 637-2260

**Applicant: Civil Consultants**  
**Town: Kittery**  
**Road: Route 1**

**SOIL SERIES: Madeland – 1, 0 – 8% and 8 – 15%**

**Parent Material: 36 – 40” sandy loam to gravelly sandy loam(fill) over bedrock**

**Landform: glaciated uplands**

**Position in Landscape: higher elevations of the site**

**Slope Gradient Ranges: 0 – 8% and 8 – 15%**

### **COMPOSITION AND SOIL CHARACTERISTICS**

**Drainage Class: Well drained**

#### **Typical Profile**

**Description:** **Surface Layer:**  
**Subsurface Layer: 0 – 36” olive brown to brown friable sandy loam to gravelly sandy loam (fill) over bedrock**  
**Subsoil Layer:**  
**Substratum:**

**Hydrologic Group : Like “C”**

**Surface Run Off: Medium**

**Permeability: Moderate**

**Depth to Bedrock: 36 – 62”**

**Hazard to Flooding: None**

### **INCLUSIONS (Within Mapping Unit)**

**Similar: Lyman & Abrams 10%**

**Contrasting: None**

### **USE AND MANAGEMENT**

**These are small areas of the site which have been filled in the last 20 – 40 years (approx.). These areas are suited for building and road construction.**

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**PO Box 291**  
**Limington, ME 04049**  
**(207) 637-2260**

**Applicant: Civil Consultants**  
**Town: Kittery**  
**Road: Route 1**

**SOIL SERIES: Madeland – 2, 0 – 8% and > 25%**

**Parent Material: 60 "+ silty clay loam (fill)**

**Landform: Marine plain**

**Position in Landscape: Lower area of site which was filled approx. 1950**

**Slope Gradient Ranges: 0 – 8% and greater than 25%**

### **COMPOSITION AND SOIL CHARACTERISTICS**

**Drainage Class: Poorly drained**

#### **Typical Profile**

**Description: Surface Layer: 1 – 0 leaf litter**  
**Subsurface Layer: 0 – 60" firm gray silty clay loam (fill)**  
**Subsoil Layer:**  
**Substratum:**

**Hydrologic Group : Like "D"**

**Surface Run Off: slow**

**Permeability: very slow**

**Depth to Bedrock: Greater than 60"**

**Hazard to Flooding: None**

### **INCLUSIONS (Within Mapping Unit)**

**Similar: None**

**Contrasting: None**

### **USE AND MANAGEMENT**

**This area was filled approx. 1950's. The stability of this area may be suspect for building and road construction.**

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**Applicant: Civil Consultants  
Town: Kittery  
Road: Route 1**

**SOIL SERIES: Lamoine Si. L. 0 – 8%  
Aeric Haplaquepts**

**Parent Material: Glacio marine**

**Landform: Marine plain**

**Position in Landscape: Lower elevations of the site but not the lowest**

**Slope Gradient Ranges: 0 – 8%**

### **COMPOSITION AND SOIL CHARACTERISTICS**

**Drainage Class: Somewhat poorly drained**

#### **Typical Profile**

**Description: Surface Layer: 1 – 0 leaf litter  
Subsurface Layer: 0 – 8” dark brown friable silt loam  
Subsoil Layer: 8 – 15” olive yellow brown friable silt loam  
Substratum: 15 – 40” firm olive silt loam to silt/clay loam**

**Hydrologic Group : D**

**Surface Run Off: Medium**

**Permeability: Moderately to slow**

**Depth to Bedrock: Greater than 40”**

**Hazard to Flooding: None, seasonal puddles in small concave spots**

### **INCLUSIONS (Within Mapping Unit)**

**Similar: Buxton Soil 10%**

**Contrasting: Scantic 15%**

### **USE AND MANAGEMENT**

**These areas are suited for building and road construction.**

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**Applicant: Civil Consultants**  
**Town: Kittery**  
**Road: Route 1**

**SOIL SERIES: Buxton Si. L. 8 – 15%**  
**Aquic Dystric Eutrochrepts**

**Parent Material: Glacio marine sediments**

**Landform: Marine plain**

**Position in Landscape: Intermediate elevations of the site**

**Slope Gradient Ranges: 8 – 15%**

### **COMPOSITION AND SOIL CHARACTERISTICS**

**Drainage Class: Moderately well-drained**

#### **Typical Profile**

**Description:** **Surface Layer: 1 – 0 leaf litter**  
**Subsurface Layer: 0 – 9” dark brown friable silt loam**  
**Subsoil Layer: 9 – 18” yellow brown to olive yellow brown friable Silt loam**  
**Substratum: 18 – 40” olive gray firm silty clay loam**

**Hydrologic Group : D**

**Surface Run Off: Medium to rapid on D – slope**

**Permeability: Moderately slow to slow**

**Depth to Bedrock: Greater than 40”**

**Hazard to Flooding: None**

### **INCLUSIONS (Within Mapping Unit)**

**Similar: Peru Soil 10%**

**Contrasting: Lamoine 10%**

### **USE AND MANAGEMENT**

**These areas are suited for building and road construction.**

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**Applicant: Civil Consultants  
Town: Kittery  
Road: Route 1**

**SOIL SERIES: Buxton Si. L. 15 – 25%  
Aquic Dystric Eutrochrepts**

**Parent Material: Glacio marine sediments**

**Landform: Marine plain**

**Position in Landscape: Intermediate elevations of the site**

**Slope Gradient Ranges: 15 – 25%**

### **COMPOSITION AND SOIL CHARACTERISTICS**

**Drainage Class: Moderately well-drained**

#### **Typical Profile**

**Description: Surface Layer: 1 – 0 leaf litter  
Subsurface Layer: 0 – 9” dark brown friable silt loam  
Subsoil Layer: 9 – 18” yellow brown to olive yellow brown friable  
Silt loam  
Substratum: 18 – 40” olive gray firm silty clay loam**

**Hydrologic Group : D**

**Surface Run Off: Medium to rapid on D – slope**

**Permeability: Moderately slow to slow**

**Depth to Bedrock: Greater than 40”**

**Hazard to Flooding: None**

### **INCLUSIONS (Within Mapping Unit)**

**Similar: Peru Soil 10%**

**Contrasting: Lamoine 10%**

### **USE AND MANAGEMENT**

**These areas are suited for building and road construction.**

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**Applicant: Civil Consultants**  
**Town: Kittery**  
**Road: Route 1**

**SOIL SERIES: Buxton Si. L. 0 – 8%**  
**Aquic Dystric Eutrochrepts**

**Parent Material: Glacio marine sediments**

**Landform: Marine plain**

**Position in Landscape: Intermediate elevations of the site**

**Slope Gradient Ranges: 0 – 8%**

### **COMPOSITION AND SOIL CHARACTERISTICS**

**Drainage Class: Moderately well-drained**

#### **Typical Profile**

**Description:** **Surface Layer: 1 – 0 leaf litter**  
**Subsurface Layer: 0 – 9” dark brown friable silt loam**  
**Subsoil Layer: 9 – 18” yellow brown to olive yellow brown friable Silt loam**  
**Substratum: 18 – 40” olive gray firm silty clay loam**

**Hydrologic Group : D**

**Surface Run Off: Medium to rapid on D – slope**

**Permeability: Moderately slow to slow**

**Depth to Bedrock: Greater than 40”**

**Hazard to Flooding: None**

### **INCLUSIONS (Within Mapping Unit)**

**Similar: Peru Soil 10%**

**Contrasting: Lamoine 10%**

### **USE AND MANAGEMENT**

**These areas are suited for building and road construction.**

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Applicant: Civil Consultants  
Town: Kittery  
Road: Route 1

**SOIL SERIES: Biddeford Mucky Peat 0 – 3%  
Histic Humaquepts**

**Parent Material: Organics over glacio marine sediments**

**Landform: Marine plain**

**Position in Landscape: Concave, lowest areas of site**

**Slope Gradient Ranges: 0 – 3%**

**COMPOSITION AND SOIL CHARACTERISTICS**

**Drainage Class: Very poorly drained**

**Typical Profile**

**Description:** Surface Layer: 1 -0 leaf litter, 0 – 10”very dark brown mucky peat  
Subsurface Layer: 10 – 18” gray friable silt loam  
Subsoil Layer: 18 – 24” olive gray friable silty clay  
Substratum: 24 – 36” gray firm silty clay

**Hydrologic Group : D**

**Surface Run Off: Slight**

**Permeability: Moderately slow to very slow**

**Depth to Bedrock: greater than 40”**

**Hazard to Flooding: Seasonal pond - wetland**

**INCLUSIONS (Within Mapping Unit)**

**Similar: Soil with a thicker organic horizon**

**Contrasting: Scantic**

**USE AND MANAGEMENT**

**These areas should be avoided for any construction or development. These areas are very wet.**

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(207) 637-2260**

**Applicant: Civil Consultants  
Town: Kittery  
Road: Route 1**

**SOIL SERIES: Abrams FSL 0 – 8%  
Lithic Udorthents**

**Parent Material: Glacial till**

**Landform: Glaciated upland**

**Position in Landscape: higher elevations on the site**

**Slope Gradient Ranges: 0 – 8%**

### **COMPOSITION AND SOIL CHARACTERISTICS**

**Drainage Class: Excessively drained**

#### **Typical Profile**

**Description: Surface Layer: 0 – 8” dark brown friable fine sandy loam  
Bedrock at 8”  
Subsurface Layer:  
Subsoil Layer:  
Substratum:**

**Hydrologic Group : C/D**

**Surface Run Off: Slow to moderate**

**Permeability: Moderate to moderately rapid**

**Depth to Bedrock: 0 – 8”**

**Hazard to Flooding: None**

### **INCLUSIONS (Within Mapping Unit)**

**Similar: Lyman – soil which is deeper to Bedrock 10 – 15%**

**Contrasting: Rock outcrops 5%**

### **USE AND MANAGEMENT**

**These areas are very shallow to bedrock which must be considered in the road and building construction. Blasting will be required.**

**KENNETH GARDNER**  
**Soil Consultant – SS #61**  
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**PO Box 291**  
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**(207) 637-2260**

**Applicant: Civil Consultants**  
**Town: Kittery**  
**Road: Route 1**

**SOIL SERIES: Abrams FSL 15 – 25%**  
**Lithic Udorthents**

**Parent Material: Glacial till**

**Landform: Glaciated upland**

**Position in Landscape: higher elevations on the site**

**Slope Gradient Ranges: 15 – 25%**

### **COMPOSITION AND SOIL CHARACTERISTICS**

**Drainage Class: Excessively drained**

#### **Typical Profile**

**Description: Surface Layer: 0 – 8” dark brown friable fine sandy loam**  
**Bedrock at 8”**  
**Subsurface Layer:**  
**Subsoil Layer:**  
**Substratum:**

**Hydrologic Group : C/.D**

**Surface Run Off: Slow to moderate**

**Permeability: Moderate to moderately rapid**

**Depth to Bedrock: 0 – 8”**

**Hazard to Flooding: None**

### **INCLUSIONS (Within Mapping Unit)**

**Similar: Lyman – soil which is deeper to Bedrock 10 – 15%**

**Contrasting: Rock outcrops 5%**

### **USE AND MANAGEMENT**

**These areas are very shallow to bedrock which must be considered in the road and building construction. Blasting will be required.**

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**Applicant: Civil Consultants  
Town: Kittery  
Road: Route 1**

**SOIL SERIES: Skerry FSL 0 – 8%**

**Parent Material: Glacial till**

**Landform: Glaciated upland**

**Position in Landscape: Intermediate elevations on the site**

**Slope Gradient Ranges: 0 – 8%**

### **COMPOSITION AND SOIL CHARACTERISTICS**

**Drainage Class: Moderately well-drained**

#### **Typical Profile**

**Description:**   **Surface Layer: 0 – 7” dark friable fine sandy loam**  
                          **Subsurface Layer: 6 – 24” yellow brown friable fine sandy loam to sandy loam**  
                          **Subsoil Layer: 24 – 30” olive brown friable sandy loam to loamy sand**  
                          **Substratum: 30 – 50” olive brown firm loamy sand (stoney)**

**Hydrologic Group : C**

**Surface Run Off: Slow**

**Permeability: Moderate in the Solum, slow in the dense Substratum**

**Depth to Bedrock: greater than 40”**

**Hazard to Flooding: None**

### **INCLUSIONS (Within Mapping Unit)**

**Similar: Peru 10%**

**Contrasting: Tunbridge 10%**

### **USE AND MANAGEMENT**

**These areas are suitable for building and road construction.**

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**Applicant: Civil Consultants  
Town: Kittery  
Road: Route 1**

**SOIL SERIES: Lyman FSL 0 – 8%  
Lithic Haplorthods**

**Parent Material: Glacial till**

**Landform: Glaciated upland**

**Position in Landscape: higher elevations on the site**

**Slope Gradient Ranges: 0 – 8%**

### **COMPOSITION AND SOIL CHARACTERISTICS**

**Drainage Class: Somewhat excessively drained**

#### **Typical Profile**

**Description: Surface Layer: 0 – 8” dark brown friable fine sandy loam  
Subsurface Layer: 8 – 16” yellow brown friable sandy loam  
Subsoil Layer: 16 – 20” olive brown friable sandy loam  
Substratum: Bedrock**

**Hydrologic Group : C/D**

**Surface Run Off: Slow to moderate**

**Permeability: Moderate to moderately rapid**

**Depth to Bedrock: 10 – 20”**

**Hazard to Flooding: None**

### **INCLUSIONS (Within Mapping Unit)**

**Similar: Tunbridge 10%**

**Contrasting: Abrams 10%**

### **USE AND MANAGEMENT**

**These areas are shallow to bedrock which may require blasting for road construction and dwelling construction.**

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Town: Kittery  
Road: Route 1**

**SOIL SERIES: Lyman FSL 15 – 25%  
Lithic Haplorthods**

**Parent Material: Glacial till**

**Landform: Glaciated upland**

**Position in Landscape: higher elevations on the site**

**Slope Gradient Ranges: 15 – 25%**

### **COMPOSITION AND SOIL CHARACTERISTICS**

**Drainage Class: Somewhat excessively drained**

#### **Typical Profile**

**Description: Surface Layer: 0 – 8” dark brown friable fine sandy loam  
Subsurface Layer: 8 – 16” yellow brown friable sandy loam  
Subsoil Layer: 16 – 20” olive brown friable sandy loam  
Substratum: Bedrock**

**Hydrologic Group : C/.D**

**Surface Run Off: Slow to moderate**

**Permeability: Moderate to moderately rapid**

**Depth to Bedrock: 10 – 20”**

**Hazard to Flooding: None**

### **INCLUSIONS (Within Mapping Unit)**

**Similar: Tunbridge 10%**

**Contrasting: Abrams 10%**

### **USE AND MANAGEMENT**

**These areas are shallow to bedrock which may require blasting for road construction and dwelling construction.**

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**PO Box 291**  
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**(207) 637-2260**

**Applicant: Civil Consultants**  
**Town: Kittery**  
**Road: Route 1**

**SOIL SERIES: Lyman FSL 8 – 15%**  
**Lithic Haplorthods**

**Parent Material: Glacial till**

**Landform: Glaciated upland**

**Position in Landscape: higher elevations on the site**

**Slope Gradient Ranges: 8 – 15%**

**COMPOSITION AND SOIL CHARACTERISTICS**

**Drainage Class: Somewhat excessively drained**

**Typical Profile**

**Description: Surface Layer: 0 – 8” dark brown friable fine sandy loam**  
**Subsurface Layer: 8 – 16” yellow brown friable sandy loam**  
**Subsoil Layer: 16 – 20” olive brown friable sandy loam**  
**Substratum: Bedrock**

**Hydrologic Group : C/D**

**Surface Run Off: Slow to moderate**

**Permeability: Moderate to moderately rapid**

**Depth to Bedrock: 10 – 20”**

**Hazard to Flooding: None**

**INCLUSIONS (Within Mapping Unit)**

**Similar: Tunbridge 10%**

**Contrasting: Abrams 10%**

**USE AND MANAGEMENT**

**These areas are shallow to bedrock which may require blasting for road construction and dwelling construction.**

**KENNETH GARDNER**  
**Soil Consultant – SS #61**  
**JRK SOIL SEARCH, INC.**  
**PO Box 291**  
**Limington, ME 04049**  
**(207) 637-2260**

**Applicant: Civil Consultants**  
**Town: Kittery**  
**Road: Route 1**

**SOIL SERIES: Becket FSL 0 – 8%**  
**Typic Haplorthods**

**Parent Material: Compact glacial till**

**Landform: Glacial upland**

**Position in Landscape: Higher elevations on the site**

**Slope Gradient Ranges: Generally 3 – 8%, and short steep slopes**

### **COMPOSITION AND SOIL CHARACTERISTICS**

**Drainage Class: Well-drained**

#### **Typical Profile**

**Description:**   **Surface Layer: 1 – 0” leaf litter**  
                          **Subsurface Layer: 0 – 8” dark brown friable fine sandy loam**  
                          **Subsoil Layer: 8 – 24” yellow brown friable sandy loam**  
                          **Substratum: 24 – 48” olive brown firm gravelly loamy sand**

**Hydrologic Group : C**

**Surface Run Off: Slow to moderate**

**Permeability: Moderate in Solum, slow in Substratum**

**Depth to Bedrock: greater than 48”**

**Hazard to Flooding: None**

### **INCLUSIONS (Within Mapping Unit)**

**Similar: Marlow 10%**

**Contrasting: Skerry 10%**

### **USE AND MANAGEMENT**

**This is a well-drained glacial till which is well suited for the placement of dwellings, roads, sewer and water lines.**

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**Soil Consultant – SS #61**  
**JRK SOIL SEARCH, INC.**  
**PO Box 291**  
**Limington, ME 04049**  
**(207) 637-2260**

**Applicant: Civil Consultants**  
**Town: Kittery**  
**Road: Route 1**

**SOIL SERIES: Marlow FSL 8 –15%**  
**Typic Haplorthods**

**Parent Material: Compact glacial till**

**Landform: Glaciated upland**

**Position in Landscape: Higher elevations on the site**

**Slope Gradient Ranges: 8 – 15%**

### **COMPOSITION AND SOIL CHARACTERISTICS**

**Drainage Class: Well-drained**

#### **Typical Profile**

**Description: Surface Layer: 0 – 4” dark brown friable fine sandy loam**  
**Subsurface Layer: 4 – 10” reddish brown friable fine sandy loam**  
**Subsoil Layer: 10 – 20” yellow brown friable fine sandy loam**  
**Substratum: 20 – 40” olive brown firm gravelly sandy loam**

**Hydrologic Group : C**

**Surface Run Off: Moderate**

**Permeability: Moderate in Solum, slow in Substratum**

**Depth to Bedrock: greater than 40”**

**Hazard to Flooding: None**

### **INCLUSIONS (Within Mapping Unit)**

**Similar: Tunbridge 15%**

**Contrasting: Lyman 10%**

### **USE AND MANAGEMENT**

**These areas are suited for building and road construction.**

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**PO Box 291**  
**Limington, ME 04049**  
**(207) 637-2260**

**Applicant: Civil Consultants**  
**Town: Kittery**  
**Road: Route 1**

**SOIL SERIES: Peru FSL 0 –8%**  
**Aquic Haplorthods**

**Parent Material: Glacial till**

**Landform: Glaciated upland**

**Position in Landscape: Areas around the bedrock outcrops on the site**

**Slope Gradient Ranges: 0 – 8%**

### **COMPOSITION AND SOIL CHARACTERISTICS**

**Drainage Class: Moderately well-drained**

#### **Typical Profile**

**Description:**   **Surface Layer: 0 – 6” dark friable fine sandy loam**  
                          **Subsurface Layer: 6 – 12” yellow brown friable fine sandy loam**  
                          **Subsoil Layer: 12 – 20” yellow brown friable sandy loam**  
                          **Substratum: 20 – 48” olive gray firm stoney sandy loam**

**Hydrologic Group : C**

**Surface Run Off: Slow**

**Permeability: Moderate in Solum, slow in Substratum**

**Depth to Bedrock: Generally greater than 40”, with inclusions of moderately deep to bedrock**

**Hazard to Flooding: None**

### **INCLUSIONS (Within Mapping Unit)**

**Similar: Marlow & Skerry 10%**

**Contrasting: Lamoine & Tunbridge 5%**

### **USE AND MANAGEMENT**

**These areas are suited for building and road construction.**

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Soil Consultant – SS #61  
JRK SOIL SEARCH, INC.  
PO Box 291  
Limington, ME 04049  
(207) 637-2260**

**Applicant: Civil Consultants  
Town: Kittery  
Road: Route 1**

**SOIL SERIES: Peru FSL 8 – 15%  
Aquic Haplorthods**

**Parent Material: Glacial till**

**Landform: Glaciated upland**

**Position in Landscape: Areas around the bedrock outcrops on the site**

**Slope Gradient Ranges: 8 – 15%**

### **COMPOSITION AND SOIL CHARACTERISTICS**

**Drainage Class: Moderately well-drained**

#### **Typical Profile**

**Description: Surface Layer: 0 – 6” dark friable fine sandy loam  
Subsurface Layer: 6 – 12” yellow brown friable fine sandy loam  
Subsoil Layer: 12 – 20” yellow brown friable sandy loam  
Substratum: 20 – 48” olive gray firm stoney sandy loam**

**Hydrologic Group : C**

**Surface Run Off: Slow**

**Permeability: Moderate in Solum, slow in Substratum**

**Depth to Bedrock: Generally greater than 40”, with inclusions of moderately deep to bedrock**

**Hazard to Flooding: None**

### **INCLUSIONS (Within Mapping Unit)**

**Similar: Marlow & Skerry 10%**

**Contrasting: Lamoine & Tunbridge 5%**

### **USE AND MANAGEMENT**

**These areas are suited for building and road construction.**

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**JRK SOIL SEARCH, INC.**  
**PO Box 291**  
**Limington, ME 04049**  
**(207) 637-2260**

**Applicant: Civil Consultants**  
**Town: Kittery**  
**Road: Route 1**

**SOIL SERIES: Peru FSL 15 – 25%**  
**Aquic Haplorthods**

**Parent Material: Glacial till**

**Landform: Glaciated upland**

**Position in Landscape: Areas around the bedrock outcrops on the site**

**Slope Gradient Ranges: 15– 25%**

### **COMPOSITION AND SOIL CHARACTERISTICS**

**Drainage Class: Moderately well-drained**

#### **Typical Profile**

**Description:** **Surface Layer: 0 – 6” dark friable fine sandy loam**  
**Subsurface Layer: 6 – 12” yellow brown friable fine sandy loam**  
**Subsoil Layer: 12 – 20” yellow brown friable sandy loam**  
**Substratum: 20 – 48” olive gray firm stoney sandy loam**

**Hydrologic Group : C**

**Surface Run Off: Slow**

**Permeability: Moderate in Solum, slow in Substratum**

**Depth to Bedrock: Generally greater than 40”, with inclusions of moderately deep to bedrock**

**Hazard to Flooding: None**

### **INCLUSIONS (Within Mapping Unit)**

**Similar: Marlow & Skerry 10%**

**Contrasting: Lamoine & Tunbridge 5%**

### **USE AND MANAGEMENT**

**These areas are suited for building and road construction.**

**KENNETH GARDNER  
Soil Consultant – SS #61  
JRK SOIL SEARCH, INC.  
PO Box 291  
Limington, ME 04049  
(207) 637-2260**

**Applicant: Civil Consultants  
Town: Kittery  
Road: Route 1**

**SOIL SERIES: Tunbridge SL 0 – 8%  
Typic Haplorthods**

**Parent Material: Glacial till**

**Landform: Glaciated upland**

**Position in Landscape: Higher elevations of the site**

**Slope Gradient Ranges: 0 – 8%**

**COMPOSITION AND SOIL CHARACTERISTICS**

**Drainage Class: Well-drained**

**Typical Profile**

**Description: Surface Layer: 0 – 8” dark brown to brown friable sandy loam  
Subsurface Layer: 8 – 16” dark yellow brown friable sandy loam  
Subsoil Layer: 16 – 20” light olive brown friable sandy loam  
Substratum: 20 – 30” light olive brown friable to firm gravelly  
sandy loam**

**Hydrologic Group : C**

**Surface Run Off: Moderate**

**Permeability: Moderate to moderately rapid**

**Depth to Bedrock: 20 – 40” with inclusions of shallower and deeper soil**

**Hazard to Flooding: None**

**INCLUSIONS (Within Mapping Unit)**

**Similar: Marlow moderately deep – soil which as a firm substratum 10%**

**Contrasting: Peru 10%**

**USE AND MANAGEMENT**

**These areas are suited for building and road construction.**

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Soil Consultant – SS #61  
**JRK SOIL SEARCH, INC.**  
PO Box 291  
Limington, ME 04049  
(207) 637-2260

**Applicant: Civil Consultants**  
**Town: Kittery**  
**Road: Route 1**

**SOIL SERIES: Tunbridge SL 8 – 15%**  
**Typic Haplorthods**

**Parent Material: Glacial till**

**Landform: Glaciated upland**

**Position in Landscape: Higher elevations of the site**

**Slope Gradient Ranges: 8 – 15%**

### **COMPOSITION AND SOIL CHARACTERISTICS**

**Drainage Class: Well-drained**

#### **Typical Profile**

**Description:** **Surface Layer: 0 – 8” dark brown to brown friable sandy loam**  
**Subsurface Layer: 8 – 16” dark yellow brown friable sandy loam**  
**Subsoil Layer: 16 – 20” light olive brown friable sandy loam**  
**Substratum: 20 – 30” light olive brown friable to firm gravelly sandy loam**

**Hydrologic Group : C**

**Surface Run Off: Moderate**

**Permeability: Moderate to moderately rapid**

**Depth to Bedrock: 20 – 40” with inclusions of shallower and deeper soil**

**Hazard to Flooding: None**

### **INCLUSIONS (Within Mapping Unit)**

**Similar: Marlow 10%**

**Contrasting: Lyman & Abram 10%**

### **USE AND MANAGEMENT**

**These areas are suited for building and road construction.**

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**JRK SOIL SEARCH, INC.**  
**PO Box 291**  
**Limington, ME 04049**  
**(207) 637-2260**

**Applicant: Civil Consultants**  
**Town: Kittery**  
**Road: Route 1**

**SOIL SERIES: Tunbridge SL 15 – 25%**  
**Typic Haplorthods**

**Parent Material: Glacial till**

**Landform: Glaciated upland**

**Position in Landscape: Higher elevations of the site**

**Slope Gradient Ranges: 15 – 25%**

**COMPOSITION AND SOIL CHARACTERISTICS**

**Drainage Class: Well-drained**

**Typical Profile**

**Description:** **Surface Layer: 0 – 8” dark brown to brown friable sandy loam**  
**Subsurface Layer: 8 – 16” dark yellow brown friable sandy loam**  
**Subsoil Layer: 16 – 20” light olive brown friable sandy loam**  
**Substratum: 20 – 30” light olive brown friable to firm gravelly sandy loam**

**Hydrologic Group : C**

**Surface Run Off: Moderate**

**Permeability: Moderate to moderately rapid**

**Depth to Bedrock: 20 – 40” with inclusions of shallower and deeper soil**

**Hazard to Flooding: None**

**INCLUSIONS (Within Mapping Unit)**

**Similar: Soil which as a firm substratum 5%**

**Contrasting: Lyman & Abram 10%**

**USE AND MANAGEMENT**

**These areas are suited for building and road construction.**

**KENNETH GARDNER**  
Soil Consultant – SS #61  
JRK SOIL SEARCH, INC.  
PO Box 291  
Limington, ME 04049  
(207) 637-2260

**Applicant: Civil Consultants**  
**Town: Kittery**  
**Road: Route 1**

**SOIL SERIES: Tunbridge SL greater than 25%**  
**Typic Haplorthods**

**Parent Material: Glacial till**

**Landform: Glaciated upland**

**Position in Landscape: Higher elevations of the site**

**Slope Gradient Ranges: Greater than 25%**

### **COMPOSITION AND SOIL CHARACTERISTICS**

**Drainage Class: Well-drained**

#### **Typical Profile**

**Description:** Surface Layer: 0 – 8” dark brown to brown friable sandy loam  
Subsurface Layer: 8 – 16” dark yellow brown friable sandy loam  
Subsoil Layer: 16 – 20” light olive brown friable sandy loam  
Substratum: 20 – 30” light olive brown friable to firm gravelly sandy loam

**Hydrologic Group : C**

**Surface Run Off: Moderate**

**Permeability: Moderate to moderately rapid**

**Depth to Bedrock: 20 – 40” with inclusions of shallower and deeper soil**

**Hazard to Flooding: None**

### **INCLUSIONS (Within Mapping Unit)**

**Similar: Soil which as a firm substratum 5%**

**Contrasting: Lyman & Abram 10%**

### **USE AND MANAGEMENT**

**These areas are suited for building and road construction. The excessive slope must be considered.**



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**CIVIL  
CONSULTANTS**

*Engineers*

*Planners*

*Surveyors*

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***Letter from Sewer District  
(update of 12/8/2008 letter)***



**TOWN OF KITTERY**  
**Sewer Department**  
**200 Rogers Road**  
**Kittery, ME 03904**  
**Telephone: (207) 439-4646 Fax: (207) 439-2799**  
**E-mail: [gkathios@kitteryme.org](mailto:gkathios@kitteryme.org)**

September 2, 2012

George Chobanian  
293 Main st  
PO Box 100  
South Berwick ME 03908

REF: Yankee Commons Mobil Home Expansion

Dear George,

This letter is to confirm that there is sanitary sewer service available for the Proposed Yankee Commons Mobil Home Expansion. The sewer system (piping and pumping stations) and the treatment plant will have the capacity and ability to handle the discharge flow estimates of 78 units at 180 Gals per unit per day equating 14,040 Gallons per day of wastewater requiring treatment and disposal. During Engineering and construction plans may change and if they do, consideration for acceptance may change. All fees are expected to be paid in full per phase of the project. Please notify me if changes are made.

If you have further questions or concerns please contact me.

Sincerely,

George Kathios  
Town of Kittery  
Superintendent of Wastewater Services  
1-207-439-4646

Cc/ Gerry Mylroie, Town Planner  
Heather Ross, CEO  
Jonathan Carter, Town Manager





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**CIVIL  
CONSULTANTS**

*Engineers*

*Planners*

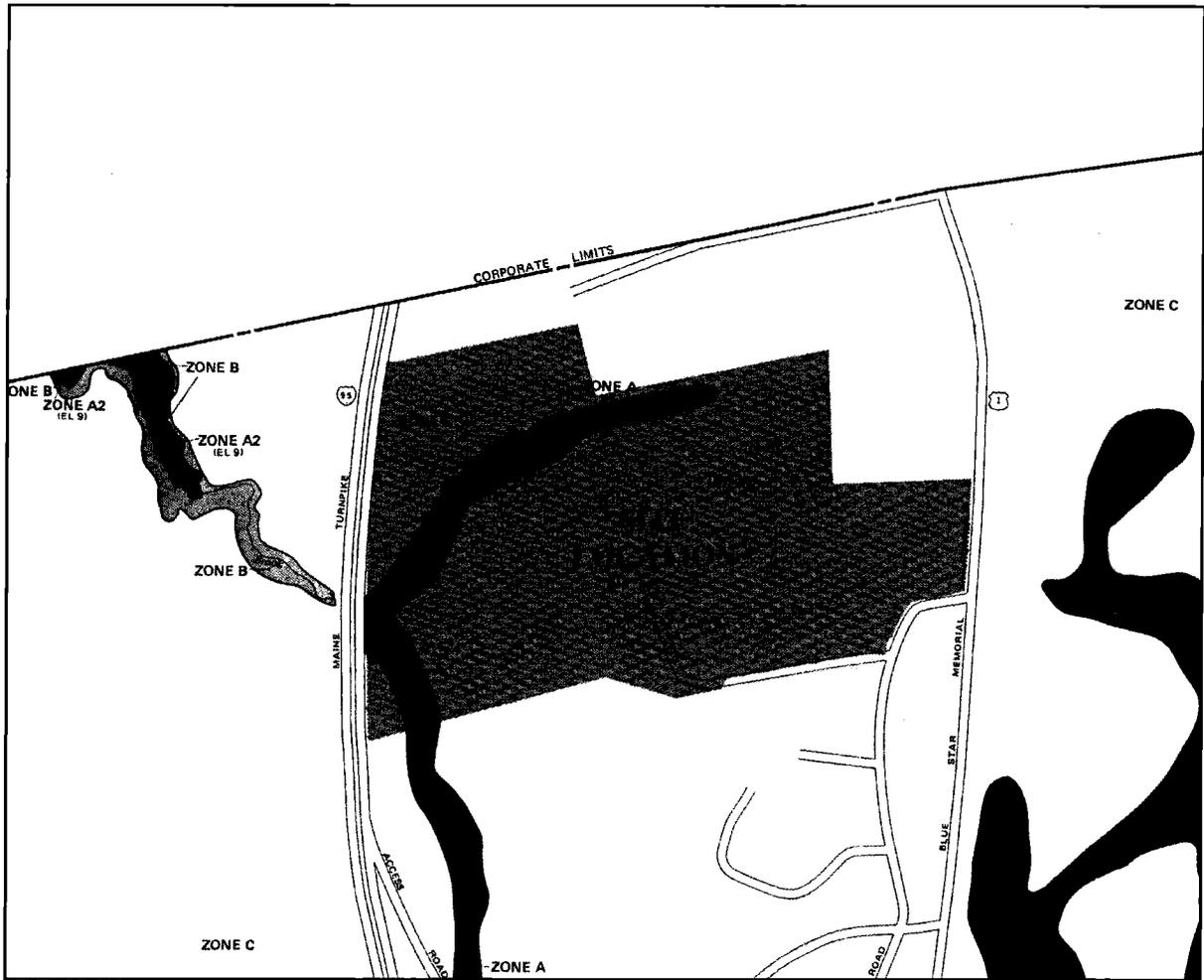
*Surveyors*

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***Flood Mapping***  
***(as filed 1 August 2012)***



*Residential Development off Idlewood Lane, Kittery, Maine  
Prepared for Gary Beers, Yankee Mobile Home Parks*



<p><i>Portion of Flood Insurance Rate Map Town of Kittery, ME Panel 1C</i></p>	<p><b>PREPARED FOR:</b></p>	<p><i>Yankee Commons Mobile Home Park Expansion Gary Beers, Yankee Mobile Home Parks</i></p>
<p>JOB NO: 06-684.02</p>	<p>SCALE:</p>	

J:\aaa\2006\0668402\FloodMap.doc



**CIVIL  
CONSULTANTS**

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





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**CIVIL  
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*Surveyors*

---

***Typical Site Layout  
(new)***



# TYPICAL SITE LAYOUTS

scale: 1"=20'

UNITS MAY BE: 12'-28' Wide X 40'-60' Long

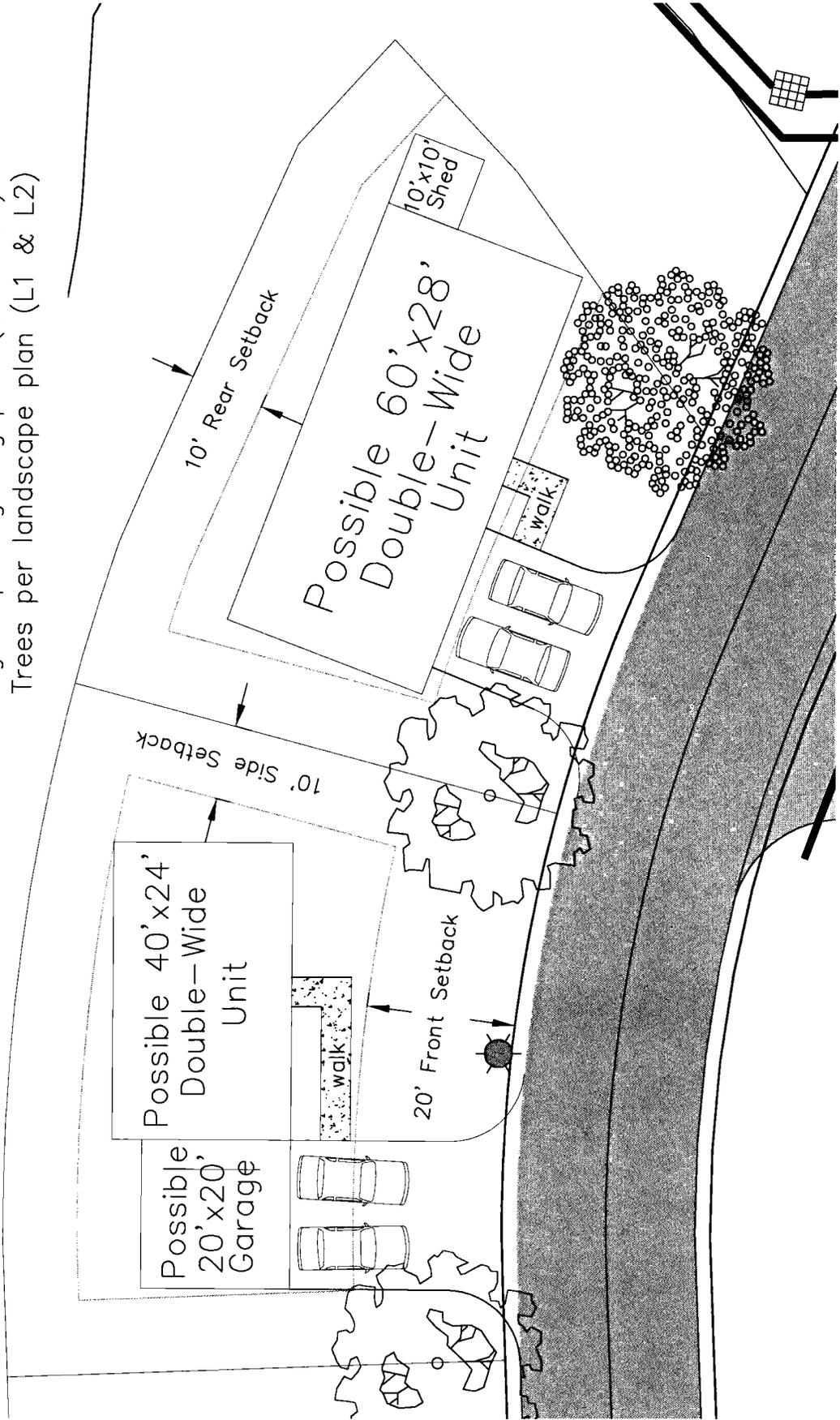
Garages may be 20' Wide

Storage Sheds will be 10'x10'

2 cars will fit in driveway

Lights per lighting plan (ES & EP)

Trees per landscape plan (L1 & L2)







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*Surveyors*

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**Comparison Matrix  
of Kittery and State MHR Requirements  
(previously provided 1/17/2012)**



**YANKEE COMMONS MOBILE HOME PARK EXPANSION  
KITTERY VS STATE STANDARDS & PROPOSED**

		<b>TITLE 16</b>	<b>MRS/MHB</b>	<b>Proposed</b>
1	Min Lot Area	6,000 sf	5,000 sf	<b>5,000 sf</b>
2	Min Lot Coverage	50%		*1,800 sf (36%)
3	Min Lot Width	50 ft		50 ft
4	Min Bldg Separation	20 ft	10 ft	20 ft
5	Min Unit Dist - Side-Side	20 ft	10 ft	20 ft
6	Min Unit Dist - End-End	20 ft	8 ft	20 ft
7	Min Unit Dist - End-Side	20 ft	6 ft	20 ft
8	Min Front Setback (Street)	20 ft		20 ft
9	Min Side Setback	20 ft		<b>10 ft</b>
10	Min Rear Setback	10 ft		10 ft
11	Min Angle Intersect	75°		75°
12	Min Grade w/i 75'	3% (2% 16.8.12.3.H.6.)		2%
13	Max Road Grade		10%	10%
14	Min ROW	23 ft	23 ft	24 ft
15	Min Road Width	20 ft	18 ft	20 ft
16	Max Straight Rd Sect	200 ft		200 ft
17	Min Parking Space/Unit	2		2
18	Min Storage Unit	300 cf		600 cf / Garage
19	Min Dist to Refuse Container	150 ft		<b>Service</b>
20	Min Buffer at PL	50 ft		50 ft
21	Min Dist to Buffer Screen	25 ft		25 ft
22	Min Sight Distance	10 X MPH	10 X MPH	10 X MPH
23	Min Side Slopes		3:1	3:1
24	Min Width Walks	3 ft		<b>None</b>
25	Min Guest Park/Unit	1/4 Units		1/4 Units
26	Open Space	10% Lot Area	10%	10% Lot Area
27	Usable Open Space	50%		<b>TBD</b>

\* Planned Unit/Garage footprint is 30' x 60' - Actual coverage within that footprint is a function of chosen unit dimensions.





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**CIVIL  
CONSULTANTS**

*Engineers*

*Planners*

*Surveyors*

---

***Copy of State Manufactured Housing Regulations  
(as provided 18 January 2012)***



**Title 30-A: MUNICIPALITIES AND COUNTIES**  
**Part 2: MUNICIPALITIES**  
**Subpart 6-A: PLANNING AND LAND USE REGULATION**  
**Chapter 187: PLANNING AND LAND USE REGULATION**  
**Subchapter 3: LAND USE REGULATION**

**§4358. Regulation of manufactured housing**

**1. Definitions.** As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Manufactured housing" means a structural unit or units designed for occupancy and constructed in a manufacturing facility and transported, by the use of its own chassis or an independent chassis, to a building site. The term includes any type of building that is constructed at a manufacturing facility and transported to a building site where it is used for housing and may be purchased or sold by a dealer in the interim. For purposes of this section, 2 types of manufactured housing are included. Those 2 types are:

(1) Those units constructed after June 15, 1976, commonly called "newer mobile homes," that the manufacturer certifies are constructed in compliance with the United States Department of Housing and Urban Development standards, meaning structures transportable in one or more sections, that in the traveling mode are 14 body feet or more in width and are 750 or more square feet, and that are built on a permanent chassis and designed to be used as dwellings, with or without permanent foundations, when connected to the required utilities including the plumbing, heating, air conditioning or electrical systems contained in the unit.

(a) This term also includes any structure that meets all the requirements of this subparagraph except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the Secretary of the United States Department of Housing and Urban Development and complies with the standards established under the National Manufactured Housing Construction and Safety Standards Act of 1974, United States Code, Title 42, Section 5401, et seq.; and

(2) Those units commonly called "modular homes" that the manufacturer certifies are constructed in compliance with Title 10, chapter 951, and rules adopted under that chapter, meaning structures, transportable in one or more sections, that are not constructed on a permanent chassis and are designed to be used as dwellings on foundations when connected to required utilities, including the plumbing, heating, air-conditioning or electrical systems contained in the unit.

B. "Mobile home park" means a parcel of land under unified ownership approved by the municipality for the placement of 3 or more manufactured homes.

B-1. "Mobile home park lot" means the area of land on which an individual home is situated within a mobile home park and which is reserved for use by the occupants of that home. A municipality may require a lot to be designated on a mobile home park plan.

C. "Mobile home subdivision or development" means a parcel of land approved by the municipal reviewing authority under subchapter IV for the placement of manufactured houses on individually owned lots.

D. "Permanent foundation" means:

(1) For "newer mobile homes," as defined in paragraph A, subparagraph (1), a foundation that conforms to the installation standards established by the Manufactured Housing Board; or

(2) For "modular homes," as defined in paragraph A, subparagraph (2), a foundation that conforms to the municipal building code or, in the absence of a municipal building code, a foundation that conforms to the Building Officials and Code Administrators National Code (1990).

E. "Pitched, shingled roof" means a roof with a pitch of 2 or more vertical units for every 12 horizontal units of measurement and which is covered with asphalt or fiberglass composition shingles or other materials, but specifically excludes corrugated metal roofing material.

**2. Location of manufactured housing.** Municipalities shall permit manufactured housing to be placed or erected on individual house lots in a number of locations on undeveloped lots where single-family dwellings are allowed, subject to the same requirements as single-family dwellings, except as otherwise provided in this section.

A. For the locations required by this section, municipal ordinances may not require that manufactured housing on individual lots be greater than 14 feet in width, although municipalities may establish design criteria, including, but not limited to, a pitched, shingled roof; a permanent foundation; and exterior siding that is residential in appearance, provided that:

(1) The requirements do not have the effect of circumventing the purposes of this section; and

(2) The design requirements may not be used to prevent the relocation of any manufactured housing, regardless of its date of manufacture, that is legally sited within the municipality as of August 4, 1988.

B. Providing one or more zones or locations where mobile home parks or mobile home subdivisions or developments are allowed does not constitute compliance with this section.

C. This section does not prohibit municipalities from establishing controls on manufactured housing which are less restrictive than are permitted by this section.

D. Municipalities may not prohibit manufactured housing, regardless of its date of manufacture, solely on the basis of a date of manufacture before June 14, 1976, or the failure of a unit to have been manufactured in accordance with the National Manufactured Housing Construction and Safety Standards Act of 1974, United States Code, Title 42, Chapter 70. Municipalities may apply the design standards permitted by this section to all manufactured housing, regardless of its date of manufacture, and may apply reasonable safety standards to manufactured housing built before June 15, 1976, or not built in accordance with the National Manufactured Housing Construction and Safety Standards Act of 1974, United States Code, Title 42, Chapter 70.

E. Notwithstanding any other provision of law, any modular home that meets construction standards for state-certified manufactured homes adopted pursuant to Title 10, section 9042 must be allowed in all zones where other single-family homes are allowed.

**3. Regulation of mobile home parks.** This subsection governs a municipality's regulation of mobile home parks.

A. Except as required under Title 38, or an ordinance adopted pursuant to Title 38, a municipality shall not require:

(1) The size of any mobile home park lot served by a public sewer system to be larger than the smaller of:

- (a) Six thousand five hundred square feet; or
- (b) The area of the smallest residential lot permitted in the municipality;

(2) The size of any mobile home park lot with on-site subsurface waste water disposal to be larger than 20,000 square feet; or

(3) The size of any mobile home park lot served by a central on-site subsurface waste water disposal system approved by the Department of Health and Human Services to be larger than 12,000 square feet, provided that a municipality may require that the overall density of the mobile home park be no more than one home for every 20,000 square feet.

B. A municipality shall not require the overall area of a mobile home park to be greater than the combined area of its mobile home park lots plus:

- (1) The area required for road rights-of-way;
- (2) The area required for buffer strips, if any; and
- (3) For mobile home parks served by a public sewer, an additional area for open space, storage or recreation, as those terms are defined by local ordinances applicable to all residential developments. A municipality shall not require this additional area to be greater than 10% of the combined area of the individual lots within a mobile home park; and

(4) The area of any setbacks required under Title 38 or an ordinance adopted pursuant to Title 38.

C. Except as required under Title 38 or an ordinance adopted pursuant to Title 38, a municipality shall not require setbacks that have the effect of requiring lots larger than those permitted under paragraph A.

D. Notwithstanding paragraph C, a municipality may require that mobile homes on lots adjacent to a public road be set back from the public road according to requirements applicable to other residential developments.

E. A municipality shall not require road frontage on individual lots within a mobile home park that has the effect of requiring a manufactured home on the lot to be placed parallel to an adjacent private or public roadway.

F. Except as provided by paragraph G, municipal road standards shall not apply to private roads within a mobile home park unless the developer intends to offer the roads to the municipality for acceptance as town ways.

G. A municipality may require by ordinance or rule that privately owned roads within a mobile home park:

(1) Be built according to acceptable engineering standards and with a professional engineer's seal as required by the Manufactured Housing Board;

(2) Have a right-of-way up to 23 feet in width, 20 feet of which the municipality may require to be paved; and

(3) Conform to reasonable safety standards applicable to intersections with public ways adjacent to the mobile home park.

H. The Manufactured Housing Board shall develop standards for construction of roads within a mobile home park no later than January 1, 1990. The board shall submit these standards to the joint standing committee of the Legislature having jurisdiction over legal affairs matters for that committee's review.

I. A municipality may require buffer strips, not to exceed 50 feet, including individual lot setbacks, along any mobile home park boundary which abuts land used for residential use if the per-acre density of homes within the mobile home park is at least 2 times greater than:

(1) The density of residential development on immediately adjacent parcels of land; or

(2) If the immediately adjacent parcels of land are undeveloped, the maximum net residential density permitted by applicable municipal ordinances or state law.

No structures, streets or utilities may be placed in the buffer strip, except that utilities may cross a buffer strip to provide services to a mobile home park. Municipalities may impose reasonable natural screening requirements within the first 25 feet of the buffer strip as measured from the exterior boundaries of the mobile home park if the requirements are no greater than those for other residential developments.

J. A municipality shall not require electrical utilities and telephone lines to be located underground within a mobile home park. A municipality shall allow a developer to install utilities anywhere within the mobile home park.

K. Except as required under Title 38, or an ordinance adopted pursuant to Title 38, a municipality may not enact or enforce land use regulations or ordinances, including, but not limited to, subdivision regulations or ordinances, which limit the number of lots in a mobile home park, which circumvent the intent of this section or which conflict with the provisions of this section.

L. Notwithstanding any provision in this subsection, a person developing or expanding a mobile home park has the burden of proving that development will not pollute a public water supply or aquifer or violate any state law relating to land development, subdivision or use.

M. A municipality shall permit mobile home parks to expand and to be developed in a number of environmentally suitable locations in the municipality with reasonable consideration being given to permit existing mobile home parks to expand in their existing locations. A municipality may not select a location for a mobile home park development which is not reasonably suitable because of:

- (1) Prior lot division;
- (2) Locational setting within the municipality;
- (3) Natural features; or
- (4) Other similar factors.

This paragraph is effective January 1, 1990.

**4. Certification of payment of sales tax.** No municipality may allow the construction or location of any new manufactured housing within the municipality by any person other than a dealer licensed by the State with a sales tax certificate, without:

A. A bill of sale indicating the name, address, dealer registration number and sales tax certificate number of the person who sold or provided the manufactured housing to the buyer locating the housing in the municipality; or

B. If no such bill of sale is presented, evidence of certification of payment of the sales tax in accordance with Title 36, section 1760, subsection 40, and Title 36, section 1952-B

In municipalities which require any type of permit for manufactured housing, the permit is deemed to be not approved or valid until payment of the sales tax has been certified.





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***Copy of State Manufactured Housing Board Standards  
(as provided 18 January 2012)***



**Chapter 830: LICENSURE OF MANUFACTURED HOUSING COMMUNITIES**

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Summary: This chapter sets forth initial and renewal licensure requirements of manufactured housing communities.

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**1. Initial Licensure**

**1. Overview**

An applicant for an initial license to conduct, control, manage or operate a manufactured housing community shall submit an application to the board on forms prescribed by the board along with the required fee. An initial license to conduct, control, manage or operate a manufactured housing community expires on the last day of March following issuance.

**2. General Information**

The application shall contain the following general information:

- A. The name, address and telephone number of an individual applicant;
- B. If the applicant is a partnership, the name, address and telephone number of all partners;
- C. If the applicant is a limited liability partnership, evidence that the partnership is in good standing with the Secretary of State, and the name, address and telephone number of all partners;
- D. If the applicant is a corporation, evidence that the corporation is in good standing with the Secretary of State, and the name, address and telephone number of all officers and directors;
- E. If the applicant is a limited liability company, evidence that the company is in good standing with the Secretary of State, and the name, address and telephone number of all members and managers;
- F. The number of sites in the community;
- G. Address or physical location of the community (not the mailing address);

- H. The community manager;
- I. A description of the community's water system and sewage disposal system;
- J. If the community has a private water system, the serial number and results of the most recent analysis.
- K. Any additional information required by the board.

### **3. Planning and Design Documents**

The application shall include the following planning and design documents:

- A. A copy of the deed, option or other document showing the applicant's right, title or interest in the tract of land proposed for construction and operation of a manufactured housing community;
- B. A copy of the deed showing the location and legal description of the tract of land proposed for construction and operation of a manufactured housing community; and
- C. A site plan prepared by a registered engineer and/or professional land surveyor licensed to practice in the State of Maine, with the required seal affixed to the plan. The scale of the plan shall be no less detailed than 1" = 100', provided that the board may in its discretion accept a less detailed plan if the less detailed plan allows the board to determine whether the community meets the requirements of this chapter. The plan shall have a dimension tolerance of no more than 1% (i.e., 1' in 100' or 1° in 100°). The plan shall clearly show the dimensions and area of each site and the total area of the community, road locations and dimensions, sites, well and pump house locations, waste disposal systems, water and sewer lines, streams, culverts, and any additional detail required by the board. The board may waive the filing of a site plan as described in this paragraph in whole or in part, depending on the complexity of the application, if other submissions of the applicant demonstrate that the community meets the requirements of this chapter.

### **4. Drinking Water Approval**

The application shall include one of the following relating to drinking water:

- A. A letter from a public water utility that it will be supplying drinking water to the manufactured housing community. For the purpose of these rules, a manufactured housing community that submeters water to residents shall not be deemed a public water utility;

- B. Approval as a community water system by the Department of Human Services, Division of Health Engineering; or
- C. A statement from the Maine Department of Human Services, Division of Health Engineering that the private water system meets the requirements of the Manufactured Housing Board contained in Appendix A to Chapter 850 of the board's rules.

**5. Wastewater Disposal**

The application shall include one of the following relating to wastewater disposal:

- A. A letter from a public sewage utility that will be handling the wastewater disposal for the manufactured housing community; or
- B. Approval of a subsurface wastewater disposal design for the manufactured housing community by the Department of Human Services, Division of Health Engineering.

**2. Renewal Licensure**

**1. Term**

All renewal licenses are issued for a period of one year expiring on the last day of March. The renewal application shall contain such information as is required by the board.

**2. Mailing of Renewal Application**

The board shall mail renewal notices 30 days in advance of the expiration date. The licensee shall return the completed application to the board prior to the expiration date along with the required annual fee.

**3. Late Renewal**

A license may be renewed up to 90 days after the date of its expiration upon payment of the required late fee in addition to the applicable renewal fee. If any licensee fails to renew within 90 days of expiration, the former licensee is required to apply for an initial license.

### **3. Application for Expansion**

No community may exceed the authorized number of sites without receiving approval from the board. An application for expansion shall contain the following information, and must be accompanied by the required fee for the additional sites:

1. The general information described in Section 1(2)(A), (B), (C), (D), (F) and (G) of this chapter;
2. The number of additional sites requested;
3. The information described in Section 1(2)(E), (H), (I) and (J) and Sections 1(3), (4) and (5) of this chapter with respect to the proposed additional sites.

### **4. Application Denial; Right to Hearing**

#### **1. Request for Hearing**

A hearing will be held at the written request of any applicant who has been denied a license or whose application for expansion has been denied, provided that a written request is received by the board within 30 days of the applicant's receipt of written notice of the denial.

#### **2. Denial of License or Application for Expansion**

The written denial shall include the reason for the denial and notice of the applicant's right to request a hearing. The notice shall be sent by certified mail, return receipt requested, or other method of delivery of equal or greater reliability.

### **5. Fees**

#### **1. Base License Fees**

An application for initial or renewal licensure of a manufactured housing community shall be accompanied by the required license fee.

#### **2. Additional Inspection Fees**

The fee described in Section 5(1) of this chapter is for the license, an initial licensure inspection and one follow-up inspection. When additional inspections are required to determine an applicant's eligibility for licensure, the board shall charge an additional fee for each additional inspection required. Failure to pay such charges within 90 days of the billing date shall constitute grounds for

disciplinary action against said license, unless an extension for a period not to exceed 90 days is granted by the board.

**3. Expansion Fees**

An application for expansion of a manufactured housing community shall be accompanied by the required license fee for the proposed additional sites.

**4. Change in Ownership**

Notwithstanding the provisions of this section, an applicant for a license to conduct, control, manage or operate a manufactured housing community that is licensed to another person or entity who has previously paid the required license fee for the licensing period in effect at the time the new application is received need not pay an application fee.

**6. Licenses Nontransferable**

No license issued pursuant to this chapter may be assigned or transferred. On the effective date of any change of conduct, control, management or operation of a manufactured housing community, the new operator or other responsible person shall apply for licensure of a manufactured housing community as set forth in Section 1 of this chapter, except that an application that does not propose to expand the community need only contain the information described in Section 1(2) of this chapter. The application shall be accompanied by a license fee as required by Section 5(4) of this chapter.

A community conducted, controlled, managed or operated in violation of this section shall be deemed to be unlicensed.

**7. Existing Communities**

**1. Generally**

Except as set forth in Chapter 850, Section 9(2) of the board's rules, any community licensed prior to September 23, 1983 which is not in compliance with the provisions of this chapter shall be deemed acceptable for licensing if, in the judgment of the board, the community is operated in a safe and sanitary manner. A repair, replacement or installation may perpetuate a nonconformity but may not exacerbate it.

**2. Number of Sites**

Communities existing as of September 23, 1983, may be licensed for the number of existing sites within the community available for lease unless plans have been

submitted and approved by the Department of Human Services for future development. If future development has been approved, the community may be licensed for the number of sites approved provided that:

- A. The proposed developments do not include hazards to public health or safety; and
  - B. Sites included in the proposed developments have been constructed and made available for lease no later than one year following the effective date of this chapter.
- 

STATUTORY AUTHORITY: 10 MRSA §9085

EFFECTIVE DATE:

April 1, 1984

AMENDED:

September 1, 1984

March 2, 1985

May 1, 1986

March 1, 1987

August 19, 1988

March 14, 1990

May 18, 1990

June 3, 1992

EFFECTIVE DATE (ELECTRONIC CONVERSION):

January 11, 1997

AMENDED:

March 5, 1997 - Sec. 4

NON-SUBSTANTIVE CORRECTIONS: August 6, 1997 - "drinking" changed to potable in I(8), and "May 1st" changed to "the last day of March" in V(D), both in accordance with March 5, 1997 amendment; spelling and punctuation.

REPEALED AND REPLACED:

November 8, 2003 - filing 2003-401

**Chapter 850: COMMUNITY LICENSING - STANDARDS**

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**Summary:** This chapter establishes licensing standards relating to minimum lot size, potable water, plumbing, fuel supplies, electrical connections, life and fire safety, streets, and nuisances.

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**1. Minimum Lot Size**

Unless grandparented pursuant to Section 10 of this chapter.

**1. Public Sewage Utility**

Each site that is served by a public sewage utility shall contain a minimum of 5,000 square feet, exclusive of roads.

**2. Central Subsurface Sewer System**

Each site that is served by a central subsurface sewer system shall contain a minimum of 5,000 square feet, exclusive of roads, provided that the entire community contains at least 20,000 square feet for each site in the community, inclusive of roads. The 20,000 square foot minimum authorized by this subsection may be increased by the Department of Human Services, Division of Health Engineering, if necessitated by soil conditions, pursuant to Chapter 241 of the Rules of the Department of Human Services, Division of Health Engineering entitled "Maine Subsurface Wastewater Disposal Rules."

**3. Individual Sewage Systems**

Each site that is not served by a central subsurface sewer system or a public sewage utility shall contain a minimum of 20,000 square feet, inclusive of roads

**2. Potable Water**

**1. Water Supply**

A manufactured housing community must have an adequate supply of potable water at all times. In the event of contamination or system failure, the community shall immediately procure an emergency supply of potable water via tanker or other means for drinking, cooking and sanitation purposes at its own expense.

## 2. **Drinking Water Standards**

A manufactured housing community with a community water system must meet the requirements of the Safe Drinking Water Act, 22 M.R.S.A. § 2611 *et seq.* A manufactured housing community with a private water system must meet the requirements contained in Appendix A to this chapter, and must have its water system approved by the board prior to use.

## 3. **Periodic Water Testing**

- A. A community in which all water is supplied by a public water utility is exempt from routine water testing requirements. The board reserves the right to require testing at one or more homes in such a community to address concerns about the adequacy and potability of the water delivered to such homes.
- B. A community with a community water system must comply with the periodic testing requirements of the Safe Water Drinking Water Act, 22 M.R.S.A. § 2611.
- C. A community with a private water system must comply with the periodic testing requirements contained in Section II(3) and (4) of Appendix A to this chapter. It is the board's intent to audit communities for compliance with this obligation not less frequently than once every three years. However, the board may also prescribe special conditions relating to testing and the frequency of testing when warranted by circumstances particular to a given community.

## 3. **Plumbing**

### 1. **Generally**

A community shall comply at all times with Chapter 241 of the Rules of the Department of Human Services, Division of Health Engineering entitled "Maine Subsurface Wastewater Disposal Rules."

### 2. **Minimum Flow**

The water supply system shall be capable of delivering a minimum sustained flow of 5 gpm (0.31 l/s) from the service coming out of the ground at each site for a period of five minutes.

### 3. Minimum Static Pressure

The water supply system shall be designed and maintained to provide a minimum static pressure of 20 lbs. per sq. in. (138 kPa) from the service coming out of the ground at each site.

### 4. Pressure Regulator

Where static water pressure exceeds 80 psi (552kPa), a pressure regulator shall be installed and the pressure reduced to 80 psi.

## 4. Fuel Supplies

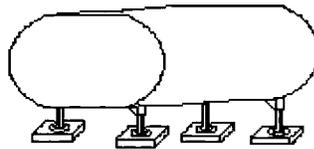
### 1. Outside Oil Supply Tanks

The provisions of this subsection, "Outside Oil Supply Tanks," apply to new installations and replacement installations made on or after the effective date of this chapter.

- A. Oil supply tanks shall not be installed on wood or other combustible surfaces or supports.
- B. Outside oil supply tanks of 350 gallons or less shall be supported in accordance with Section 4(1)(C) or (D) of this chapter. Tanks larger than 350 gallons shall comply with all rules of the Oil and Solid Fuel Board.
- C. A horizontal oil supply tank shall be mounted on steel pipe legs, not exceeding 12 inches in height with floor flanges at the base of the steel legs, supported by four 4 x 8 x 16 inch solid cement blocks, or a one piece minimum 3 inches thick reinforced concrete pad not smaller than the tank dimensions. The four blocks or the concrete pad shall rest on a firm subgrade consisting of a bed of compacted, well draining gravel (6 inch minimum), crushed stone (6 inch minimum), or some other subgrade approved by the board. There must be a minimum of 4 inches of clearance under the tank from any surface. See Figure 12(a) below.
- D. An upright or vertical oil supply tank shall be mounted on steel pipe legs not exceeding 12 inches in height, with floor flanges at the base of the steel leg, and supported by a minimum 3 inches thick reinforced concrete pad. The reinforced concrete pad's width and length shall not be smaller than the tank dimensions. The concrete pad shall be of one piece construction. The concrete pad shall rest on a bed of compacted, well draining gravel (6 inches minimum), crushed stone (6 inches minimum), or some other subgrade approved by the board. There must be a minimum

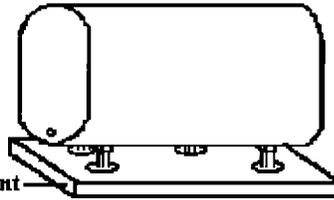
of 4 inches of clearance under the tank from any surface. See Figure 12(b) below.

- E. An outside oil supply tank servicing a manufactured home as defined in Chapter 820, Section 1(6)(B) of the board's rules may only be installed by a licensee of the Oil and Solid Fuel Board, including a manufactured housing mechanic or dealer who holds a limited license from the Oil and Solid Fuel Board to install outside oil tanks at manufactured housing pursuant to 10 M.R.S.A. § 2401.



**Figure 12 (a) Tank footing & support for horizontal tanks of 350 gallons or less outside of buildings.**

1. Footing, one (1) 4X8X16 solid cement block for each leg. Blocks to rest on 6" of compacted, well draining gravel or 6" of crushed stone, or some other subgrade approved by the Board.
2. Supports, maximum 12 inch legs with floor flanges.
3. Leg brackets shall not be used for supports on blocks.
4. Bottom of tank shall have a minimum of four (4) inch clearance from any surface.



**Figure 12 (b) Tank footing & support for upright or vertical tanks of 350 gallons or less outside of buildings.**

3" reinforced cement slab.

1. Footing, must be 3" reinforced cement slab (one piece construction) and rest on 6" of compacted, well draining gravel or 6" of crushed stone, or some other subgrade approved by the Board.
2. Supports, maximum 12 inch legs with floor flanges.
3. Leg brackets shall not be used for supports on blocks.
4. Bottom of tanks shall have a minimum of four (4) inch clearance from any surface.

- F. Outside tanks and piping must be located such that they are not subject to falling snow or ice. To meet this requirement, the tank and outdoor piping must be installed with a protective cover over the tank valve, oil filter and other piping without structural support or not attached to the side of the building.

- G. All oil supply lines shall be protected from physical damage or corrosion.

## **2. Supply Connections/Oil Shut-off Valves**

- A. A listed lever or wheel, thermally operated oil shut-off valve designed to shut off the oil supply in case of fire, shall be installed at the burner, at the supply tank, and where the oil supply line enters (inside) the building when outside tanks are used.
- B. Whenever the oil supply is taken from the top of an oil tank, whether the oil tank is outside or inside, a thermally operated wheel or lever type shut-off valve shall be installed at the tank and at the burner for control of the fuel. A check valve may be used in the supply line, but no valve or obstruction shall be placed in a return line connected to a burner or pump. A thermally operated valve is required on supply lines from outside tanks at the entrance inside the building and shall be located just inside of the structure wall.

## **3. Storage of Liquefied Petroleum Gas (Propane) Cylinders**

- A. Cylinders having water capacities greater than 2.7 lb (1.2 kg) and connected for use shall stand on a firm and substantially level surface. If necessary, they shall be secured in an upright position. Department of Transportation cylinders in permanent installations must rest on noncombustible materials.
- B. Cylinders not in use shall be removed from the community. The provisions of this paragraph are applicable to cylinders of 1000 lb (454 kg) water capacity, or less, that are not connected for use, whether filled, partially filled, or empty (if they have been in LP-Gas service).

## **5. Electrical**

A community shall comply at all times with NFPA 70, 2002 National Electrical Code, as adopted for Maine in Chapter 120 of the rules of the Electricians' Examining Board.

[Note: A list of code provisions commonly violated is attached to this chapter as Appendix B. This is not a substitute for the entire National Electrical Code.]

## **6. Life and Fire Safety**

### **1. Identification**

Each home in a community shall be clearly marked for identification in a uniform manner that is clearly visible from the street serving the site.

**2. Fire Prevention**

All areas and individual sites within a community shall be maintained so as to be free of debris that could contribute to the spread of fire within the site or community.

**3. Firebreaks**

No portion of a manufactured home, excluding the hitch, shall be located closer than 10 feet (3 meters) side to side, 8 feet (2.4 meters) end to side, or 6 feet (1.8 meters) end to end horizontally from any other manufactured home or community building unless the exposed composite walls and roof of either structure are without openings and constructed of materials that will provide a 1 hour fire-resistance rating or the structures are separated by a 1 hour fire-rated barrier.

**7. Streets**

**1. Construction Standards**

Community streets shall meet the Street Construction Standard for Manufactured Housing Communities contained in Appendix C to this chapter.

**2. Setback**

No manufactured home or any part thereof shall be installed within 5 feet of any traveled way.

**3. Access by Emergency Vehicles and Essential Services**

All streets within a community shall be constructed and maintained so as to afford adequate access by emergency vehicles and essential services.

**4. Drainage**

All streets within a community shall be constructed and maintained so as to provide adequate drainage from and adjacent to the roadway.

**8. Pads**

**1. Grade**

Grades shall slope away from all pads to adequate outfall. There shall be no standing water on the surface underneath a home.

**2. General Construction**

Pads shall be constructed so that homes which are installed in accordance with the board's Manufactured Housing Installation Standards shall maintain plumbing trap seals, experience no buildup of solid waste in drain piping, and maintain egress doors and egress windows.

**9. Nuisances**

No community shall cause, tolerate or permit any of the following hazards or conditions within the community:

1. Storage of trash in other than designated areas;
2. Storage of trash in inadequate, insecure or overflowing containers;
3. Unsecured vacant homes;
4. Missing or insecure manhole or septic system covers;
5. Trees that have been certified as hazardous by a licensed arborist;
6. An abandoned or discarded chest, closet, piece of furniture, refrigerator, freezer or other article having a compartment capacity of 1 1/2 cubic feet or more;
7. Any activity, structure, object or land use prosecutable as a public nuisance pursuant to 17 M.R.S.A. § 2802 as it relates to manufactured housing communities; and
8. Any dangerous, unsanitary or unhealthful condition that threatens the safety or welfare of the community.

**10. Grandparent Clause**

Any site licensed prior to September 23, 1983 which is not in compliance with the provisions of this chapter listed below shall be deemed acceptable if, in the judgment of the board, the community is operated in a safe and sanitary manner. A repair, replacement or installation may perpetuate a nonconformity but may not exacerbate it.

- Section 1 (Minimum Lot Size)
  - Section 6(3) (Life and Fire Safety; Firebreaks)
  - Section 7(1) (Streets; Construction Standards)
  - Section 7(2) (Streets; Setback)
-

STATUTORY AUTHORITY: 10 M.R.S.A. §9085

EFFECTIVE DATE:

April 1, 1984

AMENDED:

August 25, 1984

April 28, 1986

February 23, 1987

August 17, 1988

March 14, 1990

EFFECTIVE DATE (ELECTRONIC CONVERSION):

January 11, 1997

AMENDED:

March 5, 1997 - Sec. I (A)

March 5, 1997 - Appendix. A & B

NON-SUBSTANTIVE CORRECTIONS:

August 6, 1997 -

"nitrite" inserted in Appendix A(II)(1), and "Speed" inserted in Appendix B Intersections (B), both in accordance with the March 5, 1997 amendment; minor spelling and punctuation.

REPEALED AND REPLACED:

November 8, 2003 - filing 2003-403

NON-SUBSTANTIVE CORRECTIONS:

March 3, 2004 - renumbering in Appendix C (page 15)

**Appendix A to Chapter 850**  
**DRINKING WATER STANDARDS FOR PRIVATE WATER SYSTEMS**

Note: Water systems which do not meet the guidelines for a community water system (10 or more manufactured homes served by 1 well) are not regulated by the Maine Drinking Water Program under the federal Safe Drinking Water Act. These systems are regulated by the board. By agreement, the Department of Human Services, Division of Health Engineering ("the division") acts as a technical advisor to the board in water system matters. The division has no regulatory authority but makes recommendations to the board in matters concerning private water systems. Requests for approval of a new well for a private water system should be made to the division.

**I. New Well Approval Requirements for Private Water Systems (fewer than 10 homes served by 1 well)**

1. The licensee shall submit a completed preliminary approval form (the preliminary approval form may be obtained from the division) for each proposed well, along with required documentation. Required documentation shall include but is not limited to the following: location map, estimated quantity of water required from the well in gallons per minute or gallons per day, and a site plan showing all potential sources of contamination within 300 feet of the well. The board may require a preliminary hydrogeologic investigation of a well location if the division determines that additional information is necessary to evaluate the adequacy of the site to provide a safe and healthful supply of water to the public or to otherwise protect the public health.
2. The preliminary approval form shall be reviewed by the division to determine the adequacy of the well location to provide safe and healthy drinking water to the public. No production well shall be installed prior to the board's receipt of preliminary written approval from the division.
3. Except as permitted by subsection 4, new wells shall be located at least 300 feet away from potential contamination sources.
4. If circumstances exist requiring a proposed well location to be placed closer than 300 feet from a potential contamination source, the division may recommend a waiver to the requirement on a case-by-case basis. The division must be provided with information from an appropriate qualified professional sufficient to make a determination on all waiver requests. The division may recommend that conditions be placed on a waiver granted. Such conditions may include increased water quality monitoring.
5. Treatment for all new wells may also be required.

6. The division may recommend that the board deny a proposed well location after determining that a proposed well location is not safe from threats of contamination even with increased monitoring for those contaminants.
7. For all proposed wells a prolonged pump test of not less than 48 hours shall be performed. The test shall terminate when the safe yield of the well can be reasonably estimated. All water quality samples shall be collected at the conclusion of the pump test. The division may recommend that a report be prepared by a certified geologist or professional engineer evaluating the well which may include: a description of the site geology and any sources of contamination in the area; a map of the area showing all wells installed and any potential sources of contamination in the area; drilling logs for each well installed; pump test drawdown data if available; recommendations for wellhead protection; and all required water quality analysis results. The report shall be submitted to the division for review with the request for final approval recommendation.
8. Final approval of the proposed well location will be granted by the board based upon the recommendation of the division only after all required water quality analyses have been completed and the board determines that the well is in compliance with all applicable primary drinking water regulations.
9. A final approval form or equivalent must be submitted along with all water quality analysis results to the division for review and approval recommendation.
10. Unless final approval of the proposed well is granted in writing by the board, no water may be served. The board may grant conditional approval on a case-by-case basis. The board may also require additional treatment, testing or other requirements that the division deems necessary for the protection of the public health.

## **II. Water quality analyses to be completed for private water systems**

1. Untreated water samples shall be analyzed, prior to source approval, by a certified laboratory after a prolonged pump test. Untreated water samples shall be analyzed for the following parameters.
  - a. Inorganic Parameters (Test E1 at the State Health and Environmental Testing Laboratory); Includes nitrate, nitrite, chloride, hardness, fluoride, copper, iron, manganese, zinc, arsenic, barium, cadmium, chromium, lead, mercury, silver, selenium, sodium, color, turbidity, pH, total coliform.
  - b. Volatile Organic Compounds (Test N at State Lab): EPA method 502.2 or 524.2. A screening procedure which can detect the presence of more than 50 different hydrocarbon compounds including gasoline, kerosene, #2 fuel oil and many industrial solvents.

- c. Radon in Water (Test S at State lab): A test which indicates the activity of radon gas, a naturally occurring radioactive gas which occurs at elevated levels in some Maine ground water.
- d. Gross Alpha (Test U at State Lab): A test for radioactivity exclusive of that from radon. Usually indicates the presence of uranium or radium.

Analyses for these parameters shall be performed by a certified laboratory.

2. The division may recommend that the board modify the list of required water quality parameters prior to recommending approval if necessary to ensure that the well can produce safe and potable water for the protection of the public health.
3. Periodic testing for existing systems

The periodic testing requirements for existing water systems are as follows:

1. Test A - Coliform Bacteria, Nitrate and Nitrite Nitrogen (annually, except that this test need not be performed in a year that Test E1 is performed)
2. Test E1 (every 3 years)
3. Test N (every 3 years)

In addition, the board may also prescribe special conditions relating to testing and the frequency of testing when warranted by circumstances particular to a given community.

4. Water Test Reporting

1. Licensees shall notify the board of any unsatisfactory test results.
2. Licensees shall retain copies of all water test results for six years. Licensees shall promptly send water test results to the board upon request.

**Appendix B to Chapter 850**  
**COMMONLY-VIOLATED PROVISIONS**  
**OF THE NATIONAL ELECTRICAL CODE(r)**

(code provisions not reproduced verbatim)

1. Minimum depth for direct-buried service or feeder cable [Table 300.5]
  - 24" under park roads
  - 18" from the service equipment location to the home served (applies when service equipment is within 30' of the exterior wall of the home)
  - 24" for all other locations
2. Minimum depth for buried PVC conduit enclosing service or feeder conductors [Table 300.5]
  - 24" under park roads
  - 18" from the service equipment location to the home served (applies when service equipment is within 30' of the exterior wall of the home)
  - 18" for all other locations
3. Protection from damage for direct-buried service and feeder cables emerging from grade [Table 300.5 (D)(1)]

PVC or other approved electrical raceway shall be installed continuous from the electrical service equipment to 18" below grade. Where metal raceways are used, a bushing shall be installed at the base of the conduit to prevent damage to the conductors.
4. Unused openings in electrical equipment [110.12(A)]

Unused cable or conduit openings in meter sockets, disconnects, and other electrical equipment shall be effectively closed to provide protection that is equivalent to the wall of the equipment.
5. Mounting of electrical equipment [110.13(A)]

Electrical equipment shall be firmly secured to the surface on which it is mounted. Also, the mounting surface must be solidly supported.
6. Enclosing energized parts [230.62(A)]

The interior cover of service disconnects must be installed to avoid accidental contact with live parts.
7. Ground movement [300.5(J)]

Where direct-buried conductors or underground raceways are subject to movement from frost action, provision shall be made to protect the conductors and equipment from damage. "S" loops in underground direct burial to conduit transitions, and expansion fittings in vertical conduits are usually effective.

8.     Securing the grounding electrode conductor [250.64(B)]  
       The conductor from the service equipment to the ground rod shall be securely fastened to the surface on which it is carried.
  
9.     Methods of grounding to ground rods [250.70]  
       The grounding conductor must be solidly connected to the ground rod by the use of an approved clamp, listed for direct soil burial.

NATIONAL ELECTRICAL CODE<sup>(r)</sup> IS A REGISTERED TRADEMARKS OF THE NATIONAL FIRE PROTECTION ASSOCIATION.

**Appendix C to Chapter 850**  
**STREET CONSTRUCTION STANDARDS FOR**  
**MANUFACTURED HOUSING COMMUNITIES**

**Roadways**

- A. Minimum thickness of material after compaction

<b>Street Materials</b>	<b>Minimum Requirements</b>
Aggregate sub-base course (Max sized stone 4")	12 inches <sup>1</sup>
Crush aggregate base course	3 inches

- B. Before clearing has started on a community street, the center and side lines of the new street shall be staked or flagged at fifty foot intervals.
- C. It is recommended that before grading is started, the entire community street shall be cleared of all stumps, roots, brush, and other objectionable material. All ledge, large boulders and tree stumps shall be removed from the community street.
- D. All organic materials shall be removed to a depth of two feet below the subgrade of the street. Rocks and boulders shall also be removed to a depth of two feet below the subgrade of the roadway. On soils which have been identified as not suitable for roadways, the subsoil shall be removed from the street site to a depth of two feet below the subgrade and replaced with material meeting the specifications for gravel aggregate sub-base below. The subgrade shall be sloped to provide proper drainage.
- E. Except in a ledge cut, set slope shall be no steeper than a slope of three feet horizontal to one foot vertical, and shall be graded, loomed, limed, fertilized, and seeded according to the specifications of the erosion and sedimentation control plan.
- F. It is suggested, when possible, that all underground utilities be placed behind the homes, however, those installed under streets shall be installed prior to paving to avoid cuts in the pavement. It is recommended that building sewers and water service connections shall be installed to the edge of the community street prior to paving.
- G. The aggregate sub-base course shall be sand or gravel of hard durable particles free from vegetation matter, lumps or balls of clay and other deleterious substances. The gradation of the part that passes a 4 inch square mesh sieve shall meet the following grading requirements:

Sieve Designation	Percentage by Weight Passing Square Mesh Sieves
1/4 inch	25-70%
No. 40	2-30%
No. 200	1-7%

- H. Aggregate for the sub-base shall contain no particles of rock exceeding four inches in any dimension.
- I. The aggregate base course shall be sand or gravel of hard durable particles free from vegetative matter, lumps or balls of clay and other deleterious substances. The gradation of the part that passes a 3 inch square mesh sieve shall meet the following grading requirements:

Sieve Designation	Percentage by Weight Passing Square Mesh Sieves
1/2 inch	45-70%
1/4 inch	30-55%
No. 40	5-20%
No. 200	1-5%

- J. Aggregate for the base shall contain no particles of rock exceeding three inches in any dimension.
- K. Pavement joints. Where pavement is used and joins an existing pavement, the existing pavement shall be cut along a smooth line and form a neat, even, vertical joint.
- L. Pavements. It is recommended, if pavement is used, that minimum standards for the base layer of pavement shall be the Maine Department of Transportation specifications for plant mix grade B with an aggregate size no more than 1 inch maximum. It is recommended that minimum standards for the surface layer of pavement shall meet the MDOT specifications for plant mix grade C with an aggregate size no more than 3/4 inch maximum.
- M. Roadway Width and Grade. The traveled width of a one-way street shall be a minimum of 12 feet. The traveled width of a two-way street shall be a minimum of 18 feet. If the road is paved, there shall be adequate shoulders to support the pavement. The roadway grade shall not exceed 10%.

Footnote: (1) The 12" aggregate base is in most instances not acceptable for municipal streets. If your long range plan is to have your community streets accepted as public ways, you should check with your municipality. Most municipalities require at least 18" aggregate subbase.

**Intersections**

- A. Grades of all streets shall conform to the terrain so that cut and fill are minimized.
- B. Where community streets intersect with public roads, recommended sight distances, as measured along the public way which traffic will be entering, and based upon the legal speed limit, are as follows:

Legal Speed Limit (mph)	25	30	35	40	45	50	55
Sight distance (feet)	250	300	350	400	450	500	550

- C. Sight distances shall be measured from the driver's seat of a vehicle standing on that portion of the exit with the front of the vehicle at the stop line of the community street, with the height of the eye  $3\frac{1}{2}$  feet, to the top of an object  $4\frac{1}{2}$  feet above the pavement.
- D. When necessary, corner lots shall be cleared of all growth and sight obstructions, including ground excavation, to achieve the required visibility.



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**CIVIL  
CONSULTANTS**

*Engineers*

*Planners*

*Surveyors*

---

***Updated Plan Set  
(22 sheets including cover)***



## **Section 3**

Copy of DEP Site Location of Development Approval

**(not part of 4 September 2012 submission)**



CIVIL  
CONSULTANTS

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





STATE OF MAINE  
DEPARTMENT OF ENVIRONMENTAL PROTECTION



PAUL R. LEPAGE  
GOVERNOR

PATRICIA W. AHO  
COMMISSIONER

June 2013

Stephen A. Hynes Real Property Trust Agreement  
3 Idlewood Lane  
Kittery, ME 03904  
ATTN: Gary Beers

RE: Site Location of Development Act and Natural Resources Protection Act Applications,  
Kittery, DEP #L-19638-L2-B-N/L-19638-TA-C-N

Dear Mr. Beers:

Please find enclosed a signed copy of your Department of Environmental Protection land use permit. You will note that the permit includes a description of your project, findings of fact that relate to the approval criteria the Department used in evaluating your project, and conditions that are based on those findings and the particulars of your project. Please take several moments to read your permit carefully, paying particular attention to the conditions of the approval. The Department reviews every application thoroughly and strives to formulate reasonable conditions of approval within the context of the Department's environmental laws. You will also find attached some materials that describe the Department's appeal procedures for your information.

If you have any questions about the permit or thoughts on how the Department processed this application please get in touch with me directly. I can be reached at (207) 615-3149 or at [Bill.Bullard@maine.gov](mailto:Bill.Bullard@maine.gov).

Sincerely,

Bill Bullard, Project Manager  
Division of Land Resource Regulation  
Bureau of Land & Water Quality

pc: File

AUGUSTA  
17 STATE HOUSE STATION  
AUGUSTA, MAINE 04333-0017  
(207) 287-7688 FAX: (207) 287-7826

BANGOR  
106 HOGAN ROAD, SUITE 6  
BANGOR, MAINE 04401  
(207) 941-4570 FAX: (207) 941-4584

PORTLAND  
312 CANCO ROAD  
PORTLAND, MAINE 04103  
(207) 822-6300 FAX: (207) 822-6303

PRESQUE ISLE  
1235 CENTRAL DRIVE, SKYWAY PARK  
PRESQUE ISLE, MAINE 04769  
(207) 764-0477 FAX: (207) 760-3143



STATE OF MAINE  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
17 STATE HOUSE STATION AUGUSTA, MAINE 04333-0017

DEPARTMENT ORDER

IN THE MATTER OF

STEPHEN A. HYNES REAL PROPERTY TRUST AGREEMENT	)	SITE LOCATION OF DEVELOPMENT ACT
Kittery, York County	)	NATURAL RESOURCES PROTECTION ACT
YANKEE COMMONS EXPANSION	)	FRESHWATER WETLAND ALTERATION
L-19638-L2-B-N (approval)	)	WATER QUALITY CERTIFICATION
L-19638-TA-C-N (approval)	)	FINDINGS OF FACT AND ORDER

Pursuant to the provisions of 38 M.R.S.A. Sections 481 *et seq.* and 480-A *et seq.*, and Section 401 of the Federal Water Pollution Control Act, the Department of Environmental Protection has considered the application of STEPHEN A. HYNES REAL PROPERTY TRUST AGREEMENT with the supportive data, agency review comments, and other related materials on file and FINDS THE FOLLOWING FACTS:

I. PROJECT DESCRIPTION:

A. History of Project: Department Order #L-19638-L2-A-N, dated September 4, 1998, approved the development of a 130-lot expansion at the Yankee Commons Park, located off Idlewood Lane in the Town of Kittery.

B. Summary: The applicant proposes to expand the existing mobile home park to accommodate 77 new mobile home units and a community center with access roads and associated utilities on a 50.1-acre parcel in the Town of Kittery. The project is shown on a set of plans, the first of which is entitled "Yankee Commons – Mobile Home Expansion, Idlewood Lane/US Route One, Kittery, Maine," prepared by Civil Consultants, and dated August 1, 2012, with a last revision date of April 3, 2013. The project site is located on the northerly side of Idlewood Lane, off the westerly side of US Route One.

The applicant is also seeking approval under the Natural Resources Protection Act to fill approximately 900 square feet of freshwater wetland associated with an adjacent emergent wetland of special significance. The applicant submitted a Permit by Rule notification (DEP #55419) to install stormwater underdrained filter outfall pipes adjacent to the emergent wetland. The Permit by Rule was approved on December 10, 2012.

C. Current Use of Site: The site of the proposed project is recently harvested woodland. The Wilson family cemetery is located on the northwesterly side of the parcel.

2. FINANCIAL CAPACITY:

The total cost of the project is estimated to be \$3.29 million. The applicant submitted a financial statement demonstrating that it has sufficient funds available to construct the project.

The Department finds that the applicant has demonstrated adequate financial capacity to comply with Department standards.

3. TECHNICAL ABILITY:

The applicant provided resume information for key persons involved with the project and a list of projects successfully constructed by the applicant. The applicant also retained the services of Civil Consultants, a professional engineering firm, to assist in the design and engineering of the project.

The Department finds that the applicant has demonstrated adequate technical ability to comply with Department standards.

4. NOISE:

The applicant stated that the project is expected to produce a minor noise impact because the uses will be predominantly residential. Noise from construction activities will not exceed the limits described in Chapter 375(10)(C)(2).

The Department finds that no regulated sources of noise have been identified.

5. SCENIC CHARACTER:

The existing mobile home park abuts the southwesterly side of the project site; a large wetland and remaining woodland is located northeasterly of the site. The project will be set back approximately 400 feet from the Maine Turnpike to the northwest and approximately 800 feet from US Route One on the southeast. Existing trees near Idlewood Lane will provide further visual screening on the southeasterly side of the project.

Based on the project's location and design, the Department finds that the proposed project will not have an unreasonable adverse effect on the scenic character of the surrounding area.

6. WILDLIFE AND FISHERIES:

The Maine Department of Inland Fisheries and Wildlife (MDIFW) reviewed the proposed project. In its comments, MDIFW stated that it found no records of any Essential or Significant Wildlife Habitats, or other wildlife habitats of special concern associated with this site. No fisheries concerns were identified.

The Department finds that the applicant has made adequate provision for the protection of wildlife and fisheries.

7. HISTORIC SITES AND UNUSUAL NATURAL AREAS:

The Maine Historic Preservation Commission reviewed the proposed project and stated that it will have no effect upon any structure or site of historic, architectural, or archaeological significance as defined by the National Historic Preservation Act of 1966.

The Wilson family cemetery is located within designated open space toward the northwesterly side of the project site. The cemetery will be protected with a designated 25-foot wide buffer within the open space area.

The Maine Natural Areas Program database does not contain any records documenting the existence of rare or unique botanical features on the project site and, as discussed in Finding 6, MDIFW did not identify any unusual wildlife habitats located on the project site.

The Department finds that the proposed development will not have an adverse effect on the preservation of any historic sites or unusual natural areas either on or near the development site.

8. BUFFER STRIPS:

A 50-foot wide, no-disturbance buffer surrounds the perimeter of the entire project, as required by local review requirements. Emergent wetlands will be protected with buffers of 75 feet in width. No formal stormwater buffers are proposed.

The Department finds that the applicant has made adequate provision for buffer strips.

9. SOILS:

The applicant submitted a soil survey map and report and extensive test pit information based on the soils found at the project site. This report was prepared by a certified soils scientist and reviewed by staff from the Division of Environmental Assessment (DEA) of the Bureau of Land and Water Quality (BLWQ). Soils investigation results indicate that blasting will be required to construct the project. The applicant proposes to submit a Blasting Plan to the BLWQ for review and approval prior to the start of any blasting at the site. If a rock crusher is being utilized on site, the applicant must insure that the crusher is licensed by the Department's Bureau of Air Quality and will be operated in accordance with that license.

The Department finds that, based on this report and DEA's review, the soils on the project site present no limitations to the proposed project that cannot be overcome through standard engineering practices, provided that a site-specific blast plan is

submitted to the BLWQ for review and approval prior to the start of construction, and provided any rock crusher utilized on site is licensed and operated as described above.

10. STORMWATER MANAGEMENT:

The proposed project includes approximately 7 acres of impervious area and 18.5 acres of developed area. It lies within the watershed of Libby Brook and the York River. The applicant submitted a stormwater management plan based on the Basic, General, and Flooding standards contained in Department Rules, Chapter 500. The proposed stormwater management system consists of a catch basin collection system, 13 grassed underdrained soil filters, one bio-retention basin near Idlewood Lane and roofline drip edge filters for building runoff.

A. Basic Standards:

(1) Erosion and Sedimentation Control: The applicant submitted an Erosion and Sedimentation Control Plan that is based on the performance standards contained in Appendix A of Chapter 500 and the Best Management Practices outlined in the Maine Erosion and Sediment Control BMPs, which were developed by the Department. This plan and plan sheets containing erosion control details were reviewed by, and revised in response to the comments of, the Division of Land Resource Regulation (DLRR) of the BLWQ.

Erosion control details will be included on the final construction plans and the erosion control narrative will be included in the project specifications to be provided to the construction contractor.

Given the size and nature of the project site, the applicant must retain the services of a third party inspector in accordance with the Special Condition for Third Party Inspection Program, which is attached to this Order.

Prior to the start of construction, the applicant must conduct a pre-construction meeting to discuss the construction schedule and the erosion and sediment control plan with the appropriate parties. This meeting must be attended by the applicant's representative, Department staff, the design engineer, the contractor, and the third-party inspector.

(2) Inspection and Maintenance: The applicant submitted a maintenance plan that addresses both short and long-term maintenance requirements. This plan was reviewed by, and revised in response to the comments of, DLRR. The maintenance plan is based on the standards contained in Appendix B of Chapter 500. The applicant will be responsible for the maintenance of all common facilities including the stormwater management system.

Storm sewer grit and sediment materials removed from stormwater control structures during maintenance activities must be disposed of in compliance with the Maine Solid Waste Management Rules.

(3) Housekeeping: The proposed project will comply with the performance standards outlined in Appendix C of Chapter 500.

Based on DLRR's review of the erosion and sedimentation control plan and the maintenance plan, the Department finds that the proposed project meets the Basic Standards contained in Chapter 500(4)(A).

**B. General Standards:**

The applicant's stormwater management plan includes general treatment measures that will mitigate for the increased frequency and duration of channel erosive flows due to runoff from smaller storms, provide for effective treatment of pollutants in stormwater, and mitigate potential temperature impacts. This mitigation is being achieved by using Best Management Practices (BMPs) that will control runoff from 90% of the new impervious area and 84% of the new developed area. All treatment BMPs have been oversized by 25% to treat a greater depth of runoff than specified in the stormwater general standards, resulting in at least an equivalent amount of treatment for the new impervious area at the site. The stormwater management system proposed by the applicant was reviewed by, and revised in response to comments from, DLRR staff. DLRR stated that the proposed oversized treatment plan will provide the equivalent treatment of stormwater runoff in accordance with Chapter 500(4)(B)(2).

After a final review, DLRR commented that the proposed stormwater management system is designed in accordance with the General Standards contained in Chapter 500(4)(B) and recommended that the applicant retain the services of the design engineer to oversee the construction of the stormwater management structures in accordance with the details and notes specified on the approved plans. Within 30 days of the completion of each structure, the applicant shall submit a log of inspection reports including the items inspected, photos taken, and dates of each inspection to the BLWQ for review.

Based on the stormwater system's design and DLRR's review, the Department finds that the applicant has made adequate provision to ensure that the proposed project will meet the General Standards contained in Chapter 500(4)(B).

**C. Flooding Standard:**

The applicant is proposing to utilize a stormwater management system based on estimates of pre- and post-development stormwater runoff flows obtained by using Hydrocad, a stormwater modeling software that utilizes the methodologies outlined in Technical Releases #55 and #20, U.S.D.A., Soil Conservation Service and detains stormwater from 24-hour storms of 2-, 10-, and 25-year frequency. The post-development peak flow from the site will not exceed the pre-development peak flow from the site and the peak flow of the receiving waters will not be increased as a result of stormwater runoff from the development site.

DLRR commented that the proposed system is designed in accordance with the Flooding Standard contained in Chapter 500(4)(E).

Based on the system's design and DLRR's review, the Department finds that the applicant has made adequate provision to ensure that the proposed project will meet the Flooding Standard contained in Chapter 500(4)(E) for peak flow from the project site, and channel limits and runoff areas.

The Department further finds that the proposed project will meet the Chapter 500 standards for discharge to freshwater or coastal wetlands.

11. GROUNDWATER:

The project site is not located over a mapped sand and gravel aquifer. The proposed project does not propose any withdrawal from, or discharge to, the groundwater.

The Department finds that the proposed project will not have an unreasonable adverse effect on ground water quality or quantity.

12. WATER SUPPLY:

When completed, the proposed project is anticipated to use 14,040 gallons of water per day. Water will be supplied by the Kittery Water District. The applicant submitted a letter from the District, dated May 3, 2012, indicating that it will be capable of servicing this project.

The Department finds that the applicant has made adequate provision for securing and maintaining a sufficient and healthful water supply.

13. WASTEWATER DISPOSAL:

When completed, the proposed project is anticipated to discharge up to 14,040 gallons of wastewater per day to the Town of Kittery's wastewater treatment facility. The applicant submitted a letter from the Kittery Sewer Department stating that it will accept these flows. This project was reviewed by the Division of Water Quality Management (DWQM) of the BLWQ, which commented that the Kittery Sewer Department has the capacity to treat these flows and is operating in compliance with the water quality laws of the State of Maine.

Based on DWQM's comments, the Department finds that the applicant has made adequate provision for wastewater disposal at a facility that has the capacity to ensure satisfactory treatment.

14. SOLID WASTE:

When completed, the proposed project is anticipated to generate 237 tons of household solid waste per year. All general solid wastes from the proposed project will be collected by a licensed hauler and disposed of at the Town of Kittery's Transfer Station, which is currently in substantial compliance with the Maine Solid Waste Management Rules.

The proposed project will generate approximately 15,000 cubic yards of stumps and grubblings. All stumps and grubblings generated will be chipped and used for erosion control and for stabilization of sideslopes. Limited amounts of clearing debris may be burned in compliance with all local ordinances and the Maine Solid Waste Management Rules.

The proposed project will generate up to 500 pounds of construction debris with the installation of each mobile home unit. All construction debris generated will be disposed of at the Kittery Transfer Station, which is currently in substantial compliance with the Maine Solid Waste Management Rules.

Based on the above information, the Department finds that the applicant has made adequate provision for solid waste disposal.

15. FLOODING:

No construction is proposed within the 100-year flood plain associated with a stream at the northwest corner of the project site.

The Department finds that the proposed project is unlikely to cause or increase flooding or cause an unreasonable flood hazard to any structure.

16. WETLAND IMPACTS:

To construct a portion of the access road network, the applicant proposes to fill 900 square feet of scrub shrub wetland which is associated with an adjacent emergent wetland of special significance.

After reviewing the information in the file and conducting a site visit, the Department determined that the activity will not negatively affect the freshwater wetland of special significance or other protected natural resources; therefore the proposed project is eligible for Tier I review. To minimize wetland impacts, the applicant aligned the project's access road over a portion of an existing park road. This alignment will also avoid direct impacts to the larger, contiguous emergent wetland.

The Department finds that the applicant has avoided and minimized wetland impacts to the greatest extent practicable, and that the proposed project represents the least environmentally damaging alternative that meets the overall purpose of the project.

BASED on the above findings of fact, and subject to the conditions listed below, the Department makes the following conclusions pursuant to 38 M.R.S.A. Sections 480-A et seq. and Section 401 of the Federal Water Pollution Control Act:

- A. The proposed activity will not unreasonably harm any significant wildlife habitat, freshwater wetland plant habitat, threatened or endangered plant habitat, aquatic habitat, travel corridor, freshwater, estuarine, or marine fisheries or other aquatic life.
- B. The proposed activity will not violate any state water quality law including those governing the classifications of the State's waters.

BASED on the above findings of fact, and subject to the conditions listed below, the Department makes the following conclusions pursuant to 38 M.R.S.A. Sections 481 et seq.:

- A. The applicant has provided adequate evidence of financial capacity and technical ability to develop the project in a manner consistent with state environmental standards.
- B. The applicant has made adequate provision for fitting the development harmoniously into the existing natural environment and the development will not adversely affect existing uses, scenic character, air quality, water quality or other natural resources in the municipality or in neighboring municipalities provided that the applicant ensures that any rock crusher used at the site is licensed by the Department's Bureau of Air Quality and operated in accordance with that license.
- C. The proposed development will be built on soil types which are suitable to the nature of the undertaking and will not cause unreasonable erosion of soil or sediment nor inhibit the natural transfer of soil provided that the applicant submits an acceptable blasting plan to the BLWQ for review and approval prior to conducting blasting at the site.
- D. The proposed development meets the standards for storm water management in Section 420-D and the standard for erosion and sedimentation control in Section 420-C, provided the applicant retains the services of the design engineer to oversee construction of the stormwater management structures, grit and sediment removed from stormwater structures during maintenance activities is disposed of properly, a third-party inspector is retained, and a pre-construction meeting is conducted, all as outlined in Finding 10.
- E. The proposed development will not pose an unreasonable risk that a discharge to a significant groundwater aquifer will occur.
- F. The applicant has made adequate provision of utilities, including water supplies, sewerage facilities and solid waste disposal required for the development and the development will not have an unreasonable adverse effect on the existing or proposed utilities in the municipality or area served by those services.

- G. The activity will not unreasonably cause or increase the flooding of the alteration area or adjacent properties nor create an unreasonable flood hazard to any structure.

THEREFORE, the Department APPROVES the application of STEPHEN A. HYNES REAL PROPERTY TRUST AGREEMENT to construct an expansion at an existing mobile home park in the Town of Kittery, as described in Finding 1, SUBJECT TO THE FOLLOWING CONDITIONS and all applicable standards and regulations:

1. The Standard Conditions of Approval, a copy attached.
2. In addition to any specific erosion control measures described in this or previous orders, the applicant shall take all necessary actions to ensure that its activities or those of its agents do not result in noticeable erosion of soils or fugitive dust emissions on the site during the construction and operation of the project covered by this approval.
3. Severability. The invalidity or unenforceability of any provision, or part thereof, of this License shall not affect the remainder of the provision or any other provisions. This License shall be construed and enforced in all respects as if such invalid or unenforceable provision or part thereof had been omitted.
4. The applicant or other responsible party shall, within three months of the expiration of each five-year interval from the date of this Order, submit a report certifying that the items listed in Department Rules, Chapter 500, Appendix B(4) have been completed in accordance with the approved plans.
5. The applicant shall include in all conveyances of subdivision lots deed restrictions making the conveyance subject to all terms and conditions of this Department permit and any applicable municipal approval. These terms and conditions may be incorporated by specific and prominent reference to the permit in the deed. All conveyances required by this approval to contain restrictions shall include in the restrictions the requirement that any subsequent conveyance shall specifically include the same restrictions.
6. The applicant shall give a copy of this permit, including the standard conditions, and a copy of the approved subdivision plan to each lot buyer at least 14 days prior to the date of closing on the sale or lease of the lot. The applicant also shall maintain a file containing signed and dated statements by lot buyers or lessees acknowledging that they have received and read their copy of this permit and the subdivision plan prior to the closing on their lot. The file shall also contain a copy of the signed and dated deed or lease containing the restrictive covenants required under this approval. The applicant shall make this file available for inspection upon request by the Department.
7. The applicant shall retain the services of a third-party inspector in accordance with the Special Condition for Third-Party Inspection Program, which is attached to this Order.

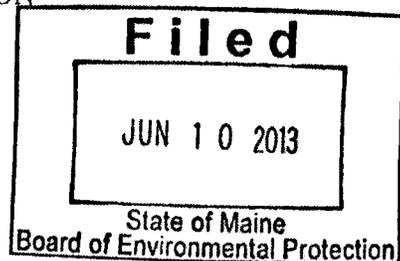
8. Prior to the start of construction, the applicant shall conduct a pre-construction meeting. This meeting shall be attended by the applicant's representative, Department staff, the design engineer, the contractor, and the third-party inspector.
9. The applicant shall retain the services of the design engineer to oversee the construction of the stormwater management structures in accordance with the details and notes specified on the approved plans. Within 30 days of the completion of each structure, the applicant shall submit a log of inspection reports including the items inspected, photos taken, and dates of each inspection to the BLWQ for review.
10. Storm sewer grit and sediment materials removed from stormwater control structures during maintenance activities shall be disposed of in compliance with the Maine Solid Waste Management Rules.
11. Prior to conducting blasting at the site, a site-specific blasting plan shall be submitted to the BLWQ for review and approval.
12. If a rock crusher is being utilized on site, the applicant shall insure that the crusher is licensed by the Department's Bureau of Air Quality and is being operated in accordance with that license.

THIS APPROVAL DOES NOT CONSTITUTE OR SUBSTITUTE FOR ANY OTHER REQUIRED STATE, FEDERAL OR LOCAL APPROVALS NOR DOES IT VERIFY COMPLIANCE WITH ANY APPLICABLE SHORELAND ZONING ORDINANCES.

DONE AND DATED IN AUGUSTA, MAINE, THIS 10<sup>th</sup> DAY OF June, 2013.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: Michael Keubers  
For: Patricia W. Aho, Commissioner



PLEASE NOTE THE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES...

WB/L#19638BNCN/ATS#75525,75914

**Department of Environmental Protection**  
**SITE LOCATION OF DEVELOPMENT (SITE)**  
**STANDARD CONDITIONS**

- A. Approval of Variations from Plans.** The granting of this approval is dependent upon and limited to the proposals and plans contained in the application and supporting documents submitted and affirmed to by the applicant. Any variation from these plans, proposals, and supporting documents is subject to review and approval prior to implementation. Further subdivision of proposed lots by the applicant or future owners is specifically prohibited without prior approval of the Board, and the applicant shall include deed restrictions to that effect.
- B. Compliance with All Applicable Laws.** The applicant shall secure and comply with all applicable federal, state, and local licenses, permits, authorizations, conditions, agreements, and orders prior to or during construction and operation, as appropriate.
- C. Compliance with All Terms and Conditions of Approval.** The applicant shall submit all reports and information requested by the Board or the Department demonstrating that the applicant has complied or will comply with all preconstruction terms and conditions of this approval. All preconstruction terms and conditions must be met before construction begins.
- D. Advertising.** Advertising relating to matters included in this application shall refer to this approval only if it notes that the approval has been granted WITH CONDITIONS, and indicates where copies of those conditions may be obtained.
- E. Transfer of Development.** Unless otherwise provided in this approval, the applicant shall not sell, lease, assign or otherwise transfer the development or any portion thereof without prior written approval of the Board where the purpose or consequence of the transfer is to transfer any of the obligations of the developer as incorporated in this approval. Such approval shall be granted only if the applicant or transferee demonstrates to the Board that the transferee has the technical capacity and financial ability to comply with conditions of this approval and the proposals and plans contained in the application and supporting documents submitted by the applicant.
- F. Time frame for approvals.** If the construction or operation of the activity is not begun within four years, this approval shall lapse and the applicant shall reapply to the Board for a new approval. The applicant may not begin construction or operation of the development until a new approval is granted. A reapplication for approval may include information submitted in the initial application by reference. This approval, if construction is begun within the four-year time frame, is valid for seven years. If construction is not completed within the seven-year time frame, the applicant must reapply for, and receive, approval prior to continuing construction.
- G. Approval Included in Contract Bids.** A copy of this approval must be included in or attached to all contract bid specifications for the development.
- H. Approval Shown to Contractors.** Work done by a contractor pursuant to this approval shall not begin before the contractor has been shown by the developer a copy of this approval.

(2/81)/Revised December 27, 2011



## Natural Resource Protection Act (NRPA) Standard Conditions

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THE FOLLOWING STANDARD CONDITIONS SHALL APPLY TO ALL PERMITS GRANTED UNDER THE NATURAL RESOURCE PROTECTION ACT, TITLE 38, M.R.S.A. SECTION 480-A ET.SEQ. UNLESS OTHERWISE SPECIFICALLY STATED IN THE PERMIT.

- A. Approval of Variations From Plans. The granting of this permit is dependent upon and limited to the proposals and plans contained in the application and supporting documents submitted and affirmed to by the applicant. Any variation from these plans, proposals, and supporting documents is subject to review and approval prior to implementation.
- B. Compliance With All Applicable Laws. The applicant shall secure and comply with all applicable federal, state, and local licenses, permits, authorizations, conditions, agreements, and orders prior to or during construction and operation, as appropriate.
- C. Erosion Control. The applicant shall take all necessary measures to ensure that his activities or those of his agents do not result in measurable erosion of soils on the site during the construction and operation of the project covered by this Approval.
- D. Compliance With Conditions. Should the project be found, at any time, not to be in compliance with any of the Conditions of this Approval, or should the applicant construct or operate this development in any way other the specified in the Application or Supporting Documents, as modified by the Conditions of this Approval, then the terms of this Approval shall be considered to have been violated.
- E. Time frame for approvals. If construction or operation of the activity is not begun within four years, this permit shall lapse and the applicant shall reapply to the Board for a new permit. The applicant may not begin construction or operation of the activity until a new permit is granted. Reapplications for permits may include information submitted in the initial application by reference. This approval, if construction is begun within the four-year time frame, is valid for seven years. If construction is not completed within the seven-year time frame, the applicant must reapply for, and receive, approval prior to continuing construction.
- F. No Construction Equipment Below High Water. No construction equipment used in the undertaking of an approved activity is allowed below the mean high water line unless otherwise specified by this permit.
- G. Permit Included In Contract Bids. A copy of this permit must be included in or attached to all contract bid specifications for the approved activity.
- H. Permit Shown To Contractor. Work done by a contractor pursuant to this permit shall not begin before the contractor has been shown by the applicant a copy of this permit.

## STORMWATER STANDARD CONDITIONS

### STRICT CONFORMANCE WITH THE STANDARD AND SPECIAL CONDITIONS OF THIS APPROVAL IS NECESSARY FOR THE PROJECT TO MEET THE STATUTORY CRITERIA FOR APPROVAL

**Standard conditions of approval.** Unless otherwise specifically stated in the approval, a department approval is subject to the following standard conditions pursuant to Chapter 500 Stormwater Management Law.

- (1) Approval of variations from plans. The granting of this approval is dependent upon and limited to the proposals and plans contained in the application and supporting documents submitted and affirmed to by the applicant. Any variation from these plans, proposals, and supporting documents must be reviewed and approved by the department prior to implementation. Any variation undertaken without approval of the department is in violation of 38 M.R.S.A. §420-D(8) and is subject to penalties under 38 M.R.S.A. §349.
- (2) Compliance with all terms and conditions of approval. The applicant shall submit all reports and information requested by the department demonstrating that the applicant has complied or will comply with all terms and conditions of this approval. All preconstruction terms and conditions must be met before construction begins.
- (3) Advertising. Advertising relating to matters included in this application may not refer to this approval unless it notes that the approval has been granted WITH CONDITIONS, and indicates where copies of those conditions may be obtained.
- (4) Transfer of project. Unless otherwise provided in this approval, the applicant may not sell, lease, assign, or otherwise transfer the project or any portion thereof without written approval by the department where the purpose or consequence of the transfer is to transfer any of the obligations of the developer as incorporated in this approval. Such approval may only be granted if the applicant or transferee demonstrates to the department that the transferee agrees to comply with conditions of this approval and the proposals and plans contained in the application and supporting documents submitted by the applicant. Approval of a transfer of the permit must be applied for no later than two weeks after any transfer of property subject to the license.
- (5) Time frame for approvals. If the construction or operation of the activity is not begun within four years, this approval shall lapse and the applicant shall reapply to the department for a new approval. The applicant may not begin construction or operation of the project until a new approval is granted. A reapplication for approval may include information submitted in the initial application by reference. This approval, if construction is begun within the four-year time frame, is valid for seven years. If construction is not completed within the seven-year time frame, the applicant must reapply for, and receive, approval prior to continuing construction.
- (6) Certification. Contracts must specify that "all work is to comply with the conditions of the Stormwater Permit." Work done by a contractor or subcontractor pursuant to this approval may not begin before the contractor and any subcontractors have been shown a copy of this approval with the conditions by the developer, and the owner and each contractor and subcontractor has certified, on a form provided by the department, that the approval and conditions have been received and read, and that the work will be carried out in accordance

with the approval and conditions. Completed certification forms must be forwarded to the department.

- (7) Maintenance. The components of the stormwater management system must be adequately maintained to ensure that the system operates as designed, and as approved by the department.
- (8) Recertification requirement. Within three months of the expiration of each five-year interval from the date of issuance of the permit, the permittee shall certify the following to the department.
  - (a) All areas of the project site have been inspected for areas of erosion, and appropriate steps have been taken to permanently stabilize these areas.
  - (b) All aspects of the stormwater control system have been inspected for damage, wear, and malfunction, and appropriate steps have been taken to repair or replace the facilities.
  - (c) The erosion and stormwater maintenance plan for the site is being implemented as written, or modifications to the plan have been submitted to and approved by the department, and the maintenance log is being maintained.
- (9) Severability. The invalidity or unenforceability of any provision, or part thereof, of this permit shall not affect the remainder of the provision or any other provisions. This permit shall be construed and enforced in all respects as if such invalid or unenforceable provision or part thereof had been omitted.

November 16, 2005 (revised December 27, 2011)

Special Condition  
for  
Third Party Inspection Program

## THIRD-PARTY INSPECTION PROGRAM

### 1.0 THE PURPOSE OF THE THIRD-PARTY INSPECTION

As a condition of this permit, the Maine Department of Environmental Protection (MDEP) requires the permit applicant to retain the services of a third-party inspector to monitor compliance with MDEP permit conditions during construction. The objectives of this condition are as follows:

- 1) to ensure that all construction and stabilization activities comply with the permit conditions and the MDEP-approved drawings and specifications,
- 2) to ensure that field decisions regarding erosion control implementation, stormwater system installation, and natural resource protection are based on sound engineering and environmental considerations, and
- 3) to ensure communication between the contractor and MDEP regarding any changes to the development's erosion control plan, stormwater management plan, or final stabilization plan.

This document establishes the inspection program and outlines the responsibilities of the permit applicant, the MDEP, and the inspector.

### 2.0 SELECTING THE INSPECTOR

At least 30 days prior to starting any construction activity on the site, the applicant will submit the names of at least two inspector candidates to the MDEP. Each candidate must meet the minimum qualifications listed under section 3.0. The candidates may not be employees, partners, or contracted consultants involved with the permitting of the project or otherwise employed by the same company or agency except that the MDEP may accept subcontractors who worked for the project's primary consultant on some aspect of the project such as, but not limited to, completing wetland delineations, identifying significant wildlife habitats, or conducting geotechnical investigations, but who were not directly employed by the applicant, as Third Party inspectors on a case by case basis. The MDEP will have 15 days from receiving the names to select one of the candidates as the inspector or to reject both candidates. If the MDEP rejects both candidates, then the MDEP shall state the particular reasons for the rejections. In this case, the applicant may either dispute the rejection to the Director of the Bureau of Land and Water Quality or start the selection process over by nominating two, new candidates.

### 3.0 THE INSPECTOR'S QUALIFICATIONS

Each inspector candidate nominated by the applicant shall have the following minimum qualifications:

- 1) a degree in an environmental science or civil engineering, or other demonstrated expertise,
- 2) a practical knowledge of erosion control practices and stormwater hydrology,
- 3) experience in management or supervision on large construction projects,
- 4) the ability to understand and articulate permit conditions to contractors concerning erosion control or stormwater management,
- 5) the ability to clearly document activities being inspected,
- 6) appropriate facilities and, if necessary, support staff to carry out the duties and responsibilities set forth in section 6.0 in a timely manner, and
- 7) no ownership or financial interest in the development other than that created by being retained as the third-party inspector.

#### 4.0 INITIATING THE INSPECTOR'S SERVICES

The applicant will not formally and finally engage for service any inspector under this permit condition prior to MDEP approval or waiver by omission under section 2.0. No clearing, grubbing, grading, filling, stockpiling, or other construction activity will take place on the development site until the applicant retains the MDEP-approved inspector for service.

#### 5.0 TERMINATING THE INSPECTOR'S SERVICES

The applicant will not terminate the services of the MDEP-approved inspector at any time between commencing construction and completing final site stabilization without first getting written approval to do so from the MDEP.

#### 6.0 THE INSPECTOR'S DUTIES AND RESPONSIBILITIES

The inspector's work shall consist of the duties and responsibilities outlined below.

- 1) Prior to construction, the inspector will become thoroughly familiar with the terms and conditions of the state-issued site permit, natural resources protection permit, or both.
- 2) Prior to construction, the inspector will become thoroughly familiar with the proposed construction schedule, including the timing for installing and removing erosion controls, the timing for constructing and stabilizing any basins or ponds, and the deadlines for completing stabilization of disturbed soils.
- 3) Prior to construction, the inspector will become thoroughly familiar with the project plans and specifications, including those for building detention basins, those for installing the erosion control measures to be used on the site, and those for temporarily or permanently stabilizing disturbed soils in a timely manner.
- 4) During construction, the inspector will monitor the contractor's installation and maintenance of the erosion control measures called for in the state permit(s) and any additional measures the inspector believes are necessary to prevent sediment discharge to off-site properties or natural resources. This direction will be based on the approved erosion control plan, field conditions at the time of construction, and the natural resources potentially impacted by construction activities.
- 5) During construction, the inspector will monitor the contractor's construction of the stormwater system, including the construction and stabilization of ditches, culverts, detention basins, water quality treatment measures, and storm sewers.
- 6) During construction, the inspector will monitor the contractor's installation of any stream or wetland crossings.
- 7) During construction, the inspector will monitor the contractor's final stabilization of the project site.
- 8) During construction, the inspector will keep logs recording any rain storms at the site, the contractor's activities on the site, discussions with the contractor(s), and possible violations of the permit conditions.
- 9) During construction, the inspector will inspect the project site at least once a week and before and after any significant rain event. The inspector will photograph all protected natural resources both before and after construction and will photograph all areas under construction. All photographs will be identified with, at a minimum the date the photo was taken, the location and the name of the individual taking the photograph.  
*Note: the frequency of these inspections as contained in this condition may be varied to best address particular project needs.*
- 10) During construction, the inspector will prepare and submit weekly (or other frequency) inspection reports to the MDEP.

- 11) During construction, the inspector will notify the designated person at the MDEP immediately of any sediment-laden discharges to a protected natural resource or other significant issues such as the improper construction of a stormwater control structure or the use of construction plans not approved by the MDEP.

## 7.0 INSPECTION REPORTS

The inspector will submit weekly written reports (*or at another designated frequency*), including photographs of areas that are under construction, on a form provided by the Department to the designated person at the MDEP. Each report will be due at the MDEP by the Friday (*or other designated day*) following the inspection week (Monday through Sunday).

The weekly report will summarize construction activities and events on the site for the previous week as outlined below.

- 1) The report will state the name of the development, its permit number(s), and the start and end dates for the inspection week (Monday through Sunday).
- 2) The report will state the date(s) and time(s) when the inspector was on the site making inspections.
- 3) The report will state the date(s) and approximate duration(s) of any rainfall events on the site for the week.
- 4) The report will identify and describe any erosion problems that resulted in sediment leaving the property or sediment being discharged into a wetland, brook, stream, river, lake, or public storm sewer system. The report will describe the contractor's actions to repair any damage to other properties or natural resources, actions to eliminate the erosion source, and actions to prevent future sediment discharges from the area.
- 5) The report will list the buildings, roads, parking lots, detention basins, stream crossings or other features open to construction for the week, including those features or areas actively worked and those left unworked (dormant).
- 6) For each area open to construction, the report will list the date of initial soil disturbance for the area.
- 7) For each area open to construction, the report will note which areas were actively worked that week and which were left dormant for the week. For those areas actively worked, the report will briefly state the work performed in the area that week and the progress toward final stabilization of the area -- e.g. "grubbing in progress", "grubbing complete", "rough grading in progress", "rough grading complete", "finish grading in progress", "finish grading complete", "permanent seeding completed", "area fully stable and temporary erosion controls removed", etc.
- 8) For each area open to construction, the report will list the erosion and sedimentation control measures installed, maintained, or removed during the week.
- 9) For each erosion control measure in-place, the report will note the condition of the measure and any maintenance performed to bring it to standard.

**Third Party Inspection Form**

**This report is prepared by a Third Party Inspector to meet the requirements of the Third Party Inspector Condition attached as a Special Condition to the Department Order that was issued for the project identified below. The information in this report/form is not intended to serve as a determination of whether the project is in compliance with the Department permit or other applicable Department laws and rules. Only Department staff may make that determination.**

TO: <i>PM, Maine DEP (@maine.gov)</i>	FROM:
PROJECT NAME/ LOCATION:	DEP #:
DATE OF INSPECTION:	DATE OF REPORT:
WEATHER:	CONDITIONS:

**SITE CHARACTERISTICS:**

# ACRES OPEN:	# ACRES ACTIVE:	# ACRES INACTIVE:
LOCATION OF OPEN LAND:	LOCATION OF ACTIVE LAND:	LOCATION OF INACTIVE LAND:
OPEN SINCE:	OPEN SINCE:	OPEN SINCE:

**PROGRESS OF WORK:**

INSPECTION OF:	Satisfactory	Minor Deviation (corrective action required)	Unsatisfactory (include photos)
STORMWATER CONTROL (VEGETATIVE & STRUCTURAL BMP'S)			
EROSION & SEDIMENTATION CONTROL (TEMPORARY & PERMANENT BMP'S)			
OTHER: (PERMIT CONDITIONS, ENGINEERING DESIGN, ETC.)			

COMMENTS/CORRECTIVE ACTIONS TAKEN (attach additional sheets as necessary):

Photos (must be labeled with date, photographer and location):

Cc:		
<i>Original and all copies were sent by email only.</i>		



# DEP INFORMATION SHEET

## Appealing a Department Licensing Decision

Dated: March 2012

Contact: (207) 287-2811

### SUMMARY

There are two methods available to an aggrieved person seeking to appeal a licensing decision made by the Department of Environmental Protection's ("DEP") Commissioner: (1) in an administrative process before the Board of Environmental Protection ("Board"); or (2) in a judicial process before Maine's Superior Court. An aggrieved person seeking review of a licensing decision over which the Board had original jurisdiction may seek judicial review in Maine's Superior Court.

A judicial appeal of final action by the Commissioner or the Board regarding an application for an expedited wind energy development (35-A M.R.S.A. § 3451(4)) or a general permit for an offshore wind energy demonstration project (38 M.R.S.A. § 480-HH(1)) or a general permit for a tidal energy demonstration project (38 M.R.S.A. § 636-A) must be taken to the Supreme Judicial Court sitting as the Law Court.

This INFORMATION SHEET, in conjunction with a review of the statutory and regulatory provisions referred to herein, can help a person to understand his or her rights and obligations in filing an administrative or judicial appeal.

### I. ADMINISTRATIVE APPEALS TO THE BOARD

#### LEGAL REFERENCES

The laws concerning the DEP's *Organization and Powers*, 38 M.R.S.A. §§ 341-D(4) & 346, the *Maine Administrative Procedure Act*, 5 M.R.S.A. § 11001, and the DEP's *Rules Concerning the Processing of Applications and Other Administrative Matters* ("Chapter 2"), 06-096 CMR 2 (April 1, 2003).

#### HOW LONG YOU HAVE TO SUBMIT AN APPEAL TO THE BOARD

The Board must receive a written appeal within 30 days of the date on which the Commissioner's decision was filed with the Board. Appeals filed after 30 calendar days of the date on which the Commissioner's decision was filed with the Board will be rejected.

#### HOW TO SUBMIT AN APPEAL TO THE BOARD

Signed original appeal documents must be sent to: Chair, Board of Environmental Protection, c/o Department of Environmental Protection, 17 State House Station, Augusta, ME 04333-0017; faxes are acceptable for purposes of meeting the deadline when followed by the Board's receipt of mailed original documents within five (5) working days. Receipt on a particular day must be by 5:00 PM at DEP's offices in Augusta; materials received after 5:00 PM are not considered received until the following day. The person appealing a licensing decision must also send the DEP's Commissioner a copy of the appeal documents and if the person appealing is not the applicant in the license proceeding at issue the applicant must also be sent a copy of the appeal documents. All of the information listed in the next section must be submitted at the time the appeal is filed. Only the extraordinary circumstances described at the end of that section will justify evidence not in the DEP's record at the time of decision being added to the record for consideration by the Board as part of an appeal.

### WHAT YOUR APPEAL PAPERWORK MUST CONTAIN

Appeal materials must contain the following information at the time submitted:

1. *Aggrieved Status.* The appeal must explain how the person filing the appeal has standing to maintain an appeal. This requires an explanation of how the person filing the appeal may suffer a particularized injury as a result of the Commissioner's decision.
2. *The findings, conclusions or conditions objected to or believed to be in error.* Specific references and facts regarding the appellant's issues with the decision must be provided in the notice of appeal.
3. *The basis of the objections or challenge.* If possible, specific regulations, statutes or other facts should be referenced. This may include citing omissions of relevant requirements, and errors believed to have been made in interpretations, conclusions, and relevant requirements.
4. *The remedy sought.* This can range from reversal of the Commissioner's decision on the license or permit to changes in specific permit conditions.
5. *All the matters to be contested.* The Board will limit its consideration to those arguments specifically raised in the written notice of appeal.
6. *Request for hearing.* The Board will hear presentations on appeals at its regularly scheduled meetings, unless a public hearing on the appeal is requested and granted. A request for public hearing on an appeal must be filed as part of the notice of appeal.
7. *New or additional evidence to be offered.* The Board may allow new or additional evidence, referred to as supplemental evidence, to be considered by the Board in an appeal only when the evidence is relevant and material and that the person seeking to add information to the record can show due diligence in bringing the evidence to the DEP's attention at the earliest possible time in the licensing process or that the evidence itself is newly discovered and could not have been presented earlier in the process. Specific requirements for additional evidence are found in Chapter 2.

### OTHER CONSIDERATIONS IN APPEALING A DECISION TO THE BOARD

1. *Be familiar with all relevant material in the DEP record.* A license application file is public information, subject to any applicable statutory exceptions, made easily accessible by DEP. Upon request, the DEP will make the material available during normal working hours, provide space to review the file, and provide opportunity for photocopying materials. There is a charge for copies or copying services.
2. *Be familiar with the regulations and laws under which the application was processed, and the procedural rules governing your appeal.* DEP staff will provide this information on request and answer questions regarding applicable requirements.
3. *The filing of an appeal does not operate as a stay to any decision.* If a license has been granted and it has been appealed the license normally remains in effect pending the processing of the appeal. A license holder may proceed with a project pending the outcome of an appeal but the license holder runs the risk of the decision being reversed or modified as a result of the appeal.

### WHAT TO EXPECT ONCE YOU FILE A TIMELY APPEAL WITH THE BOARD

The Board will formally acknowledge receipt of an appeal, including the name of the DEP project manager assigned to the specific appeal. The notice of appeal, any materials accepted by the Board Chair as supplementary evidence, and any materials submitted in response to the appeal will be sent to Board members with a recommendation from DEP staff. Persons filing appeals and interested persons are notified in advance of the date set for Board consideration of an appeal or request for public hearing. With or without holding a public hearing, the Board may affirm, amend, or reverse a Commissioner decision or remand the matter to the Commissioner for further proceedings. The Board will notify the appellant, a license holder, and interested persons of its decision.

## II. JUDICIAL APPEALS

Maine law generally allows aggrieved persons to appeal final Commissioner or Board licensing decisions to Maine's Superior Court, see 38 M.R.S.A. § 346(1); 06-096 CMR 2; 5 M.R.S.A. § 11001; & M.R. Civ. P 80C. A party's appeal must be filed with the Superior Court within 30 days of receipt of notice of the Board's or the Commissioner's decision. For any other person, an appeal must be filed within 40 days of the date the decision was rendered. Failure to file a timely appeal will result in the Board's or the Commissioner's decision becoming final.

An appeal to court of a license decision regarding an expedited wind energy development, a general permit for an offshore wind energy demonstration project, or a general permit for a tidal energy demonstration project may only be taken directly to the Maine Supreme Judicial Court. See 38 M.R.S.A. § 346(4).

Maine's Administrative Procedure Act, DEP statutes governing a particular matter, and the Maine Rules of Civil Procedure must be consulted for the substantive and procedural details applicable to judicial appeals.

### ADDITIONAL INFORMATION

If you have questions or need additional information on the appeal process, for administrative appeals contact the Board's Executive Analyst at (207) 287-2452 or for judicial appeals contact the court clerk's office in which your appeal will be filed.

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**Note: The DEP provides this INFORMATION SHEET for general guidance only; it is not intended for use as a legal reference. Maine law governs an appellant's rights.**

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**Yankee Commons Mobile Home Park  
Expansion**

Subdivision Review Application  
Town of Kittery (Plan Sets)

*for*

Stephen A. Hynes, Trustee, c/o Gary Beers  
3 Idlewood Lane, Kittery, Maine

***Original Preliminary Submission - 1 August 2012***

***Submittal Updated - 4 September 2012***

***Plans Updated - 18 April 2013***

***Consolidated Package Provided - 20 April 2015***



## **Section 4**

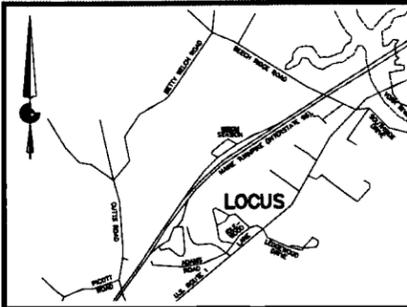
### **Sketch Plan Set**

**(not part of 4 September 2012 submission)**



**CIVIL  
CONSULTANTS**

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



**LOCATION PLAN**  
(NOT TO SCALE)

**SOILS LEGEND:**

- Ab- ABRAMS SANDY LOAM, EXCESSIVELY DRAINED
- Bk- BECKETT, FINE SANDY LOAM, MODERATELY WELL DRAINED
- Bd- BIDDFORD, MUCKY PEAT, VERY POORLY DRAINED
- Bu- BUXTON, SILT LOAM, SOMEWHAT POORLY DRAINED
- Lg- LAWSON, SILT LOAM, SOMEWHAT POORLY DRAINED
- Ly- LYMAN, FINE SANDY LOAM, SOMEWHAT EXCESSIVELY DRAINED
- Md- MADE LAND
- Mr- MARLOW, FINE SANDY LOAM, WELL DRAINED
- Pr- PERU, FINE SANDY LOAM, MODERATELY WELL DRAINED
- Sc- SCANTIC, SILT LOAM, POORLY DRAINED
- Sk- SKERRY, FINE SANDY LOAM, MODERATELY WELL DRAINED
- Tu- TUNBRIDGE, FINE SANDY LOAM, WELL DRAINED

**SOILS SLOPES:**

- B 0-8%
- C 8-15%
- D 15-20%
- E >25%

HIGH INTENSITY SOIL SURVEY WAS PERFORMED BY KEVIN GARDNER, NOVEMBER 2007. THE HIGH INTENSITY SOIL SURVEY MEETS THE STANDARD FOR A CLASS B SOIL SURVEY. REFER TO THE HIGH INTENSITY SOILS REPORT FOR SOILS CLASSIFICATIONS AND TEST PIT LOGS.

**SURVEY NOTES:**

- PLANIMETRIC AND TOPOGRAPHIC DETAIL WITHIN THE U.S. ROUTE ONE RIGHT-OF-WAY AS DEPICTED HEREON IS BASED ON AN ON-THE-GROUND FIELD SURVEY BY CIVIL CONSULTANTS BETWEEN SEPTEMBER, 2007 AND JANUARY, 2008. PLANIMETRIC AND TOPOGRAPHIC DETAIL ON THE REMAINDER OF THE SITE IS DIGITIZED FROM REFERENCE PLANS 3 AND 4.
- BEARINGS AS DEPICTED HEREON ARE REFERENCED TO GRID NORTH, NAD83, MAINE STATE PLANE COORDINATE SYSTEM, WEST ZONE (EPOCH 2002.0). COORDINATE VALUES AND ORIENTATION ARE DERIVED FROM A GPS SURVEY COMPLETED UTILIZING THE NGS OPUS ON-LINE PROCESSING SERVICE. THE SURVEY IS TIED TO CORS STATIONS BOSTON WAAS 1 CORS (28W), BARTLETT CORS (BARN) AND BRUNSWICK 1 CORS (BRU1). DISTANCES DEPICTED HEREON ARE GRID. TO CONVERT GRID DISTANCES TO GROUND DISTANCES, MULTIPLY THE GRID DISTANCE BY 1.000007300 (AVERAGE COMBINED SCALE FACTOR FOR THE SITE).
- ELEVATIONS DEPICTED HEREON ARE BASED ON NVD029 AS DERIVED FROM TIES TO BENCHMARKS DEPICTED ON REFERENCE PLANS 3 AND 4. ELEVATIONS WERE CHECKED BY THE ABOVE REFERENCED GPS SURVEY.
- 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 DISSAFE AND FIELD VERIFY ALL EXISTING UTILITIES PRIOR TO CONSTRUCTION.
- THE PROPERTY LINES DEPICTED HEREON ARE BASED SOLELY ON REFERENCE PLANS 1 AND 2 AND FIELD LOCATION OF A SAMPLING OF MONUMENTS DEPICTED ON SAID PLANS. AT THIS TIME, THE POSITION OF EVERY MONUMENT ON REFERENCE PLANS 1 AND 2 HAS NOT BEEN INDEPENDENTLY VERIFIED. DEED RESEARCH BY CIVIL CONSULTANTS HAS BEEN LIMITED TO THE TIME PERIOD BETWEEN MARCH, 1995 (DATE OF REFERENCE PLAN 2) AND JANUARY, 2008. CIVIL CONSULTANTS HAS NOT PERFORMED AN INDEPENDENT BOUNDARY RETRACEMENT SURVEY.
- WETLAND BOUNDARIES DEPICTED HEREON ARE BASED ON FIELD LOCATION OF WETLAND DELINEATION FLAGS MARKED BY STANTEC. FLAGS WERE LOCATED BY CIVIL CONSULTANTS ON OCTOBER 16, 18 AND NOVEMBER 15, 2007 UTILIZING GPS EQUIPMENT GENERALLY CAPABLE OF ATTAINING HORIZONTAL POSITIONS WITH 1-2 METER ACCURACY.

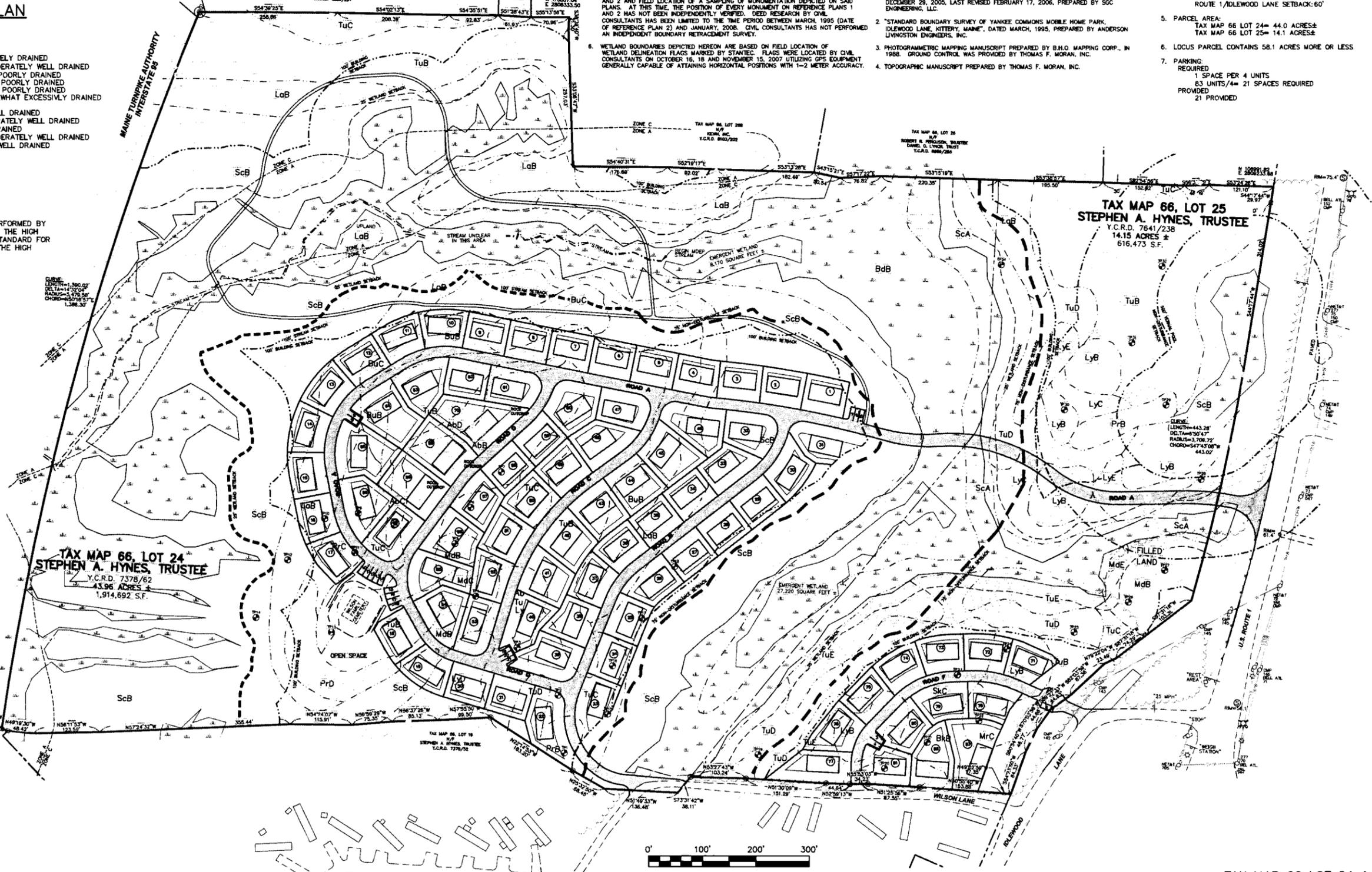
- TEST PITS DEPICTED HEREON ARE BASED ON FIELD LOCATION OF TEST PITS EXCAVATED BY KENNETH GARDNER, SOILS SCIENTIST. TEST PITS WERE LOCATED BY CIVIL CONSULTANTS ON OCTOBER 16, 18 AND NOVEMBER 15, 2007 UTILIZING GPS EQUIPMENT GENERALLY CAPABLE OF ATTAINING HORIZONTAL POSITIONS WITH 1-2 METER ACCURACY.
- A PORTION OF THE LOCUS PARCEL IS LOCATED IN "ZONE A" ON THE NATIONAL FLOOD INSURANCE PROGRAM, FLOOD INSURANCE RATE MAP (FIRM) FOR THE TOWN OF KITTERY, MAINE, YORK COUNTY, COMMUNITY PANEL NUMBER 23071 0001 C, EFFECTIVE DATE JULY 5, 1994. ZONE A IS DEFINED AS AREAS OF 100-YEAR FLOOD. BASE FLOOD ELEVATIONS AND FLOOD HAZARD FACTORS NOT DETERMINED. THE REMAINDER OF THE SITE IS IN "ZONE C". ZONE C IS DEFINED AS "AREAS OF MINIMAL FLOODING". THE FLOOD ZONE BOUNDARY DEPICTED HEREON IS BASED ON SCANNING AND GEO-REFERENCING THE ABOVE REFERENCED FIRM. THE EASTERLY PORTION OF THE "A ZONE" DOES NOT APPEAR TO MATCH THE PHYSICAL LOCATION OF THE STREAM.
- ACCORDING TO REFERENCE PLAN 2, THE WILSON FAMILY CEMETERY IS EXCEPTED FROM THE LOCUS PARCEL AND A RIGHT-OF-WAY TO THE CEMETERY WAS RESERVED.

**PLAN REFERENCES:**

- "ALTA/ACSM LAND TITLE SURVEY OF PROPERTY LOCATED ON 3 IDLE WOOD LANE, KITTERY, YORK COUNTY, MAINE, PREPARED FOR: STEPHEN HYNES, C/O TANGLEWOOD ESTATES, 10 SPARROW STREET, KEENE, NH 03431, DATED DECEMBER 29, 2005, LAST REVISED FEBRUARY 17, 2006, PREPARED BY SGC ENGINEERING, LLC.
- "STANDARD BOUNDARY SURVEY OF YANKEE COMMONS MOBILE HOME PARK, IDLEWOOD LANE, KITTERY, MAINE, DATED MARCH, 1995, PREPARED BY ANDERSON LIVINGSTON ENGINEERS, INC.
- PHOTOGRAMMETRIC MAPPING MANUSCRIPT PREPARED BY B.H.D. MAPPING CORP., IN 1988. GROUND CONTROL WAS PROVIDED BY THOMAS F. MORAN, INC.
- TOPOGRAPHIC MANUSCRIPT PREPARED BY THOMAS F. MORAN, INC.

**NOTES:**

- ASSESSOR'S INFORMATION: TOWN OF KITTERY ASSESSOR'S MAP 66 LOTS 24 & 25
- RECORD OWNER: STEPHEN A. HYNES, TRUSTEE REAL PROPERTY TRUST AGREEMENT 1571 BELLEVUE AVE, SUITE 210 WEST VANCOUVER, BC V7V1A6
- DEED REFERENCE: Y.C.R.D. 7378/62 Y.C.R.D. 7641/238
- ZONING INFORMATION: MIXED USE (MU) ZONE MOBILE HOME REQUIREMENTS: MIN LOT SIZE: 5,000 sq.ft. MINIMUM FRONTAGE: 80' SETBACKS: FRONT YARD: 20' SIDE YARD: 10' REAR YARD: 10' MIN SEPARATION BETWEEN HOMES: 20' ROUTE 1/IDLEWOOD LANE SETBACK: 60'
- PARCEL AREA: TAX MAP 66 LOT 24= 44.0 ACRES± TAX MAP 66 LOT 25= 14.1 ACRES±
- LOCUS PARCEL CONTAINS 58.1 ACRES MORE OR LESS
- PARKING: REQUIRED 1 SPACE PER 4 UNITS 8.3 UNITS/4= 21 SPACES REQUIRED PROVIDED 21 PROVIDED



**CIVIL CONSULTANTS**

Engineers  
Planners  
Surveyors

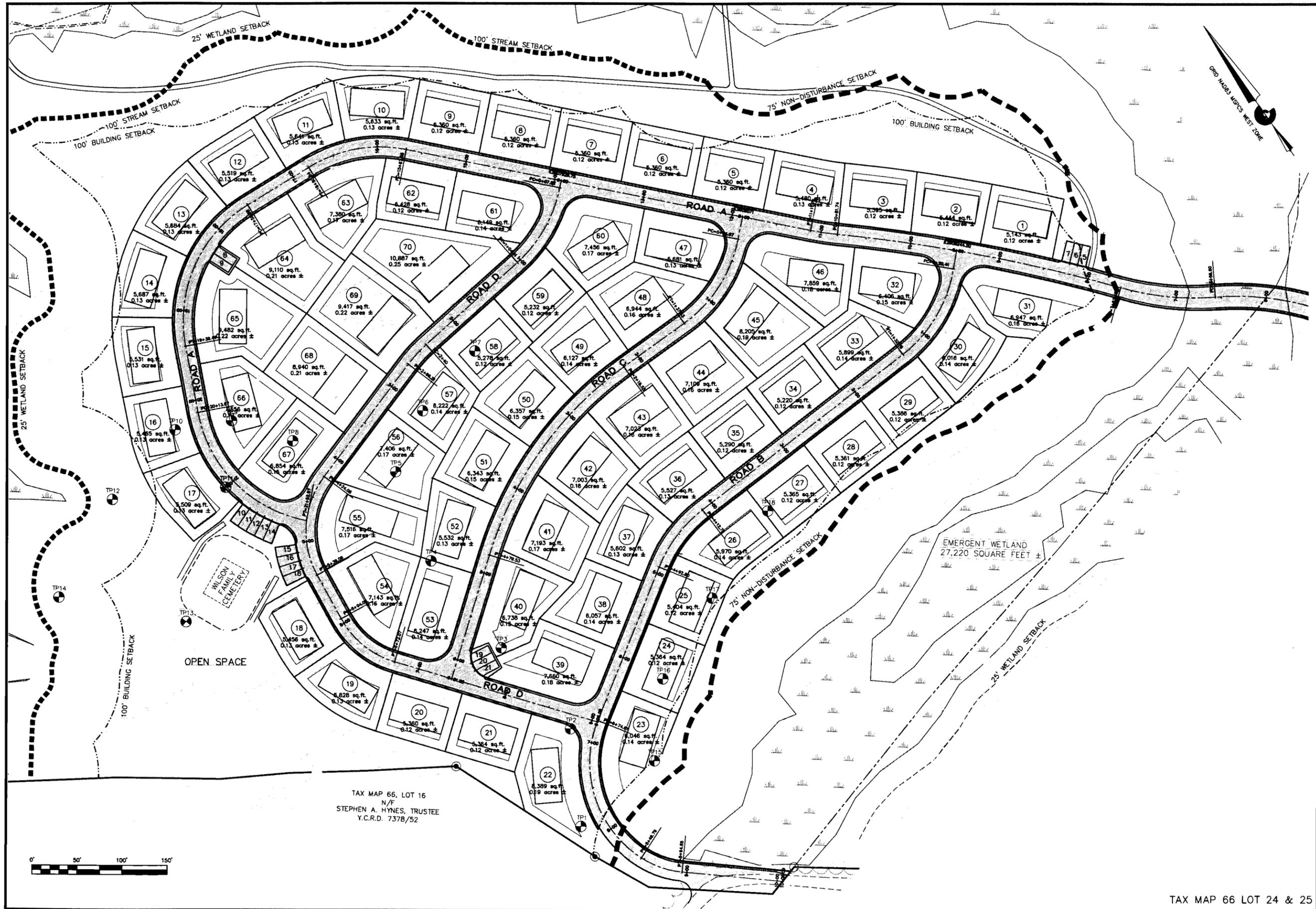
P.O. Box 100  
South Berwick  
Maine  
03908  
207-384-2550  
civcon@ciwcon.com

NO.	REVISIONS	INT.	DATE
1			

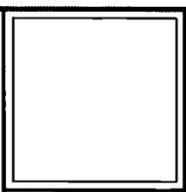
YANKEE COMMONS  
MOBILE HOME PARK EXPANSION  
IDLEWOOD LANE/ U.S. ROUTE 1  
KITTERY, MAINE  
PREPARED FOR:  
GARY BEERS  
MAILING ADDRESS: 3 IDLEWOOD LANE, KITTERY, ME 03904

**CIVIL CONSULTANTS**

DRAWN: GDC/JAA CALC.  
DATE: 16 DECEMBER 2011  
CHECKED:  
APPROVED:  
SCALE: 1"=100'  
SHEET TITLE:  
OVERALL SKETCH PLAN  
SHEET NUMBER:  
**SK1**  
SHEET SK1 of SK4  
PROJECT # 06-684.02



TAX MAP 66, LOT 16  
N/F  
STEPHEN A. HYNES, TRUSTEE  
Y.C.R.D. 7378/52



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

NO.	REVISIONS	INT.	DATE
1			

YANKEE COMMONS  
 MOBILE HOME PARK EXPANSION  
 IDLEWOOD LANE/ U.S. ROUTE 1  
 KITTERY, MAINE  
 PREPARED FOR:  
 GARY BEERS  
 MAILING ADDRESS: 3 IDLEWOOD LANE, KITTERY, ME 03904

CIVIL CONSULTANTS

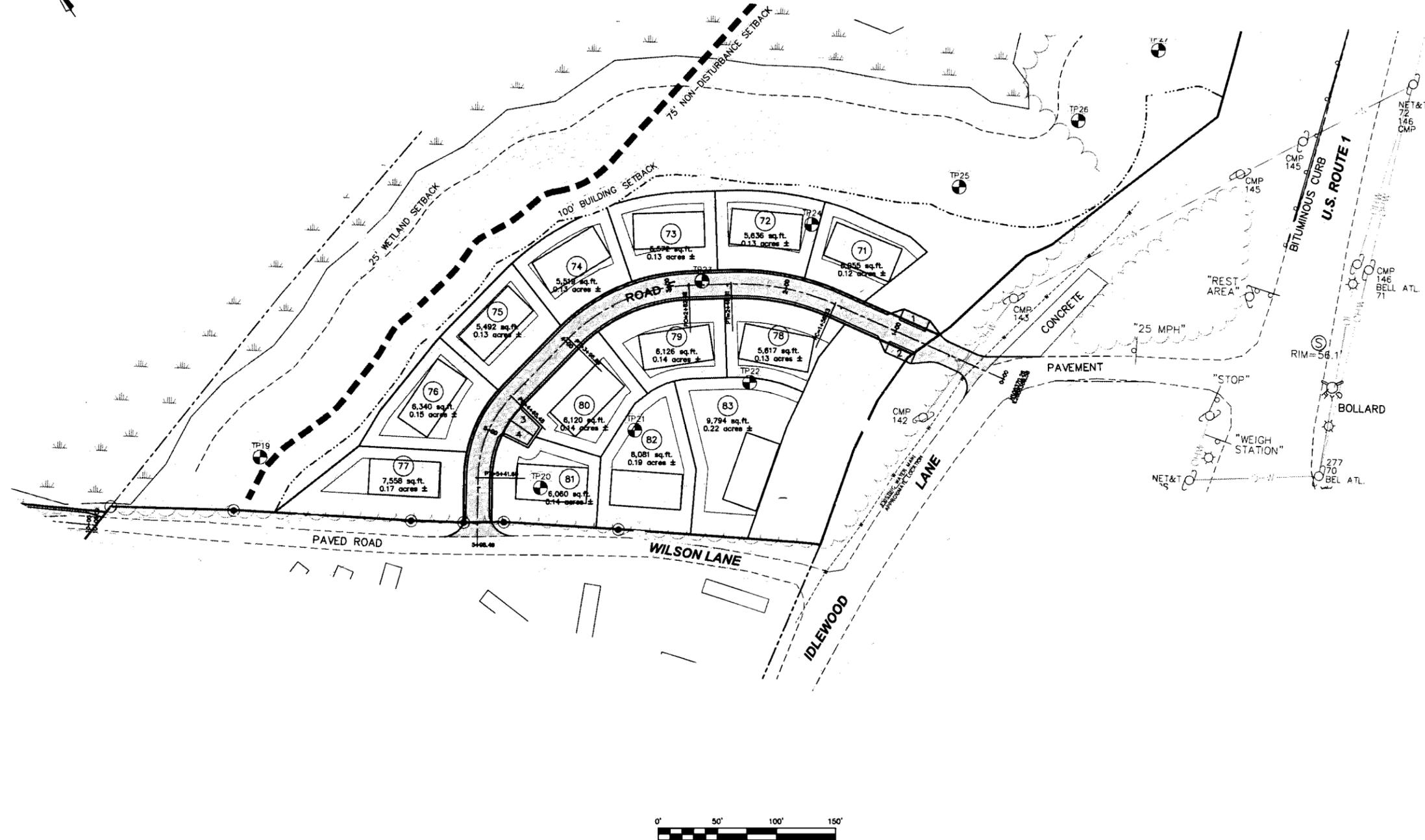
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 DATE 16 DECEMBER 2011  
 CHECKED  
 APPROVED  
 SCALE 1"=50'

SHEET TITLE:  
 MOBILE HOME  
 PARK WEST  
 SKETCH PLAN

SHEET NUMBER:  
 SK2

SHEET SK2 of SK4  
 PROJECT # 06-684.02

TAX MAP 66 LOT 24 & 25



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Maine  
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NO.	REVISIONS	INT.	DATE
1			

YANKEE COMMONS  
MOBILE HOME PARK EXPANSION  
IDLEWOOD LANE/ U.S. ROUTE 1  
KITTEERY, MAINE

PREPARED FOR:  
GARY BEERS  
MAILING ADDRESS: 3 IDLEWOOD LANE, KITTEERY, ME 03904



DRAWN GDC/JAA CALC.

DATE 16 DECEMBER 2011

CHECKED

APPROVED

SCALE 1"=50'

SHEET TITLE:  
MOBILE HOME  
PARK EAST  
SKETCH PLAN

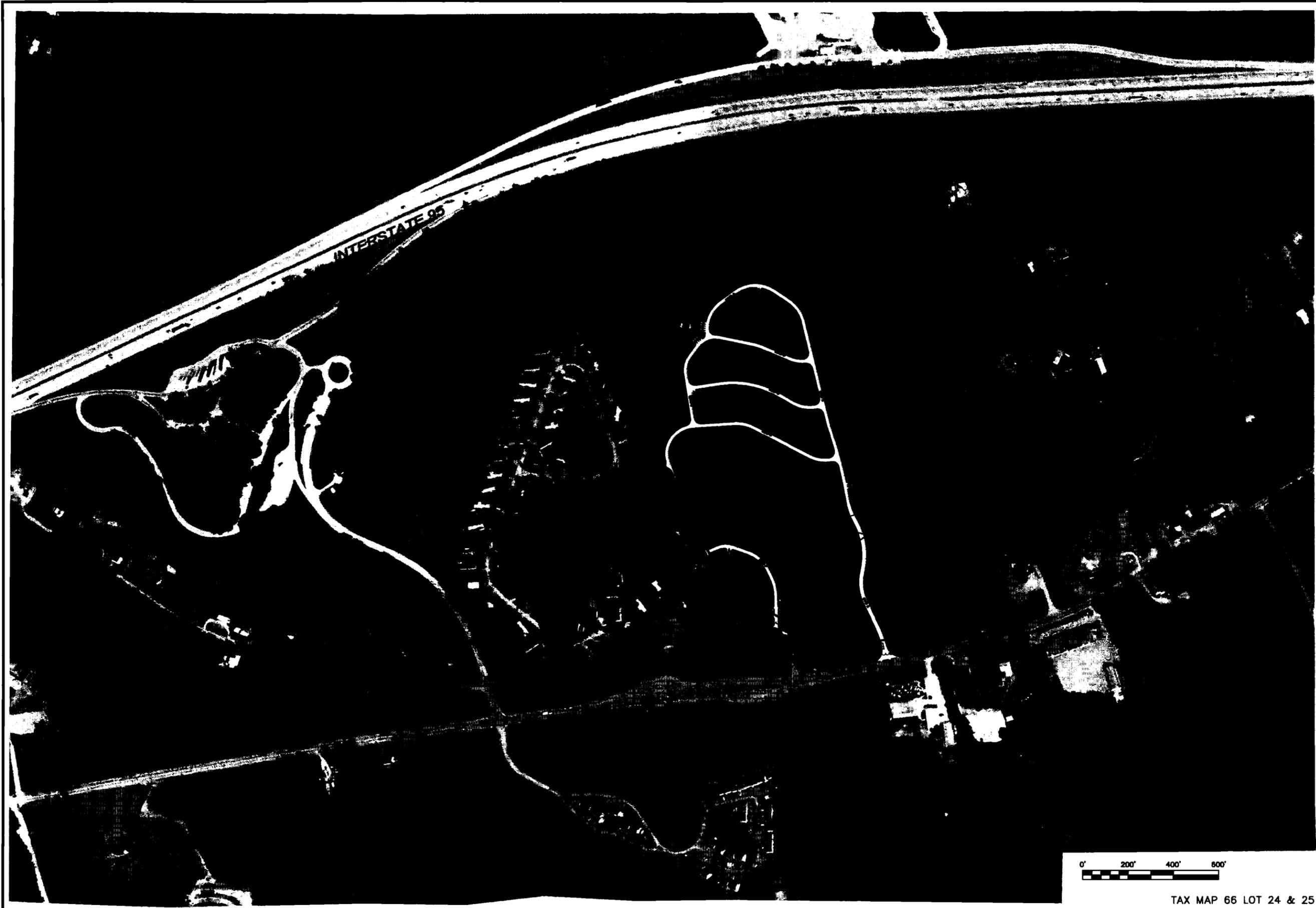
SHEET NUMBER:

SK3

SHEET SK3 of SK4

PROJECT # 06-684.02

TAX MAP 66 LOT 24 & 25



INTERSTATE 95

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 05068  
 207-364-2580  
 civcon@olvcn.com

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1			

**YANKEE COMMONS**  
 MOBILE HOME PARK EXPANSION  
 IDLEWOOD LANE/ U.S. ROUTE 1  
 KITTERY, MAINE  
 PREPARED FOR:  
 GARY BEERS  
 MAILING ADDRESS: 3 IDLEWOOD LANE, KITTERY, ME 03904

**CIVIL CONSULTANTS**  
 DRAWN: GDC/JAA CALC.  
 DATE: 16 DECEMBER 2011  
 CHECKED:  
 APPROVED:  
 SCALE: 1"=200'  
 SHEET TITLE:  
 -OVERALL  
 SITE PLAN  
 AERIAL PHOTO

SHEET NUMBER:  
**SK4**  
 SHEET SK4 of SK4  
 PROJECT # 06-684.02



TAX MAP 66 LOT 24 & 25

## **Section 5**

Initial Preliminary 21 Sheet Plan Set

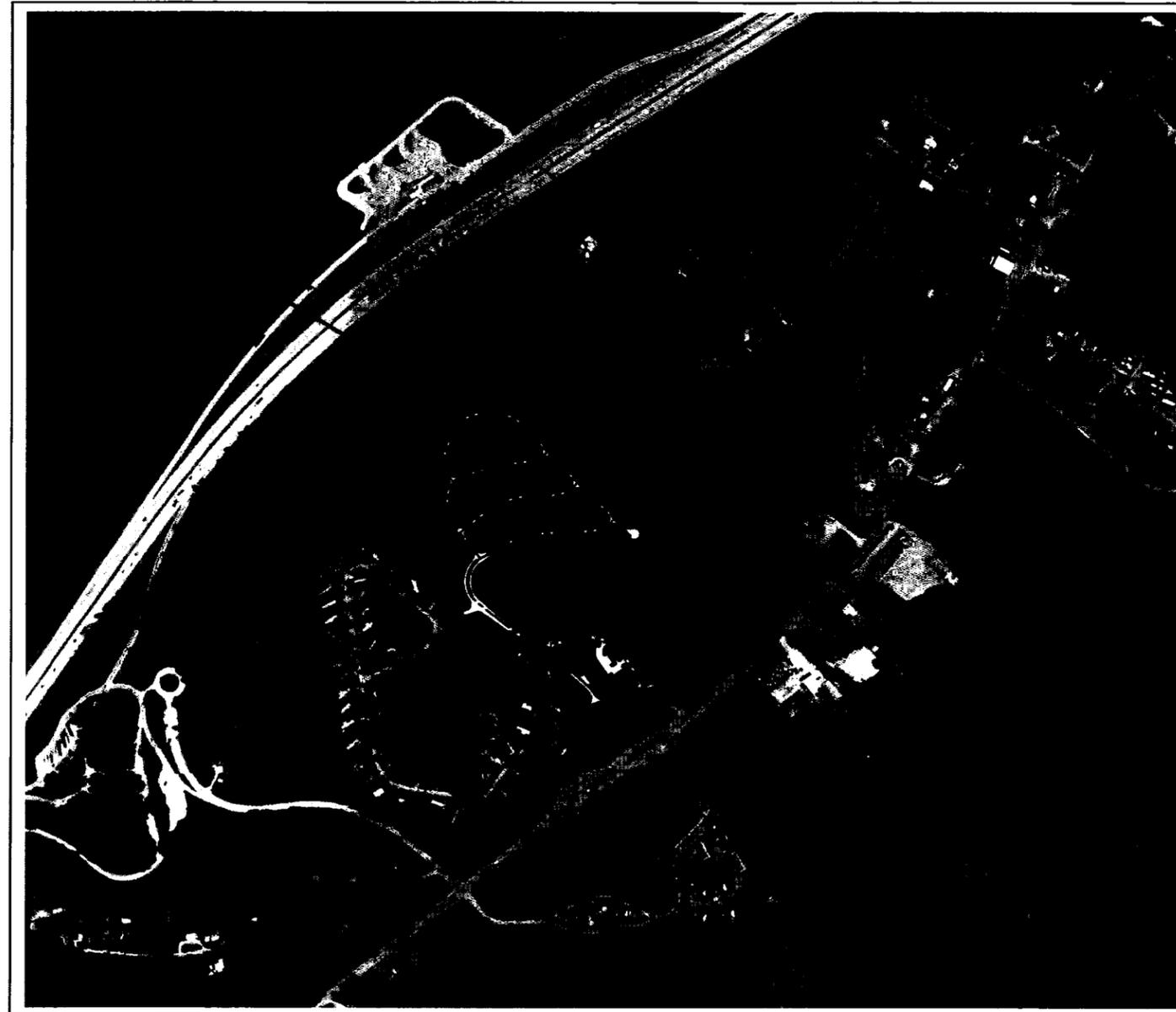
(not part of 4 September 2012 submission)



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CONSULTANTS

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**YANKEE COMMONS- MOBILE HOME PARK EXPANSION  
 IDLEWOOD LANE / US ROUTE 1  
 KITTERY, ME  
 SUBDIVISION APPLICATION**



LOCATION PLAN



<u>SHEET NUMBER</u>	<u>SHEET TITLE</u>
C1	EXISTING CONDITIONS PLAN
C2	OVERALL SITE PLAN
C3	GRADING & DRAINAGE PLAN
C4	GRADING & DRAINAGE PLAN
C5	UTILITY & UNDERDRAIN PLAN
C6	UTILITY & UNDERDRAIN PLAN
C7	GRASSED FILTER CONTROL STRUCTURES
C8	GRASSED FILTER SECTION & SCHEDULES
R1	ROADWAY A PLAN & PROFILE
R2	ROADWAY A PLAN & PROFILE
R3	ROADWAY B & C PLAN & PROFILE
R4	ROADWAY D PLAN & PROFILE
R5	ROADWAY E & F PLAN & PROFILE
R6	CONSTRUCTION DETAILS
R7	CONSTRUCTION DETAILS
R8	MAINTENANCE NOTES
L1	LANDSCAPE PLAN
L2	LANDSCAPE PLAN
ES	LIGHTING SITE PLAN
EP	OVERALL LIGHTING STUDY



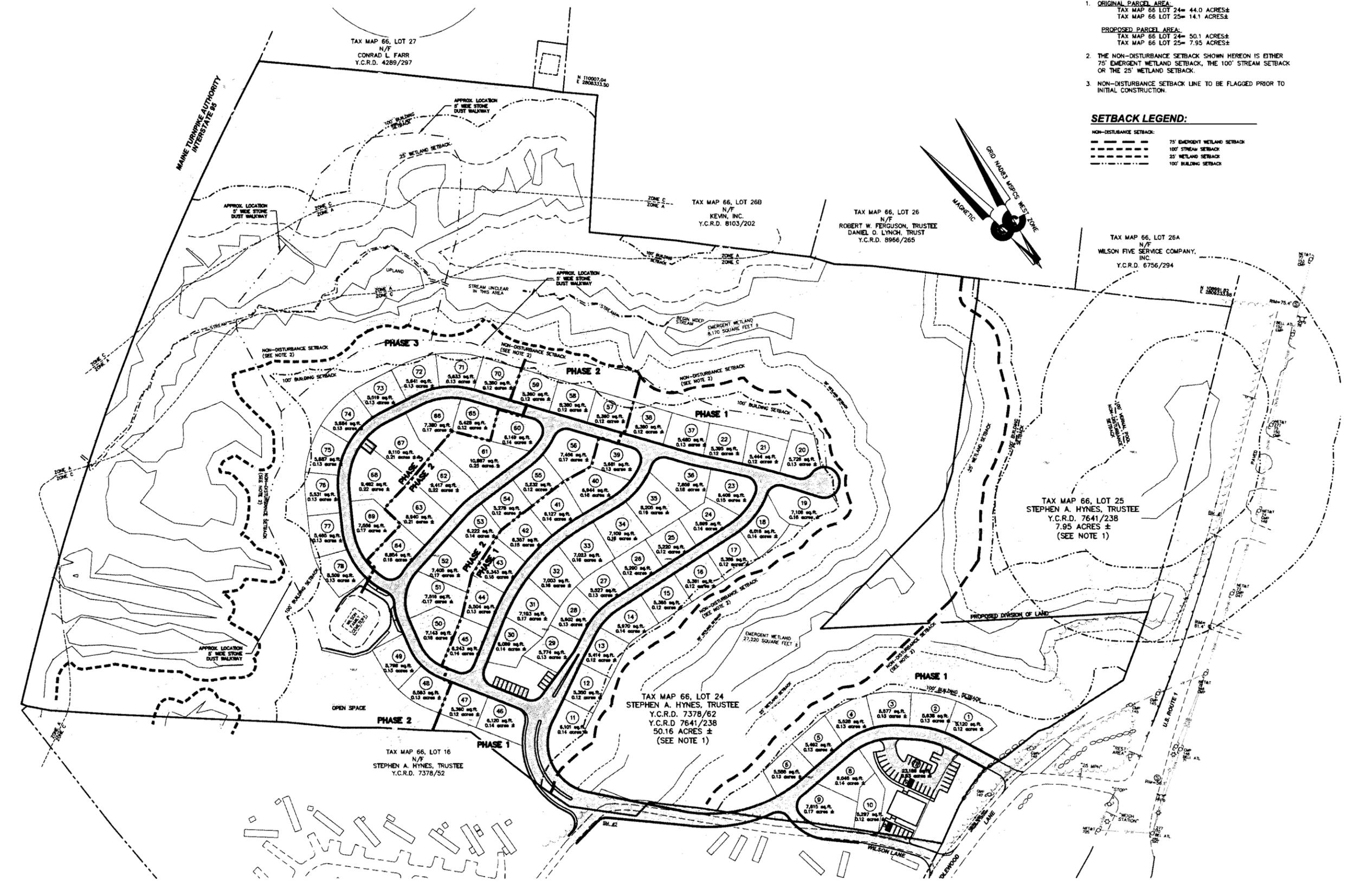
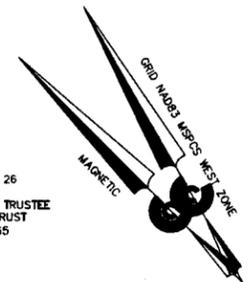
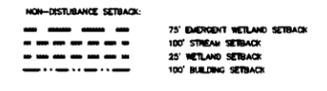
PREPARED FOR:  
**STEPHEN A. HYNES, TRUSTEE**  
**REAL PROPERTY TRUST AGREEMENT**



**NOTES:**

1. ORIGINAL PARCEL AREA:  
TAX MAP 66 LOT 24= 44.0 ACRES±  
TAX MAP 66 LOT 25= 14.1 ACRES±  
  
PROPOSED PARCEL AREA:  
TAX MAP 66 LOT 24= 50.1 ACRES±  
TAX MAP 66 LOT 25= 7.95 ACRES±
2. THE NON-DISTURBANCE SETBACK SHOWN HEREON IS EITHER 75' EMERGENT WETLAND SETBACK, THE 100' STREAM SETBACK OR THE 25' WETLAND SETBACK.
3. NON-DISTURBANCE SETBACK LINE TO BE FLAGGED PRIOR TO INITIAL CONSTRUCTION.

**SETBACK LEGEND:**



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NO.	REVISIONS	INT.	DATE
1			

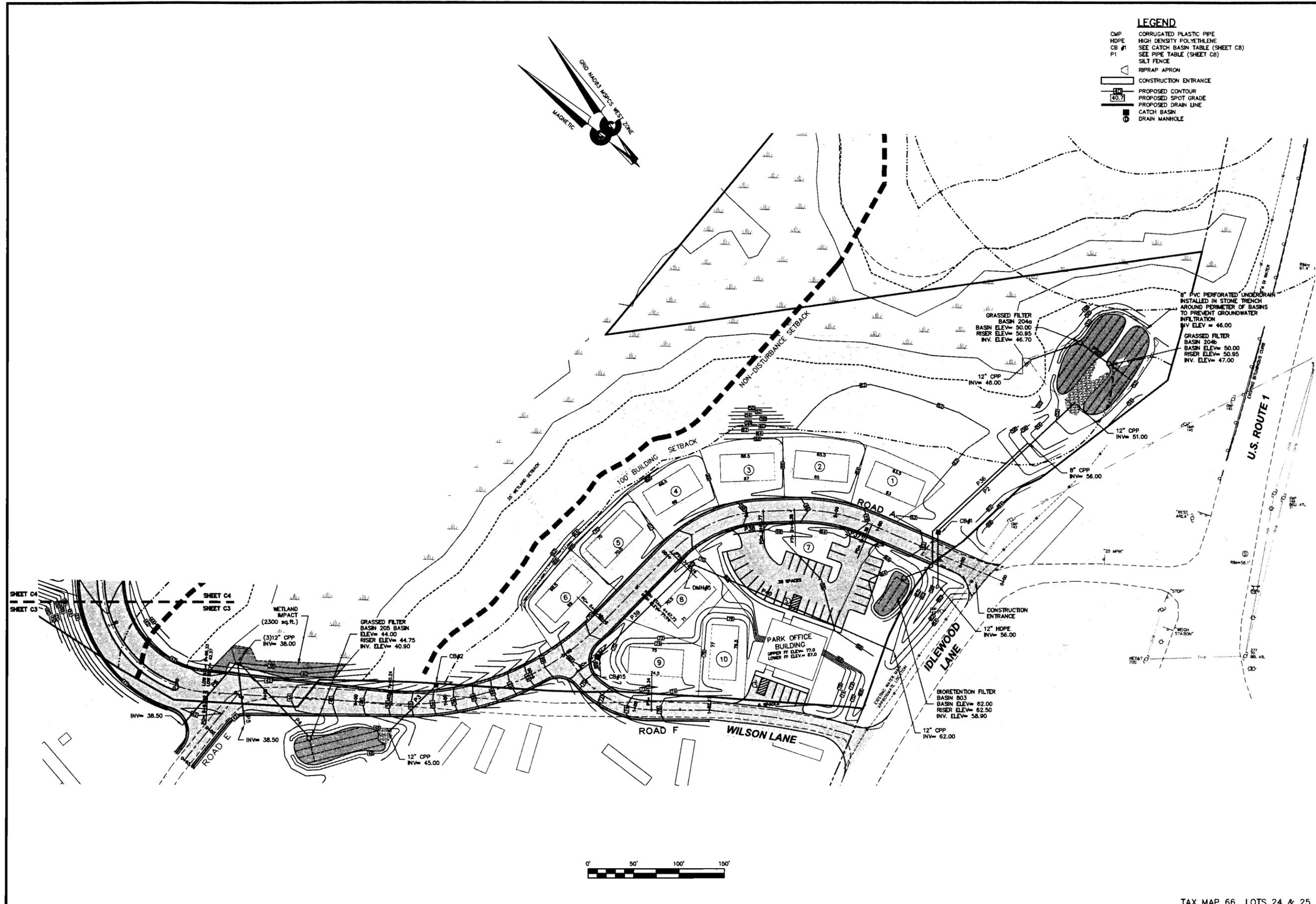
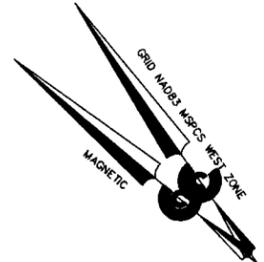
**YANKEE COMMONS  
MOBILE HOME PARK EXPANSION  
IDLEWOOD LANE/ U.S. ROUTE 1 KITTERY, MAINE**  
PREPARED FOR:  
**STEPHEN A. HYNES, TRUSTEE  
REAL PROPERTY TRUST AGREEMENT**  
MAILING ADDRESS: 1571 BELLEVUE AVE., SUITE 210 WEST UNCONOVER, B.C. VT048

**CIVIL CONSULTANTS**  
DRAWN GDC/JAA CALC.  
DATE  
CHECKED  
APPROVED  
SCALE 1"=100'  
SHEET TITLE:  
**OVERALL SITE PLAN**  
SHEET NUMBER:  
**C2**  
SHEET C2 of C8  
PROJECT # 06-684.02

TAX MAP 66 LOTS 24 & 25

**LEGEND**

- CMP CORRUGATED PLASTIC PIPE
- HDPE HIGH DENSITY POLYETHYLENE
- CB #1 SEE CATCH BASIN TABLE (SHEET C8)
- P1 SEE PIPE TABLE (SHEET C8)
- SILT FENCE
- RIPRAP APRON
- CONSTRUCTION ENTRANCE
- PROPOSED CONTOUR
- PROPOSED SPOT GRADE
- PROPOSED DRAIN LINE
- CATCH BASIN
- DRAIN MANHOLE



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NO.	REVISIONS	INT.	DATE

YANKEE COMMONS  
MOBILE HOME PARK EXPANSION  
IDLEWOOD LANE/ U.S. ROUTE 1 KITTERY, MAINE  
PREPARED FOR:  
STEPHEN A. HYNES, TRUSTEE  
REAL PROPERTY TRUST AGREEMENT  
MAILING ADDRESS: 1971 BELLEVUE AVE., SUITE 210 WEST WINDOVER, B.C. V7Y4B8

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DRAWN: CDC/JAA    CALC:

DATE:

CHECKED:

APPROVED:

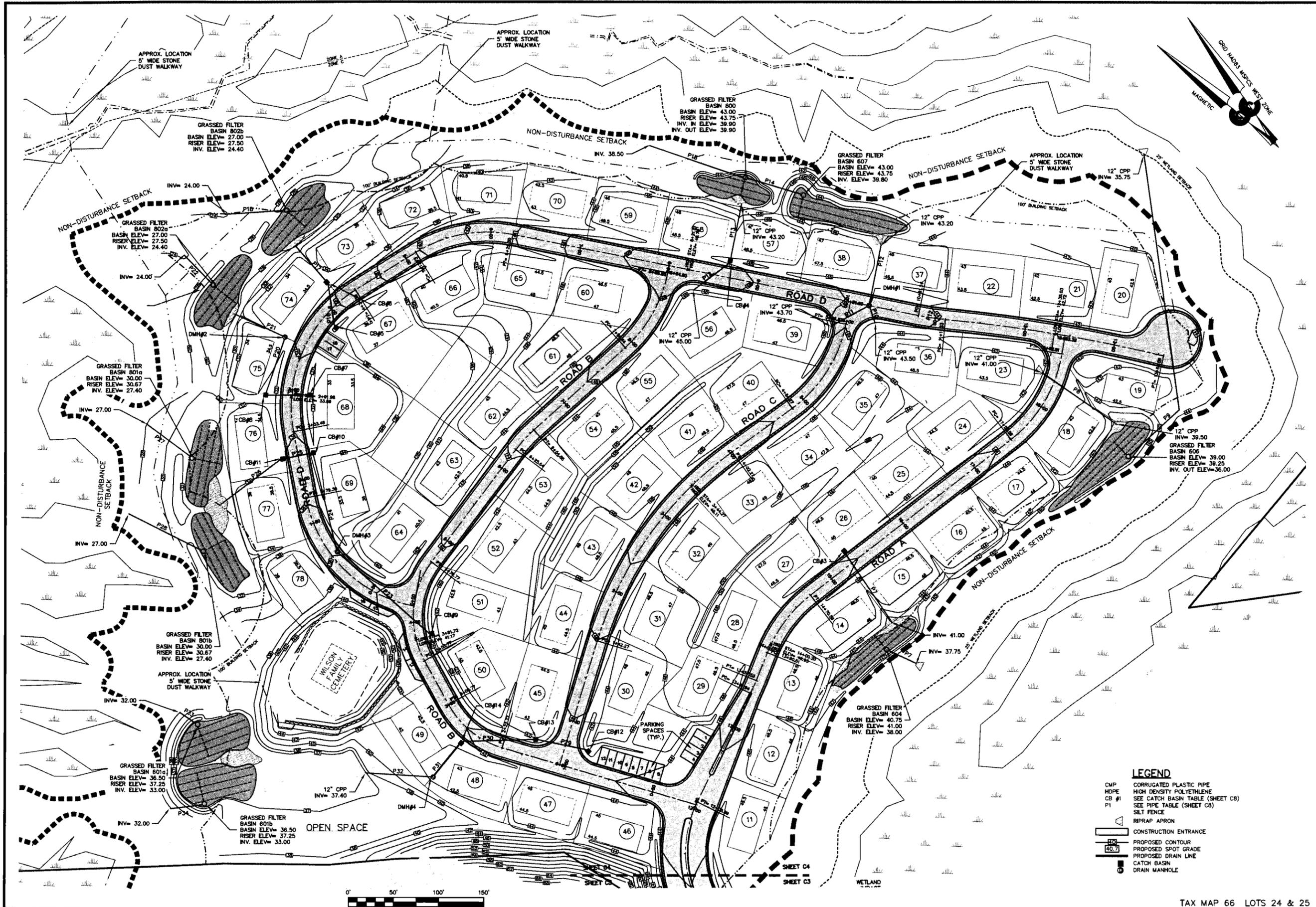
SCALE: 1"=50'

SHEET TITLE:  
GRADING & DRAINAGE PLAN

SHEET NUMBER:  
**C3**

SHEET C3 of C8

PROJECT # 06-684.02



GRID NORTH NAD83 WEST ZONE  
MAGNETIC

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NO.	REVISONS	DATE

**YANKEE COMMONS  
MOBILE HOME PARK EXPANSION**  
IDLEWOOD LANE/ U.S. ROUTE 1 KITTERY, MAINE  
PREPARED FOR:  
**STEPHEN A. HYNES, TRUSTEE**  
REAL PROPERTY TRUST AGREEMENT  
MAILING ADDRESS: 1571 BELLEVUE AVE., SUITE 210 WEST VANCOUVER, B.C. V7V1A6

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DRAWN: GDC/JAA    CALC.    DATE    CHECKED    APPROVED    SCALE: 1"=50'

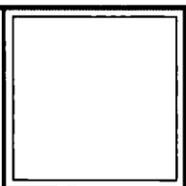
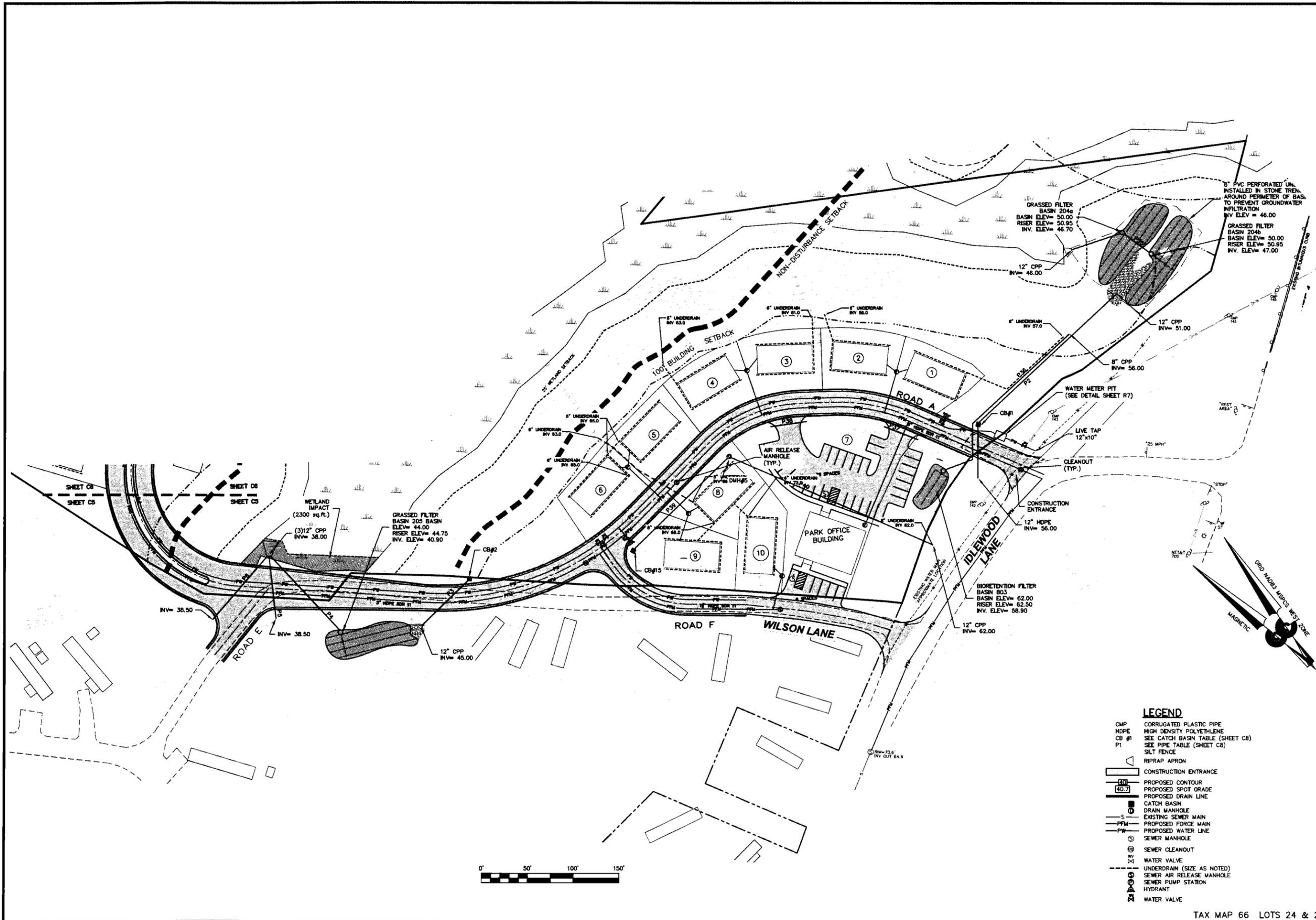
**LEGEND**  
 CMP CORRUGATED PLASTIC PIPE  
 HDPE HIGH DENSITY POLYETHYLENE  
 CB #1 SEE CATCH BASIN TABLE (SHEET C8)  
 P1 SEE PIPE TABLE (SHEET C8)  
 SILT FENCE  
 RIPRAP APRON  
 CONSTRUCTION ENTRANCE  
 PROPOSED CONTOUR  
 PROPOSED SPOT GRADE  
 PROPOSED DRAIN LINE  
 CATCH BASIN  
 DRAIN MANHOLE

**SHEET TITLE:  
GRADING &  
DRAINAGE PLAN**

SHEET NUMBER:  
**C4**

SHEET C4 of C8  
PROJECT # 06-684.02

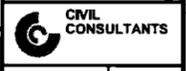
TAX MAP 66 LOTS 24 & 25  
DIRECTORY: \0668402\CARLSON\ENGINEERING\DRAWING    DWG NAME: 0668402E-ST-2C    DATE:



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 ccon@cihcon.com

NO.	REVISIONS	INT.	DATE

**YANKEE COMMONS  
 MOBILE HOME PARK EXPANSION  
 IDLEWOOD LANE/ U.S. ROUTE 1 KITTERY, MAINE**  
 PREPARED FOR:  
**STEPHEN A. HYNES, TRUSTEE  
 REAL PROPERTY TRUST AGREEMENT**  
 MAILING ADDRESS: 1571 BELLEVUE AVE. SUITE 210 WEST VANCOUVER, B.C. V7V1A6



DRAWN GDC/JAA CALC.  
 DATE  
 CHECKED  
 APPROVED

SCALE 1"=50'  
 SHEET TITLE:  
**UTILITY &  
 UNDERDRAIN  
 PLAN**

SHEET NUMBER:  
**C5**  
 SHEET C5 of C8  
 PROJECT # 06-684.02

- LEGEND**
- CMP CORRUGATED PLASTIC PIPE
  - HDPE HIGH DENSITY POLYETHYLENE
  - CB #1 SEE CATCH BASIN TABLE (SHEET C8)
  - P1 SEE PIPE TABLE (SHEET C8)
  - SILT FENCE
  - △ RIPRAP APRON
  - CONSTRUCTION ENTRANCE
  - 40.0 PROPOSED CONTOUR
  - 40.7 PROPOSED SPOT GRADE
  - PROPOSED DRAIN LINE
  - CATCH BASIN
  - DRAIN MANHOLE
  - EXISTING SEWER MAIN
  - PFM PROPOSED FORCE MAIN
  - PW PROPOSED WATER LINE
  - SEWER MANHOLE
  - SEWER CLEANOUT
  - WATER VALVE
  - UNDERDRAIN (SIZE AS NOTED)
  - SEWER AIR RELEASE MANHOLE
  - SEWER PUMP STATION
  - HYDRANT
  - WATER VALVE



NO.	REVISIONS	INT.	DATE

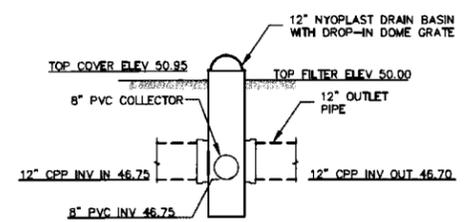
YANKEE COMMONS  
 MOBILE HOME PARK EXPANSION  
 IDLEWOOD LANE/ U.S. ROUTE 1 KITTERY, MAINE  
 PREPARED FOR:  
 STEPHEN A. HYNES, TRUSTEE  
 REAL PROPERTY TRUST AGREEMENT  
 MAILING ADDRESS: 1371 BELLEVUE AVE., SUITE 210 WEST VANCOUVER, B.C. V7V1K6

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DATE		
CHECKED		
APPROVED		
SCALE	AS NOTED	

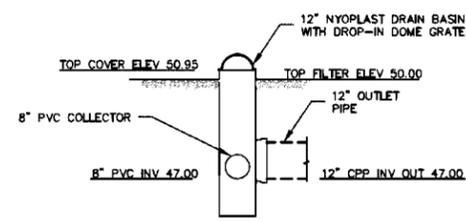
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SHEET NUMBER:  
C7

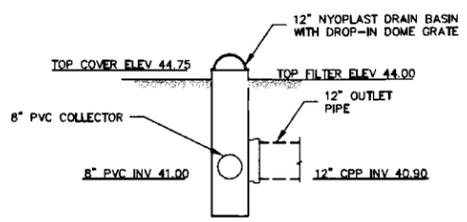
SHEET C7 of C8  
 PROJECT # 06-684.02



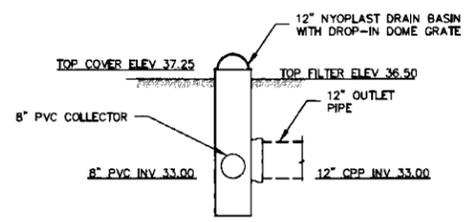
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 NOT TO SCALE



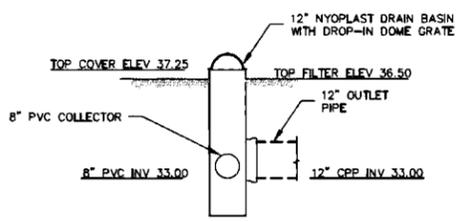
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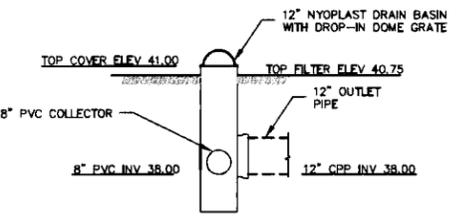
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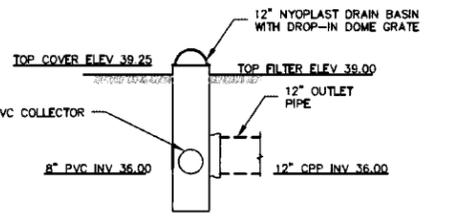
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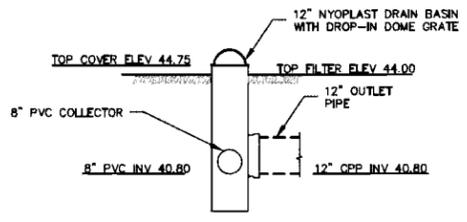
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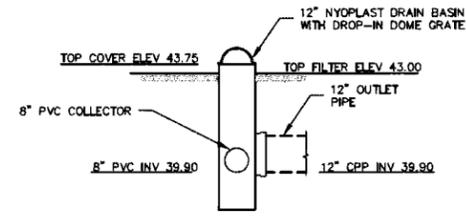
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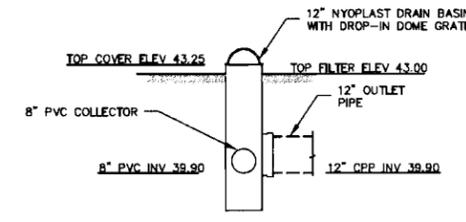
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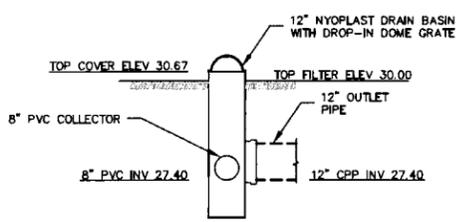
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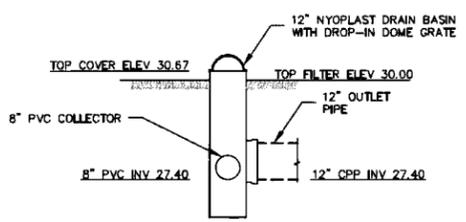
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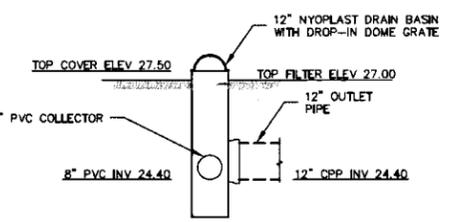
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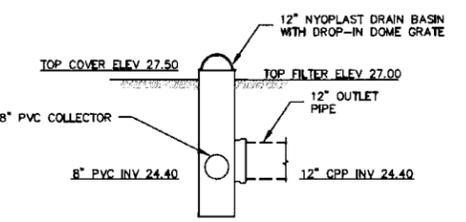
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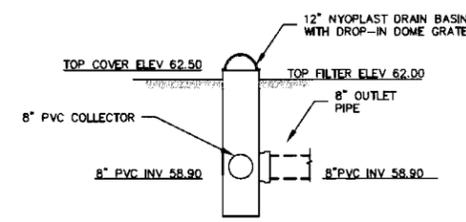
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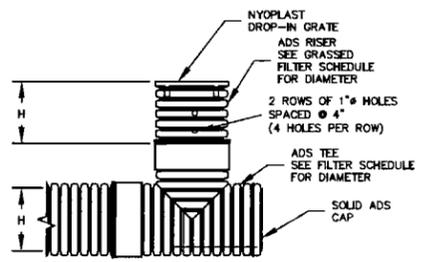
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 NOT TO SCALE



**GRASSED FILTER 802b CONTROL STRUCTURE**  
 NOT TO SCALE



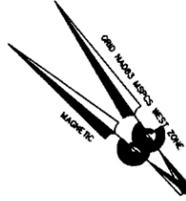
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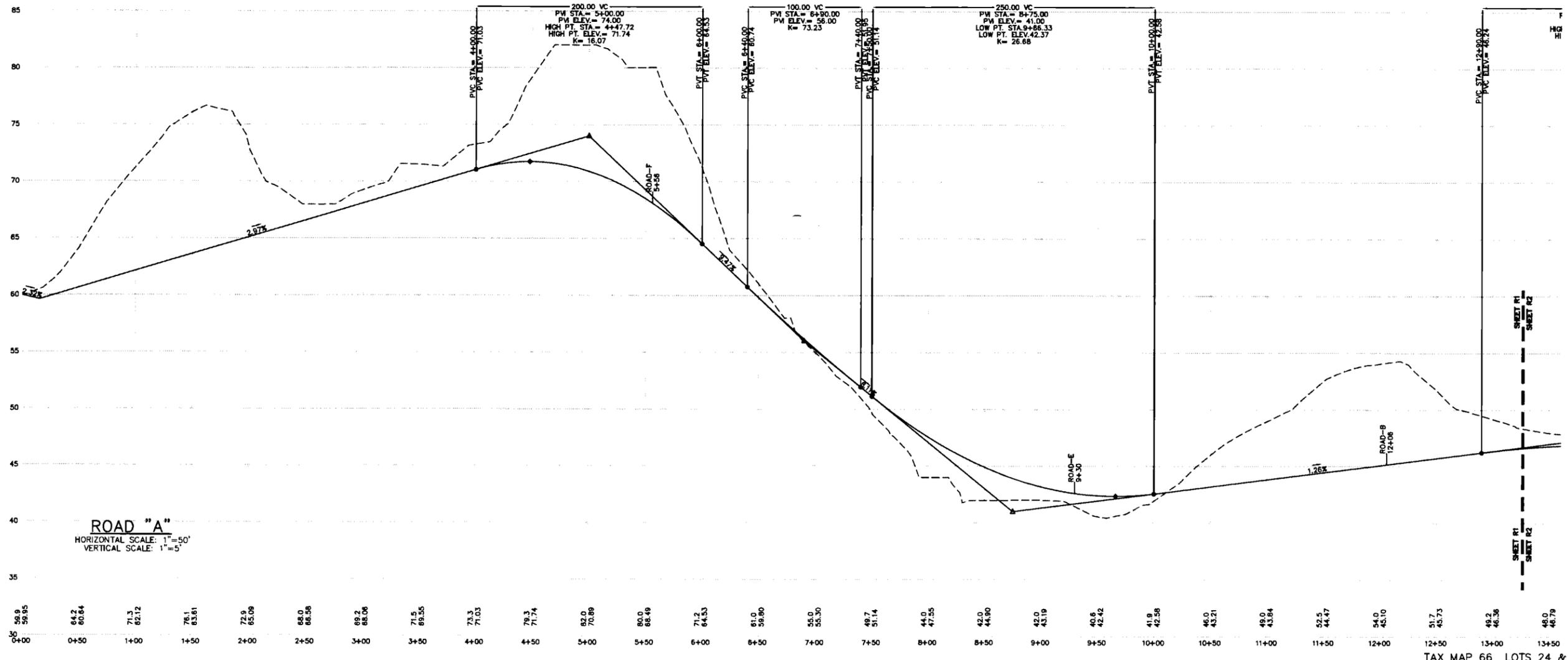
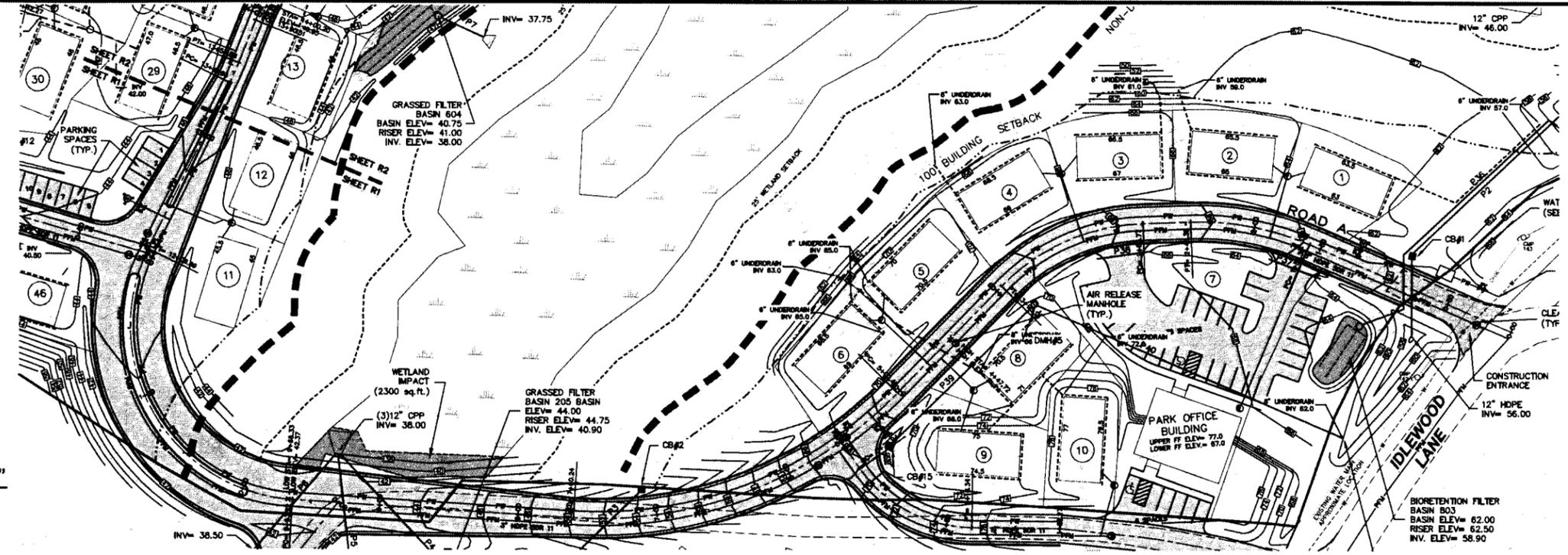
**TEMPORARY RISER DETAIL**  
 NOT TO SCALE

NOTE:  
 TEMPORARY RISER TO BE USED DURING CONSTRUCTION FOR SEDIMENT CONTROL TYPICAL FOR ALL LOTS PRIOR TO LOT DEVELOPMENT. RISER TO BE REPLACED WITH SOLID RISER WHEN INDIVIDUAL LOT IS DEVELOPED. CAPPED END OF TEE TO BE FACING FUTURE FILTER COLLECTOR. PERFORATE AS NEEDED TO ALLOW FOR COLLECTOR INSTALLATION UPON DEVELOPMENT OF CONTRIBUTING LOT. SEE GRASSED FILTER SCHEDULE FOR FINAL LAYOUT.

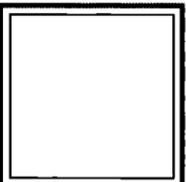




ROAD "A"  
SCALE: 1"=50'



ROAD "A"  
HORIZONTAL SCALE: 1"=50'  
VERTICAL SCALE: 1"=5'



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NO.	DATE	REVISIONS
1		

YANKEE COMMONS  
MOBILE HOME PARK EXPANSION  
IDLEWOOD LANE/ U.S. ROUTE 1 KITTERY, MAINE  
PREPARED FOR:  
STEPHEN A. HYNES, TRUSTEE  
REAL PROPERTY TRUST AGREEMENT  
MAILING ADDRESS: 1571 BELLEVUE AVE. SUITE 210 WEST VANCOUVER, B.C. V7V1A8

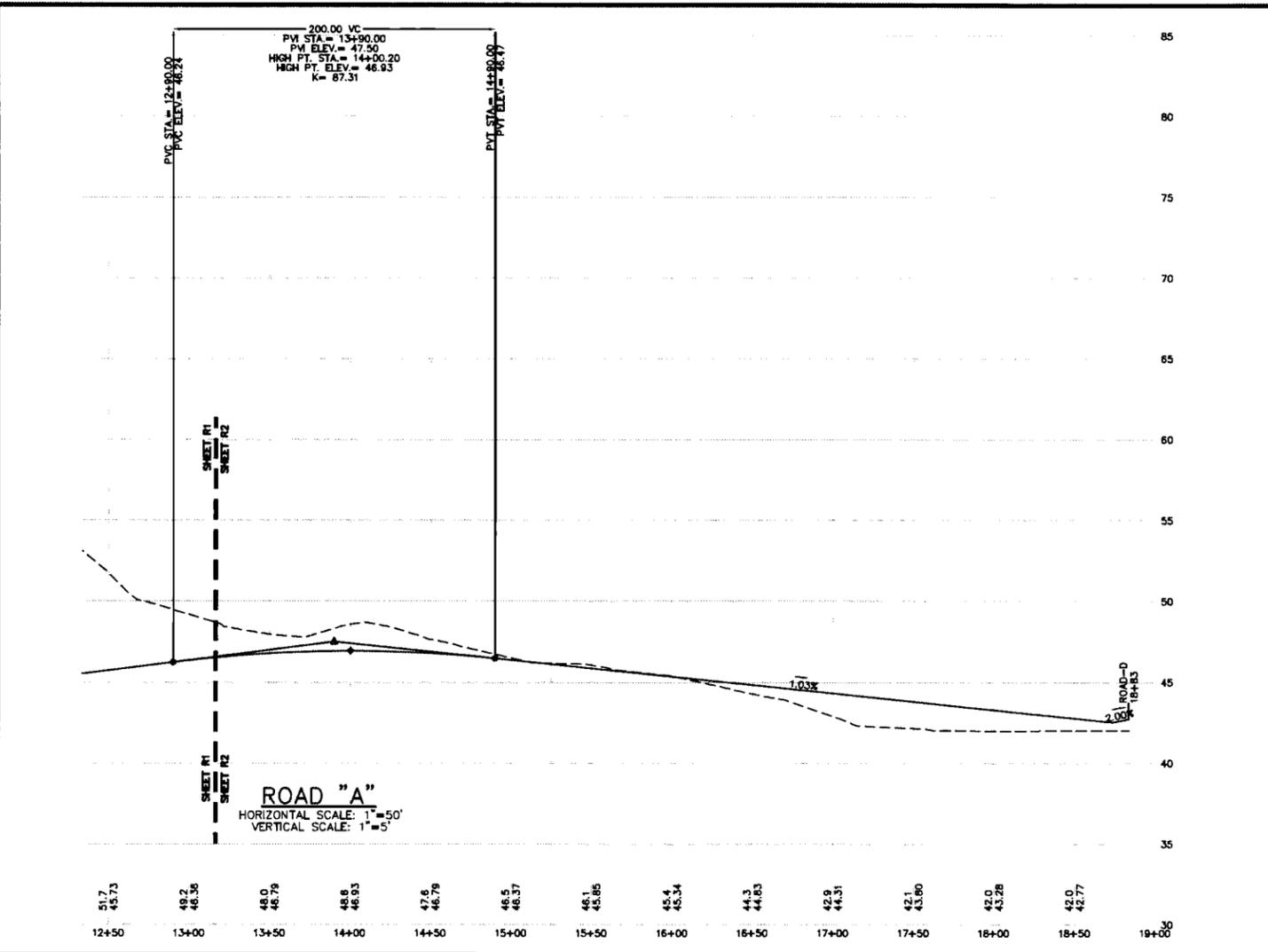
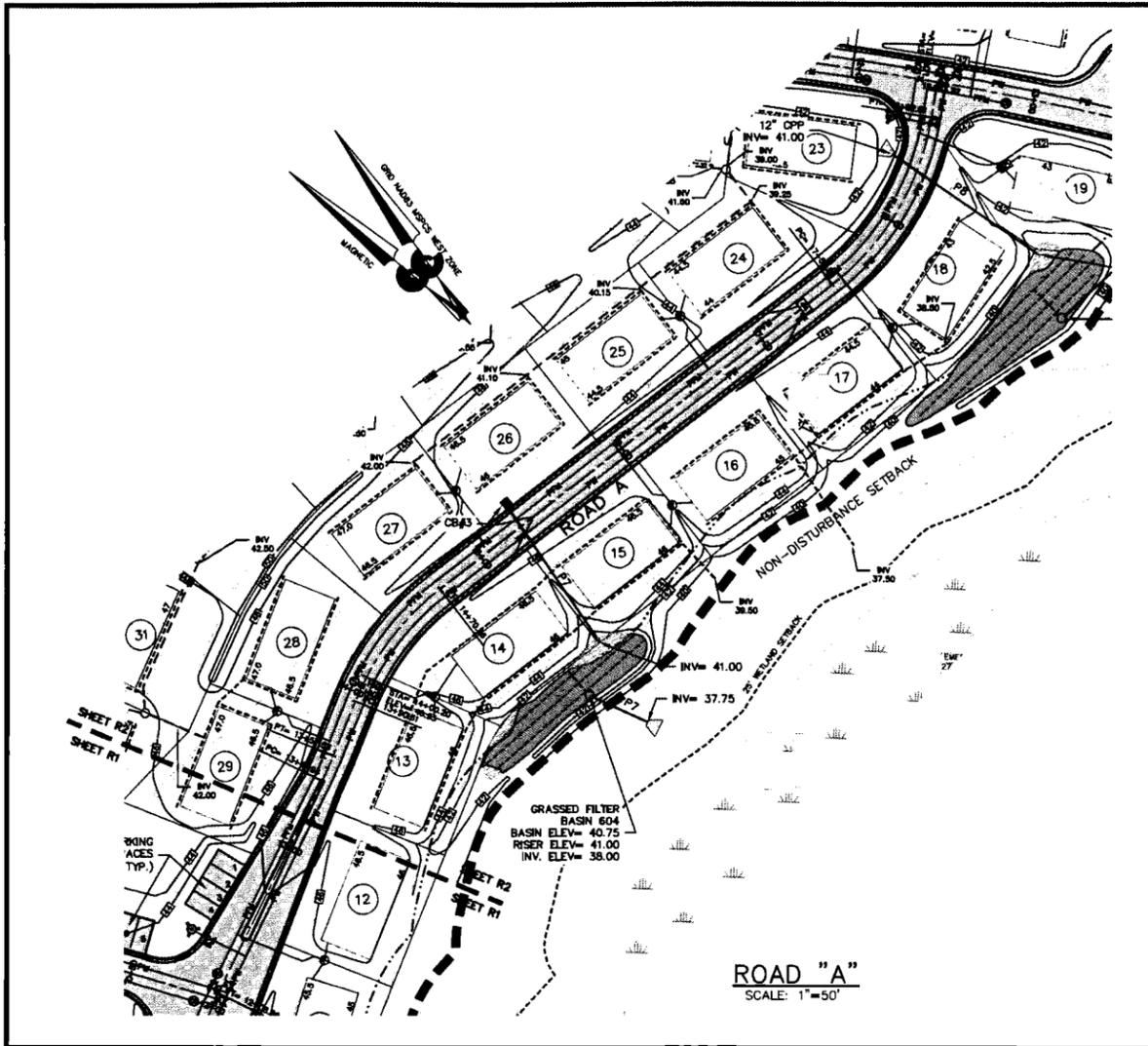


DRAWN GDC/JAA CALC.  
DATE  
CHECKED  
APPROVED  
SCALE AS NOTED

SHEET TITLE  
ROADWAY PLAN  
& PROFILE  
ROAD A

SHEET NUMBER:  
**R1**

SHEET R1 of R8  
PROJECT # 06-684.02



### CONSTRUCTION SEQUENCE

THE GENERAL SEQUENCE OF EVENTS FOR THE DEVELOPMENT OF THE SITE WILL BE AS FOLLOWS:

- PRIOR TO COMMENCING ANY OPERATION ON THE SITE:
  - A PRE-CONSTRUCTION MEETING SHALL BE REQUIRED.
  - SATISFACTORY SURETY SHALL BE PLACED WITH THE TOWN AND/OR HAY BALE BARRIER AS INDICATED.
- CLEAR AND GRUB SITE AS REQUIRED. UPON GRUBBING OF THE FIRST 150' OF ROADWAY, THE CONSTRUCTION ENTRANCE SHALL BE INSTALLED.
- CONSTRUCT BIOTRETENTION CELLS AND STORMWATER CONTROL STRUCTURES. ADEQUATE SEDIMENTATION CONTROL SHALL BE EMPLOYED TO PROTECT THE BIOTRETENTION CELLS UNTIL STABILIZATION.
- STRAW BALE CATCH BASIN STRUCTURES TO BE MAINTAINED AT ALL CATCH BASINS UNTIL VEGETATION IS ESTABLISHED.
- UTILITY AND ROADWAY CONSTRUCTION SHALL PROCEED IN CONJUNCTION WITH LOT DEVELOPMENT.
- SHAPE, LOAM AND SEED ROADWAY SIDE SLOPES, BIOTRETENTION AREAS AND ANY DISTURBED AREAS.
- AFTER GRASS HAS BEEN ESTABLISHED ON DISTURBED AREAS, CLEAN, REPAIR AND RESEED AS REQUIRED.
- INSTALL SURFACE PAVEMENT.
- ALL CONSTRUCTION AND MATERIALS SHALL BE IN ACCORDANCE WITH APPLICABLE TOWN STANDARDS. INSPECTION SHALL BE REQUIRED DURING CONSTRUCTION.

ROAD INTERSECTIONS			
ROAD	STA.	NORTHING	EASTING
IDLEWOOD LANE/ ROAD A	0+00	108370.26	2808388.58
ROAD A/ ROAD F	5+56	108582.51	2807947.81
ROAD A/ ROAD E	9+30	108753.74	2807625.78
ROAD A/ ROAD B	12+06	108879.94	2807614.67
ROAD A/ ROAD D	18+83	108169.44	2808244.21
ROAD B/ ROAD C	1+37	1082102.40	2807516.58
ROAD B/ ROAD D	4+18	108337.46	2807484.45
ROAD B/ ROAD D	8+45	108483.12	2807929.76
ROAD C/ ROAD D	6+22	108335.81	2808070.99

Centerline Report  
 Centerline File: J:\proj\2006\0668402\Carlson\Engineering\Draws\ROAD-A.d  
 Wed Mar 14 11:42:40 2012

Station	Northing	Easting	Bearing	Distance
0+00.000	108370.262	2808388.583	N 31°41' W	158.361'
1+58.361	108504.884	2808306.185	PC	
Radius:	106286.558	2808126.187	Radius Length:	200.000'
PI:	108549.812	2808332.827	2+03.085	Tangent: 44.734'
Arc Len:	85.018'	Delta:	251°25'0" Left	Degree: 28°38'52"
Chord Len:	87.319'	N 42°32'0" W	Chord Brg	
Road-In:	S 88°31'0" W	Road-Out:	S 33°02'3" E	
Tangent-In:	44.734'	Tangent-Out:	44.734'	
2+03.085	108617.200	2808245.113	PT	
2+40.771	108688.014	2808218.272	PC	N 56°59'57" W 34.361'
Radius:	106480.222	2808134.582	Radius Length:	150.000'
PI:	108618.779	2808165.831	3+40.820	Tangent: 60.146'
Arc Len:	114.406'	Delta:	43°42'0" Left	Degree: 38°11'50"
Chord Len:	111.855'	N 78°50'38" W	Chord Brg	
Road-In:	S 33°02'3" W	Road-Out:	S 10°41'40" E	
Tangent-In:	60.146'	Tangent-Out:	60.146'	
3+40.820	108670.817	2808108.727	PT	S 79°16'20" W 107.278'
3+42.457	108687.709	2808001.313	PC	
Radius:	106885.499	2807945.841	Radius Length:	300.000'
PI:	108692.202	2807898.247	4+38.810	Tangent: 137.453'
Arc Len:	257.780'	Delta:	49°13'58" Right	Degree: 19°05'55"
Chord Len:	248.822'	N 78°54'42" W	Chord Brg	
Road-In:	N 10°41'40" W	Road-Out:	N 38°32'17" E	
Tangent-In:	137.453'	Tangent-Out:	137.453'	
4+38.810	108617.840	2807798.732	PT	
4+63.217	108774.303	2807999.981	PC	N 51°27'43" W 202.980'
Radius:	108673.078	2807877.840	Radius Length:	125.000'
PI:	108691.094	2807843.335	5+40.072	Tangent: 187.455'
Arc Len:	245.871'	Delta:	112°58'2" Right	Degree: 49°50'12"
Chord Len:	207.997'	N 04°50'30" E	Chord Brg	
Road-In:	N 38°32'17" E	Road-Out:	S 28°51'17" E	
Tangent-In:	187.455'	Tangent-Out:	187.455'	
5+40.072	108681.508	2807817.516	PT	N 61°58'43" E 133.048'
5+41.936	108645.786	2807734.046	PC	
Radius:	106220.935	2807637.527	Radius Length:	200.000'
PI:	108646.532	2807740.880	13+40.738	Tangent: 7.803'
Arc Len:	15.999'	Delta:	04°28'07" Left	Degree: 28°38'52"
Chord Len:	15.595'	N 38°54'38" E	Chord Brg	
Road-In:	N 28°51'17" W	Road-Out:	S 33°02'3" W	
Tangent-In:	7.803'	Tangent-Out:	7.803'	
13+40.738	108653.819	2807747.400	PT	
13+40.514	108671.837	2807774.957	PC	N 86°40'35" E 32.879'
Radius:	108646.589	2807827.362	Radius Length:	150.000'
PI:	108694.481	2807806.218	14+31.515	Tangent: 41.002'
Arc Len:	80.048'	Delta:	42°54'58" Right	Degree: 38°11'50"
Chord Len:	79.102'	N 71°57'32" E	Chord Brg	
Road-In:	S 33°02'3" W	Road-Out:	S 02°44'51" E	
Tangent-In:	41.002'	Tangent-Out:	41.002'	
14+31.515	108686.427	2807850.172	PT	N 87°15'00" E 279.895'
14+50.558	109109.848	2808129.845	PC	
Radius:	106226.875	2808122.855	Radius Length:	150.000'
PI:	109112.874	2808198.737	18+09.816	Tangent: 68.880'
Arc Len:	112.354'	Delta:	42°54'58" Left	Degree: 38°11'50"
Chord Len:	106.746'	N 8°47'40" E	Chord Brg	
Road-In:	N 02°44'51" W	Road-Out:	N 43°29'42" W	
Tangent-In:	68.880'	Tangent-Out:	68.880'	
18+09.816	109154.840	2808238.242	PT	
18+43.318	109189.442	2808244.205	PC	N 44°20'11" E 20.408'

Centerline Report  
 Centerline File: J:\proj\2006\0668402\Carlson\Engineering\Draws\ROAD-B.d  
 Wed Mar 14 11:48:31 2012

Station	Northing	Easting	Bearing	Distance
0+00.000	108979.940	2807814.888	N 38°41'34" W	222.777'
2+22.773	109153.817	2807745.403	PC	
Radius:	109216.331	2807533.454	Radius Length:	100.000'
PI:	109185.897	2807448.708	2+43.875	Tangent: 41.002'
Arc Len:	77.964'	Delta:	44°41'13" Right	Degree: 57°17'45"
Chord Len:	78.033'	N 18°20'58" W	Chord Brg	
Road-In:	N 51°18'25" E	Road-Out:	S 84°00'18" E	
Tangent-In:	41.002'	Tangent-Out:	41.002'	
2+43.875	109258.778	2807454.001	PT	
3+40.767	109258.778	2807454.001	PC	N 00°59'41" E 55.000'
Radius:	109271.030	2807529.188	Radius Length:	100.000'
PI:	109345.924	2807468.513	3+40.572	Tangent: 84.800'
Arc Len:	115.000'	Delta:	50°52'32" Right	Degree: 57°17'45"
Chord Len:	108.787'	N 38°58'24" E	Chord Brg	
Road-In:	S 84°00'18" E	Road-Out:	S 18°06'54" E	
Tangent-In:	84.800'	Tangent-Out:	84.800'	
3+40.572	109358.074	2807328.106	PT	N 71°57'08" E 154.870'
3+42.638	109414.227	2807875.299	PC	
Radius:	109271.862	2807725.538	Radius Length:	100.000'
PI:	109418.782	2807868.225	4+40.389	Tangent: 14.851'
Arc Len:	29.210'	Delta:	11°30'27" Right	Degree: 38°11'50"
Chord Len:	28.164'	N 77°27'50" E	Chord Brg	
Road-In:	S 18°06'54" E	Road-Out:	S 08°57'27" E	
Tangent-In:	14.851'	Tangent-Out:	14.851'	
4+40.389	109450.507	2807703.788	PT	
4+40.640	109436.882	2807838.363	PC	N 83°07'33" E 135.592'
Radius:	109585.877	2807820.192	Radius Length:	150.000'
PI:	109443.033	2807887.847	5+40.393	Tangent: 49.855'
Arc Len:	98.440'	Delta:	38°50'13" Left	Degree: 38°11'50"
Chord Len:	94.788'	N 64°37'28" E	Chord Brg	
Road-In:	N 83°07'33" E	Road-Out:	N 43°47'42" W	
Tangent-In:	49.855'	Tangent-Out:	49.855'	
5+40.393	109477.604	2807924.004	PT	
5+40.848	109483.118	2807928.755	PC	N 48°12'18" E 7.988'

Centerline Report  
 Centerline File: J:\proj\2006\0668402\Carlson\Engineering\Draws\ROAD-C.d  
 Wed Mar 14 11:51:24 2012

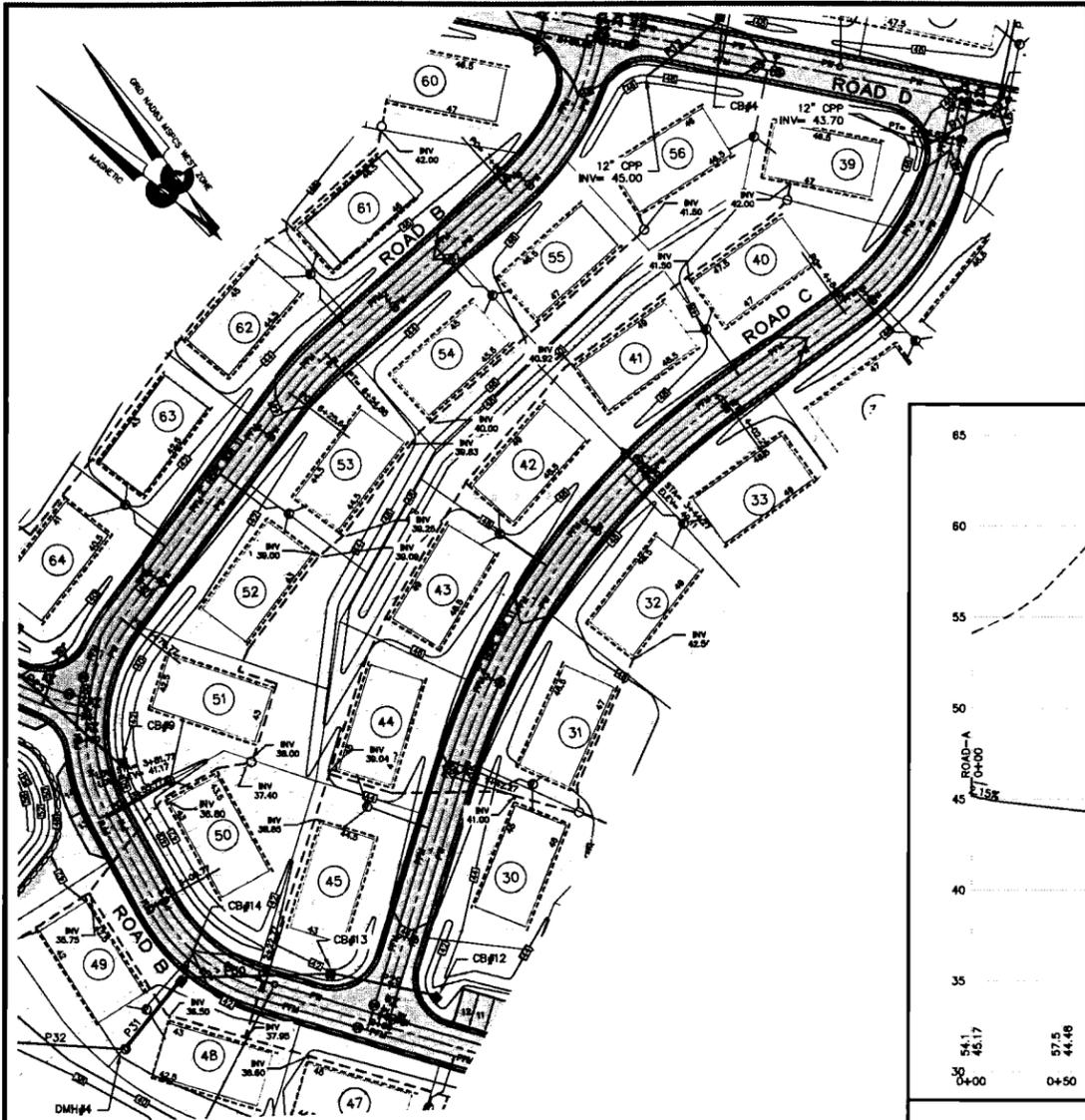
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0+00.000	109102.403	2807518.582	N 51°53'28" E	142.287'
1+42.287	109190.206	2807828.523	PC	
Radius:	108875.473	2807875.389	Radius Length:	400.000'
PI:	109273.387	2807734.371	2+77.848	Tangent: 134.779'
Arc Len:	280.000'	Delta:	37°14'32" Right	Degree: 14°19'26"
Chord Len:	255.447'	N 70°20'42" E	Chord Brg	
Road-In:	S 38°54'38" E	Road-Out:	S 00°52'02" E	
Tangent-In:	134.779'	Tangent-Out:	134.779'	
2+77.848	109258.778	2807868.335	PT	
4+40.287	109278.888	2807901.325	PC	N 86°07'58" E 82.000'
Radius:	109425.851	2807948.058	Radius Length:	150.000'
PI:	109277.562	2808010.401	5+43.350	Tangent: 58.083'
Arc Len:	112.567'	Delta:	42°58'19" Left	Degree: 38°11'50"
Chord Len:	108.944'	N 87°38'02" E	Chord Brg	
Road-In:	N 00°52'02" W	Road-Out:	N 43°51'53" W	
Tangent-In:	58.083'	Tangent-Out:	58.083'	
5+43.350	109318.504	2808052.989	PT	
6+21.801	109335.805	2808070.999	PC	N 48°08'07" E 24.987'

Centerline Report  
 Centerline File: J:\proj\2006\0668402\Carlson\Engineering\Draws\ROAD-D.d  
 Wed Mar 14 11:52:48 2012

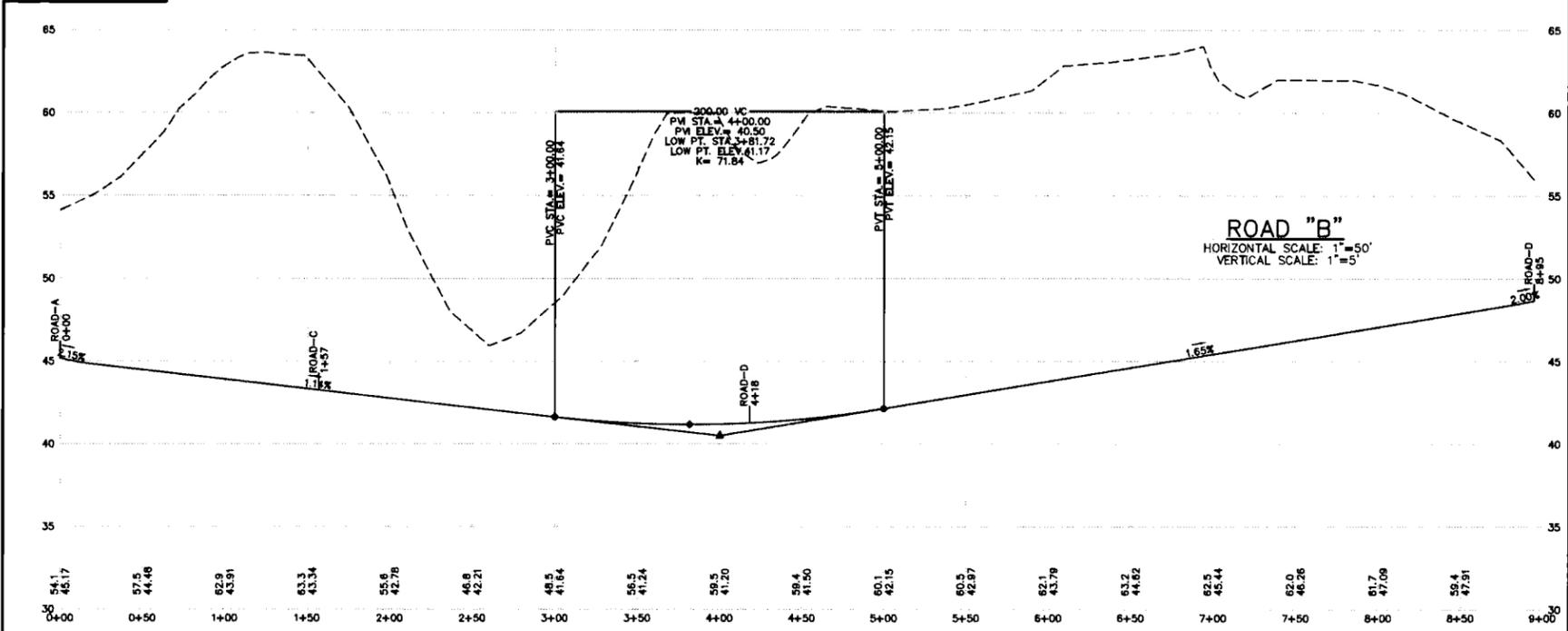
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0+00.000	109137.458	2807484.448		
Radius:	109462.207	2807591.728	Radius Length:	150.000'
PI:	109410.485	2807413.083	1+02.108	Tangent: 102.108'
Arc Len:	178.307'	Delta:	88°29'18" Right	Degree: 38°11'50"
Chord Len:	168.815'	N 10°20'58" W	Chord Brg	
Road-In:	N 45°38'32" E	Road-Out:	S 83°51'12" E	
Tangent-In:	102.108'	Tangent-Out:	102.108'	
1+02.108	109503.858	2807454.853	PT	
2+53.477	109671.344	2807485.187	PC	N 24°08'48" E 74.177'
Radius:	109509.883	2807822.072	Radius Length:	150.000'
PI:	109665.525	2807827.418	3+40.688	Tangent: 103.212'
Arc Len:	180.804'	Delta:	89°53'43" Right	Degree: 38°11'50"
Chord Len:	170.058'	N 58°07'40" E	Chord Brg	
Road-In:	S 83°51'12" E	Road-Out:	S 03°12'31" W	
Tangent-In:	103.212'	Tangent-Out:	103.212'	
3+40.688	109656.748	2807530.465	PT	S 86°47'28" E 78.450'
5+12.731	109855.357	2807708.785	PC	
Radius:	109855.357	2807708.785	Radius Length:	150.000'
PI:	109852.050	2807787.783	5+71.812	Tangent: 26.081'
Arc Len:	112.584'	Delta:	42°58'48" Right	Degree: 38°11'50"
Chord Len:	109.841'	S 85°17'35" E	Chord Brg	
Road-In:	S 03°12'31" W	Road-Out:	S 46°12'18" E	
Tangent-In:	26.081'	Tangent-Out:	26.081'	
5+71.812	109856.404	2807808.672	PT	
10+81.328	108280.296	2808124.221	PC	S 43°47'42" E 455.843'
Radius:	109447.820	2808340.767	Radius Length:	300.000'
PI:	109289.481	2808136.610	10+98.246	Tangent: 15.011'
Arc Len:	281.997'	Delta:	89°45'44" Left	Degree: 19°05'55"
Chord Len:	28.984'	S 45°29'34" E	Chord Brg	
Road-In:	N 46°12'18" E	Road-Out:	N 40°28'24" E	
Tangent-In:	15.011'	Tangent-Out:	15.011'	
10+98.246	109258.717	2808148.028	PT	
10788.448	109258.717	2808148.028	PC	Radius Length: 1800.000'
PI:	109180.132	2808238.290	12+33.837	Tangent: 122.803'
Arc Len:	244.827'	Delta:	07°57'20" Right	Degree: 03°10'58"
Chord Len:	244.830'	S 40°27'38" E	Chord Brg	
Road-In:	S 40°28'24" W	Road-Out:	S 48°16'09" W	
Tangent-In:	122.803'	Tangent-Out:	122.803'	
12+33.837	109088.636	2808238.290	PT	

Centerline Report  
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 Wed Mar 14 11:56:09 2012

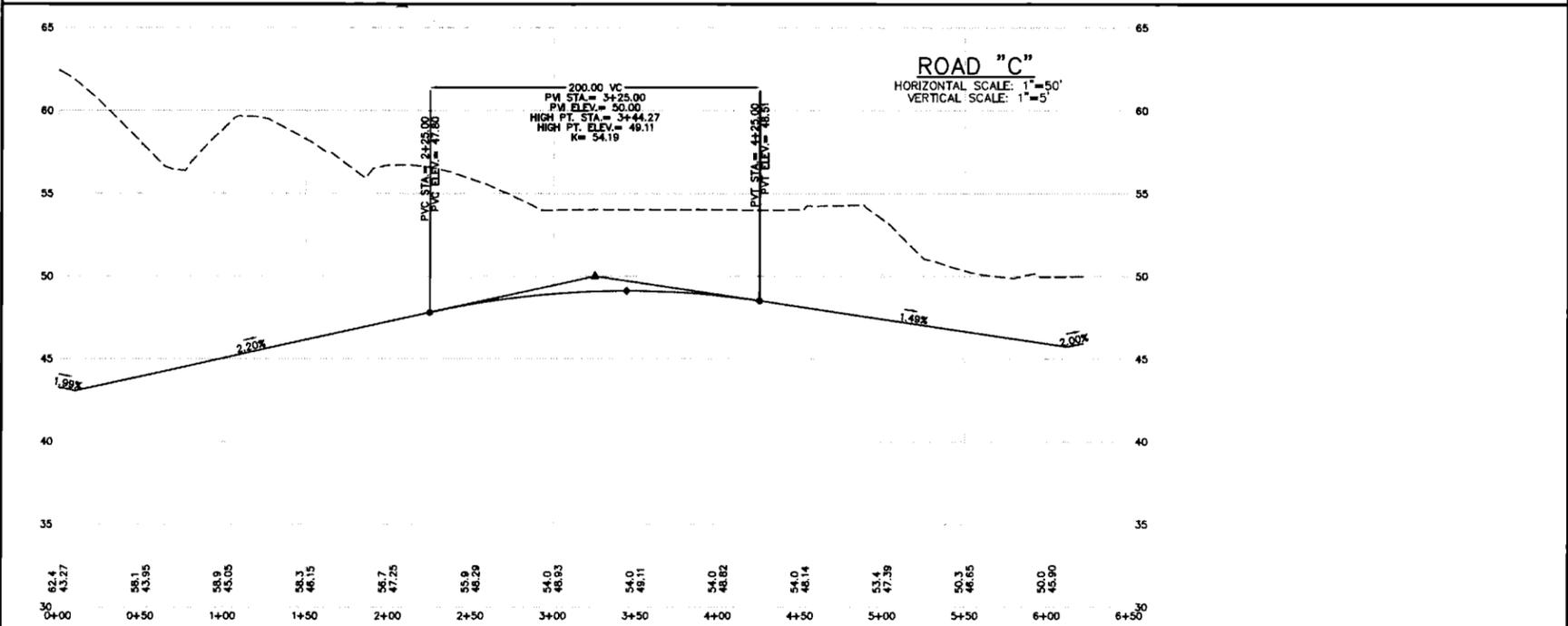
Station	Northing	Easting	Bearing	Distance
0+00.000	108733.741	2807625.777		
0+40.639	108727.706	2807536.038	S 73°48'19" W	93.439'



ROAD "B" & "C"  
SCALE: 1"=50'



ROAD "B"  
HORIZONTAL SCALE: 1"=50'  
VERTICAL SCALE: 1"=5'



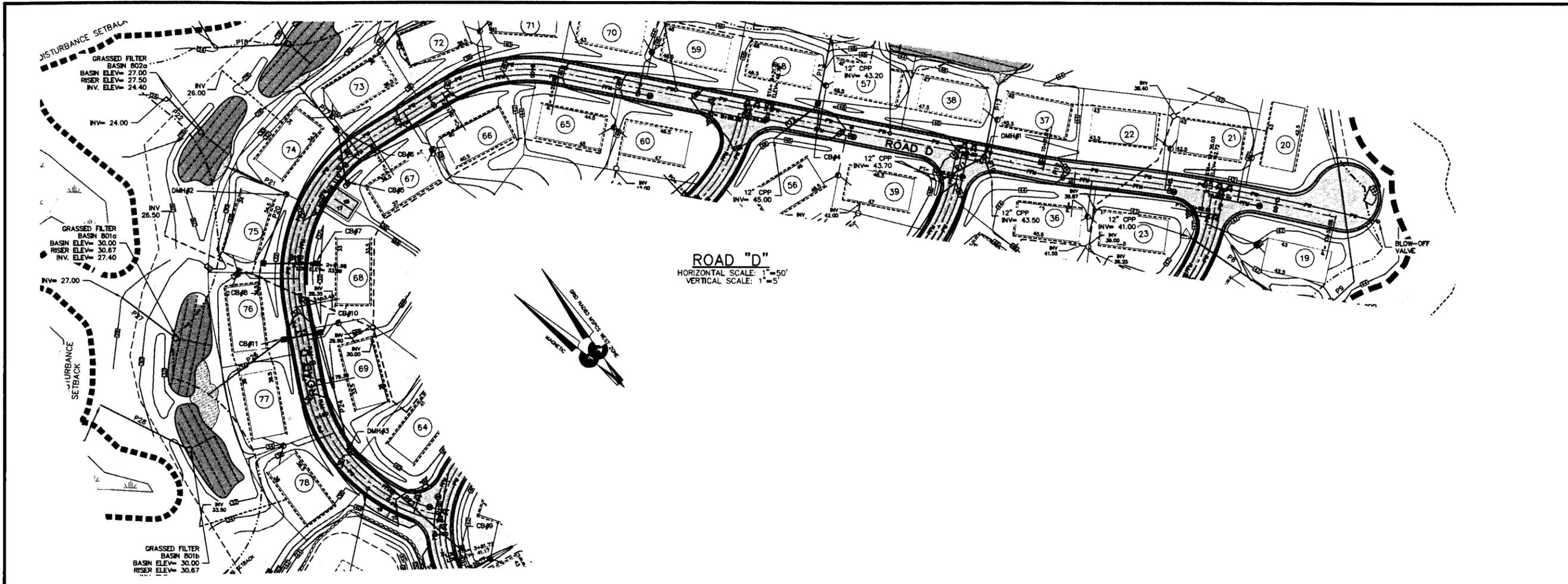
ROAD "C"  
HORIZONTAL SCALE: 1"=50'  
VERTICAL SCALE: 1"=5'

CIVIL CONSULTANTS  
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 03908  
 207-384-2550  
 civcon@civcon.com

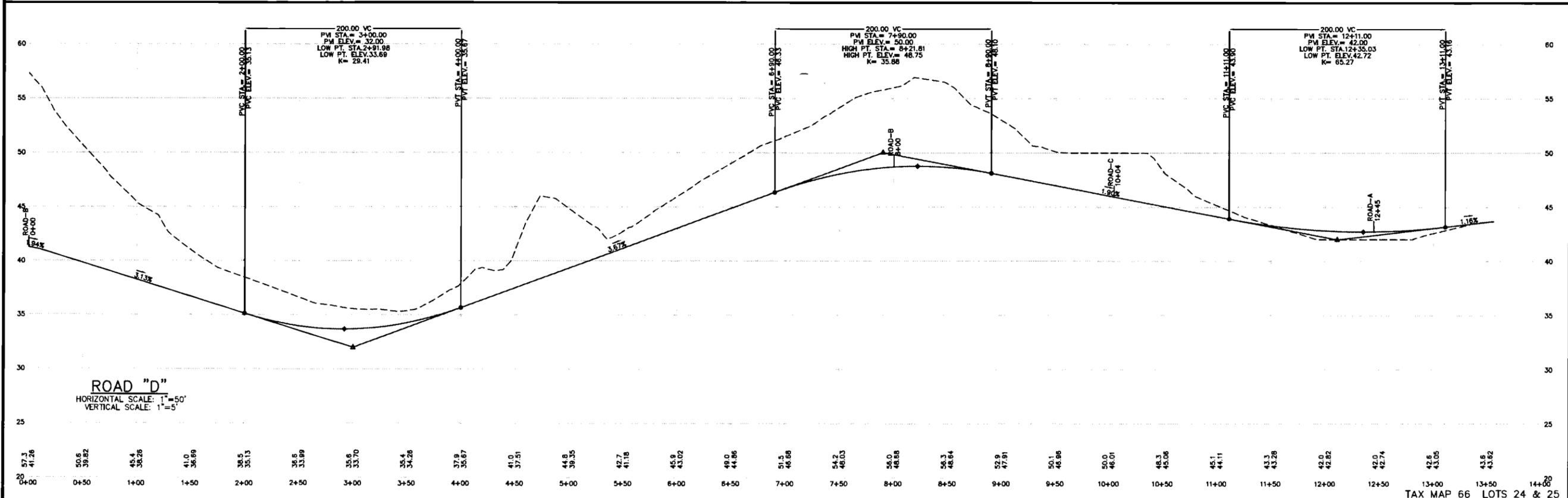
NO.	REVISIONS	INT.	DATE
1			

YANKEE COMMONS  
 MOBILE HOME PARK EXPANSION  
 IDLEWOOD LANE/ U.S. ROUTE 1 KITTERY, MAINE  
 PREPARED FOR:  
 STEPHEN A. HYNES, TRUSTEE  
 REAL PROPERTY TRUST AGREEMENT  
 MAILING ADDRESS: 1571 BELLEVUE AVE., SUITE 210 WEST VANCOUVER, B.C. V7V1A8

CIVIL CONSULTANTS  
 DRAWN GDC/JAA CALC.  
 DATE  
 CHECKED  
 APPROVED  
 SCALE AS NOTED  
 SHEET TITLE  
 ROADWAY PLAN  
 & PROFILE  
 ROAD B & C  
 SHEET NUMBER:  
**R3**  
 SHEET R3 of R8  
 PROJECT # 06-684.02



ROAD "D"  
 HORIZONTAL SCALE: 1"=50'  
 VERTICAL SCALE: 1"=5'



ROAD "D"  
 HORIZONTAL SCALE: 1"=50'  
 VERTICAL SCALE: 1"=5'

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 cicon@cicon.com

NO.	REVISIONS	INT.	DATE
1			

YANKEE COMMONS  
 MOBILE HOME PARK EXPANSION  
 IDLEWOOD LANE/ U.S. ROUTE 1 KITTERY, MAINE  
 PREPARED FOR:  
 STEPHEN A. HYNES, TRUSTEE  
 REAL PROPERTY TRUST AGREEMENT  
 MAILING ADDRESS: 1571 BELLEVUE AVE., SUITE 210 WEST VANCOUVER, B.C. V7V1A6

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DRAWN: GDC/JAA    CALC.:

DATE:

CHECKED:

APPROVED:

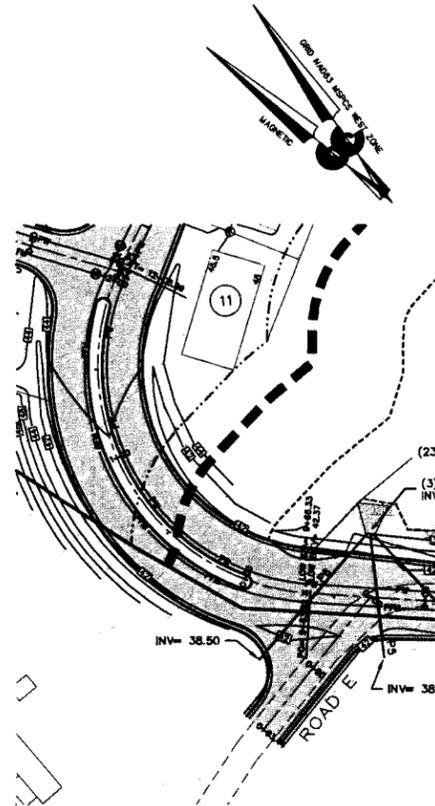
SCALE: AS NOTED

SHEET TITLE:  
 ROADWAY PLAN  
 & PROFILE  
 ROAD D

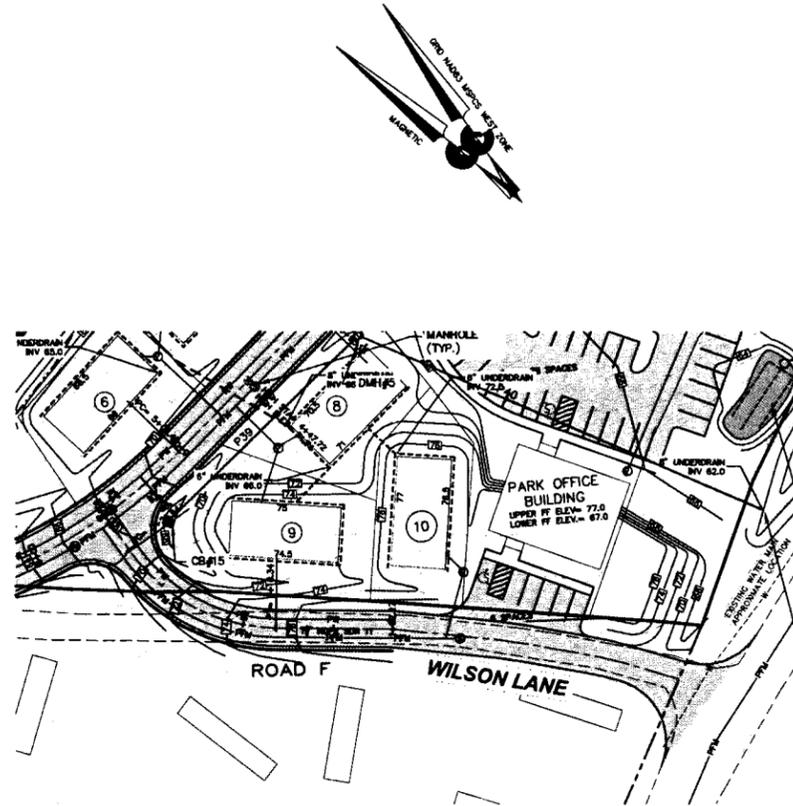
SHEET NUMBER:  
**R4**

SHEET R4 of R8

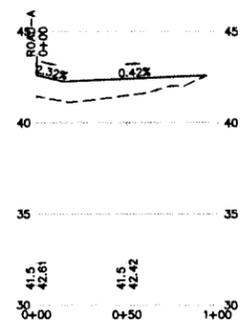
PROJECT # 06-684.02



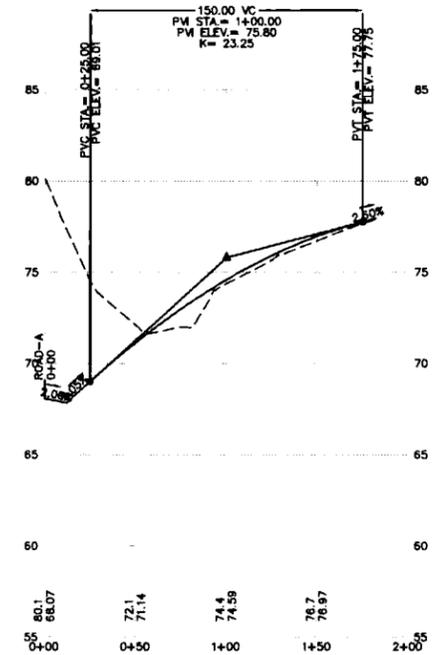
**ROAD "E"**  
 HORIZONTAL SCALE: 1"=50'  
 VERTICAL SCALE: 1"=5'



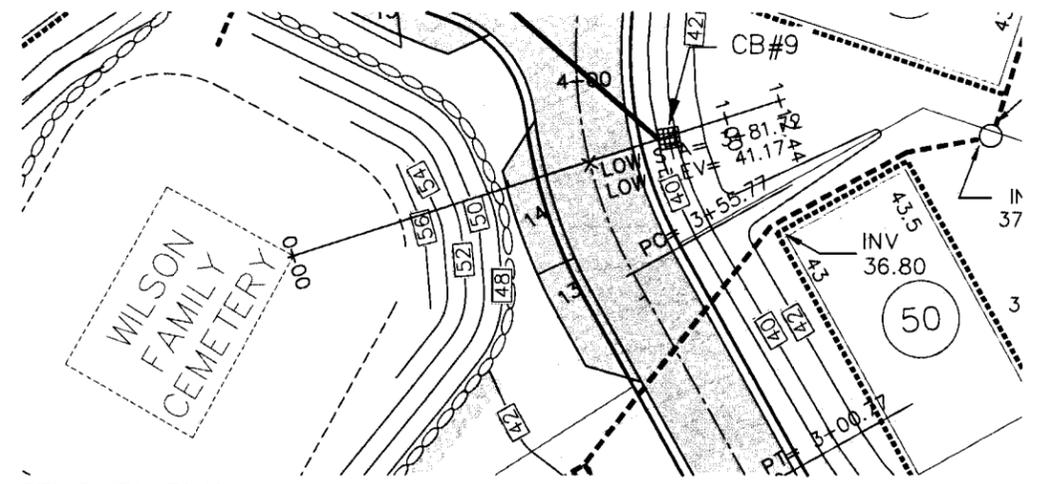
**ROAD "F"**  
 HORIZONTAL SCALE: 1"=50'  
 VERTICAL SCALE: 1"=5'



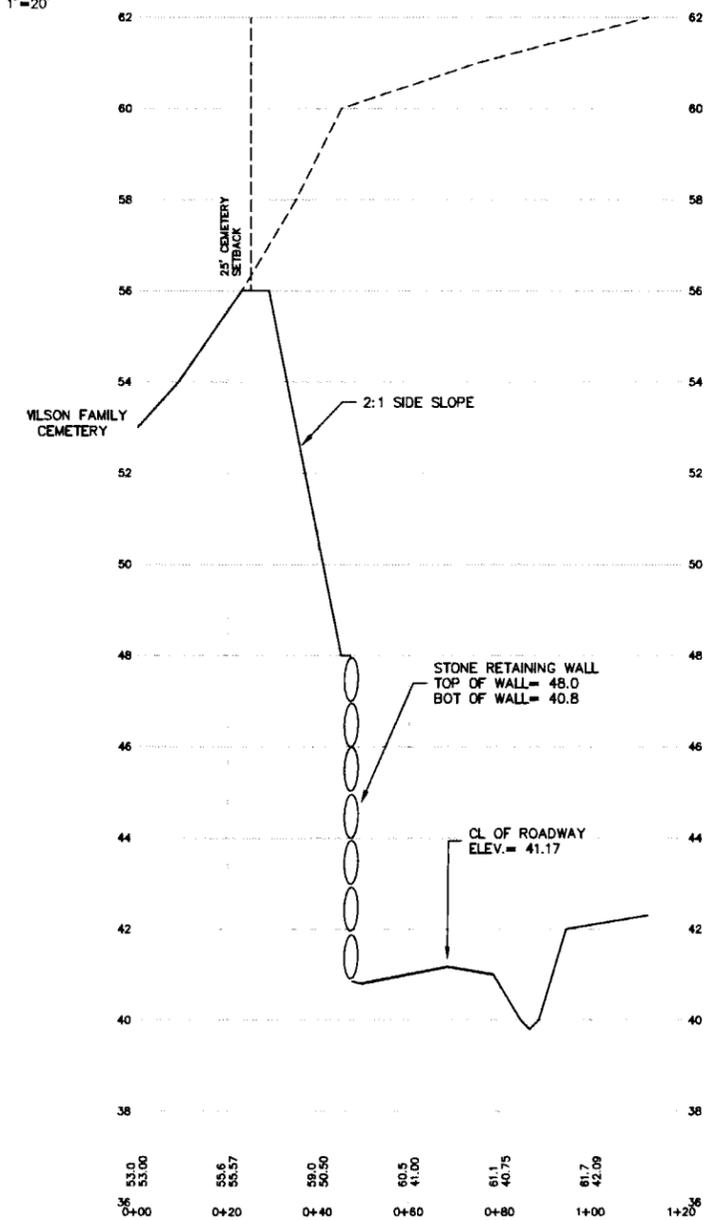
**ROAD "E"**  
 HORIZONTAL SCALE: 1"=50'  
 VERTICAL SCALE: 1"=5'



**ROAD "F"**  
 HORIZONTAL SCALE: 1"=50'  
 VERTICAL SCALE: 1"=5'



**CEMETERY PLAN**  
 SCALE: 1"=20'



**CEMETERY SECTION**  
 HORIZONTAL SCALE: 1"=20'  
 VERTICAL SCALE: 1"=2'

CIVIL CONSULTANTS

**CIVIL CONSULTANTS**  
 Engineers  
 Planners  
 Surveyors

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 207-384-2550  
 civcon@olvcn.com

NO.	REVISIONS	INT.	DATE
1			

YANKEE COMMONS  
 MOBILE HOME PARK EXPANSION  
 IDLEWOOD LANE/ U.S. ROUTE 1 KITTERY, MAINE  
 PREPARED FOR:  
 STEPHEN A. HYNES, TRUSTEE  
 REAL PROPERTY TRUST AGREEMENT  
 MAILING ADDRESS: 1571 BELLEVUE AVE., SUITE 210 WEST VANCOUVER, B.C. V7V1A6

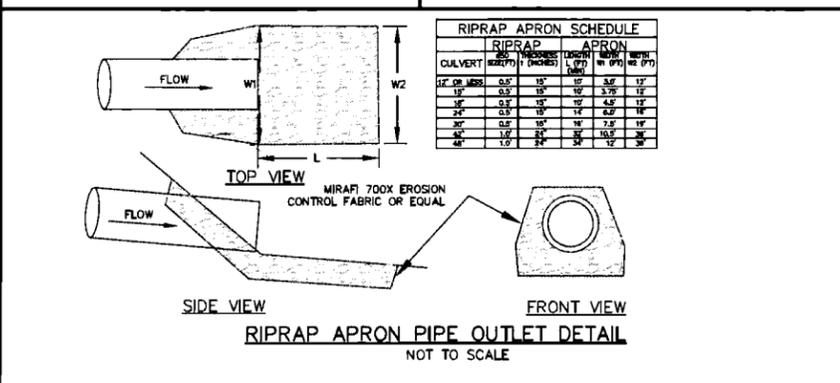
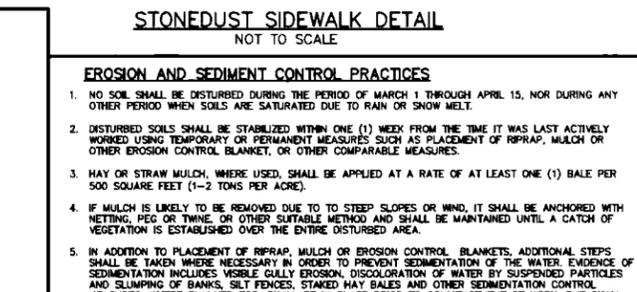
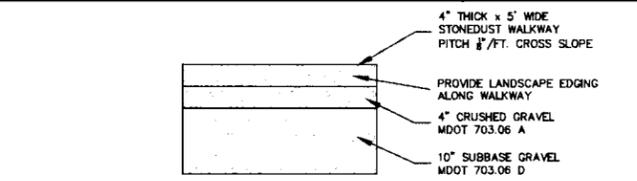
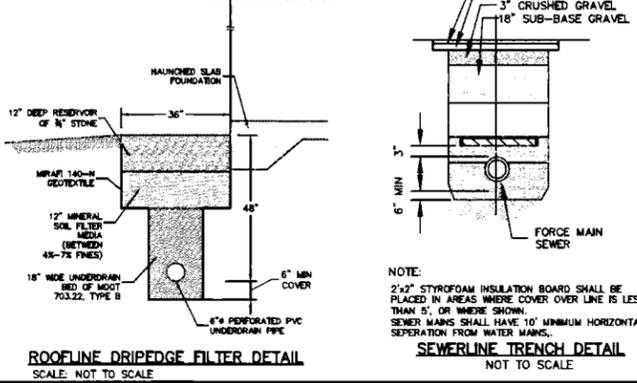
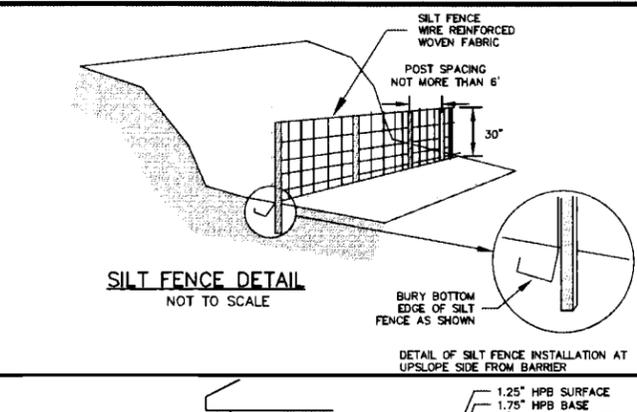
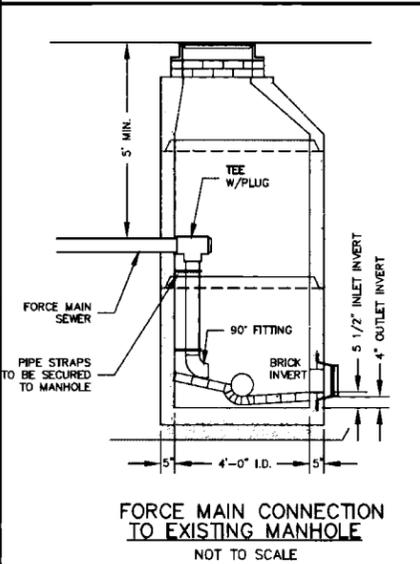
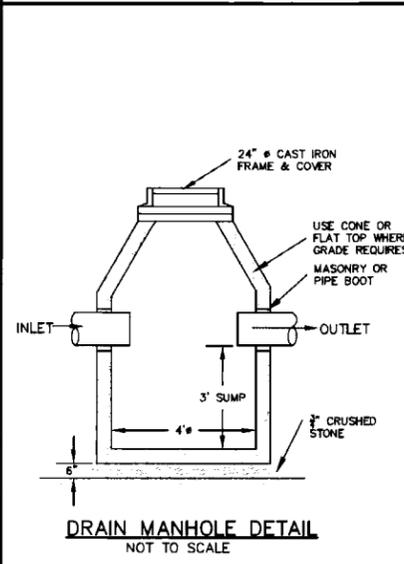
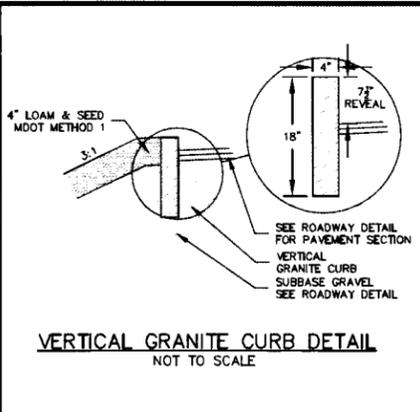
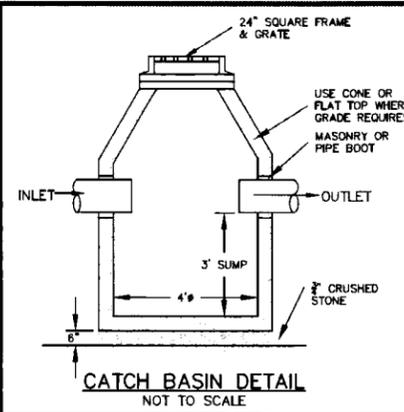
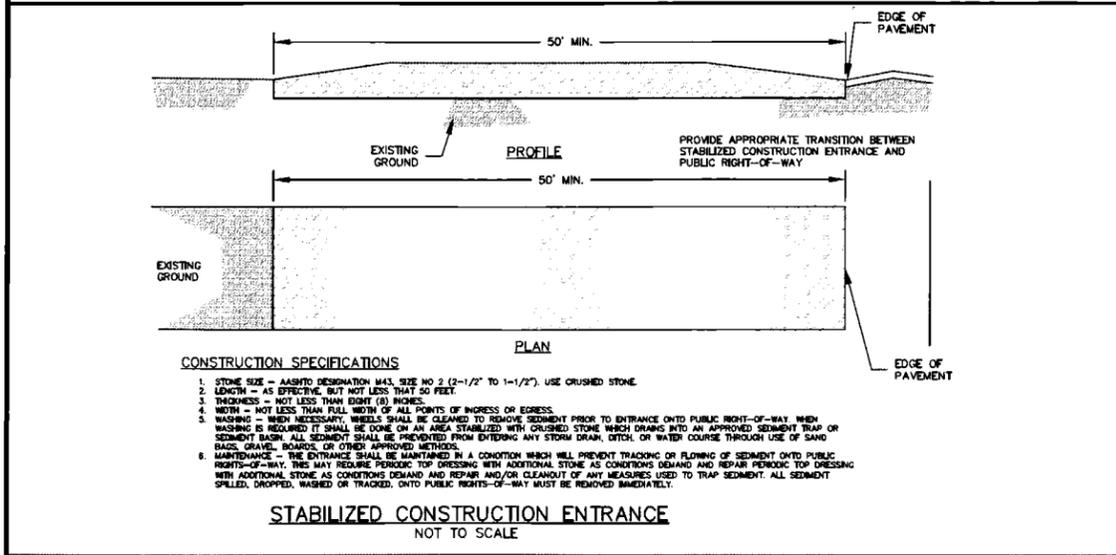
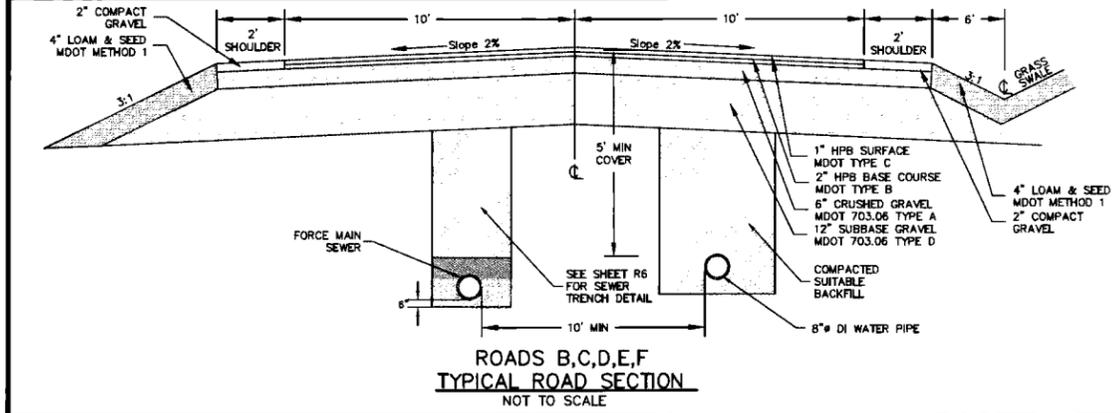
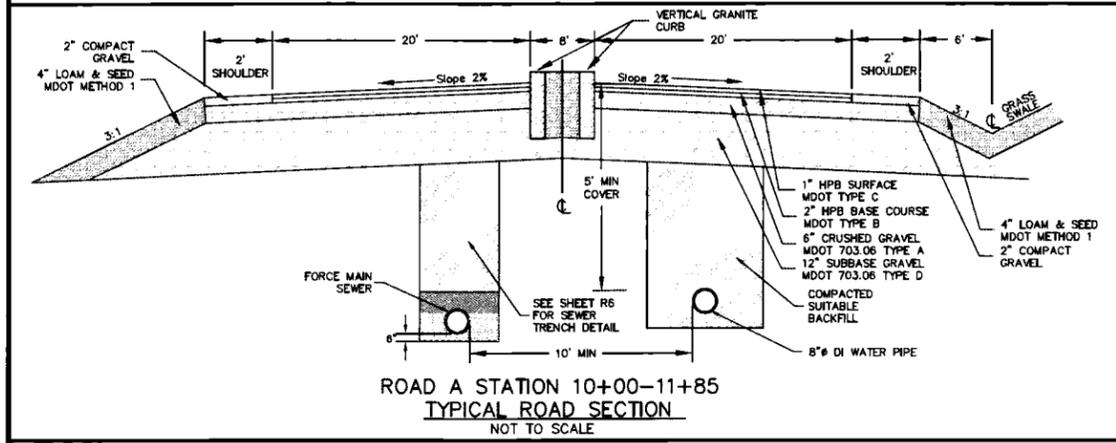
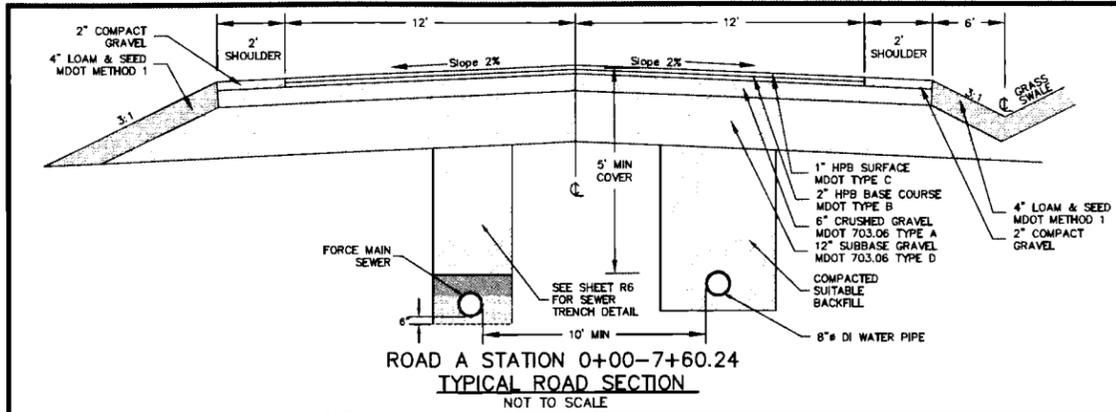
CIVIL CONSULTANTS

DRAWN: GDC/JAA    CALC:  
 DATE:  
 CHECKED:  
 APPROVED:  
 SCALE: AS NOTED

SHEET TITLE:  
 ROADWAY PLAN & PROFILE - ROAD E&F-SECTION

SHEET NUMBER:  
**R5**

SHEET R5 of R8  
 PROJECT # 06-684.02



**RIPRAP APRON SCHEDULE**

CULVERT	APRON								
(DIP)	(DIP)	(DIP)	(DIP)	(DIP)	(DIP)	(DIP)	(DIP)	(DIP)	(DIP)
12"	12"	12"	12"	12"	12"	12"	12"	12"	12"
15"	15"	15"	15"	15"	15"	15"	15"	15"	15"
18"	18"	18"	18"	18"	18"	18"	18"	18"	18"
24"	24"	24"	24"	24"	24"	24"	24"	24"	24"
30"	30"	30"	30"	30"	30"	30"	30"	30"	30"
36"	36"	36"	36"	36"	36"	36"	36"	36"	36"
42"	42"	42"	42"	42"	42"	42"	42"	42"	42"
48"	48"	48"	48"	48"	48"	48"	48"	48"	48"

**RIPRAP APRON OUTLET PROTECTION SCHEDULE**

Pipe/BMP	Velocity (fps)	Inletwater (feet)	Diameter (inches)	Flow (cfs)	Apron Length (L feet)	Width outlet (W1 feet)	Width end (W2 feet)	Min d50 (inches)	d50 spec (inches)
P3 B10#204-12"	1.87	0.33	12	4.65	Not needed			N/A	6
P4,P5,P6 B10#205-12"	3.10	0.33	12	2.56	12	3.00	13	3	6
P33 & P34 B10#601-12"	4.53	0.33	12	3.63	14	3.00	15	4	6
P7 B10#604-12"	3.09	0.33	12	2.51	12	3.00	13	2	6
P9 B10#606-12"	4.07	0.33	12	3.31	13	3.00	14	4	6
P14 B10#607-12"	4.00	0.33	12	3.32	13	3.00	14	4	6
P15 B10#800-12"	1.32	0.33	12	0.70	Not needed			N/A	6
P27 & P28 B10#801-12"	3.42	0.33	12	2.75	12	3.00	13	3	6
P18 & P22 B10#802-12"	4.45	0.33	12	1.20	9	3.00	11	1	6
P36 B10#803-8"	1.60	0.33	8	1.24	Not needed			N/A	6
P4,P5,P6 Pond #500-12"	3.44	0.33	12	9.54	24	3.00	26	15	16
P4,P5,P6 Pond #600-12"	6.11	0.33	12	4.80	16	3.00	17	6	6

**EROSION AND SEDIMENT CONTROL PRACTICES**

- 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.
- 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, BASKET, OR OTHER COMPARABLE MEASURES.
- 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).
- IF MULCH IS LIKELY TO BE REMOVED DUE TO STEEP SLOPES OR WIND, IT SHALL BE CATCHED WITH NETTING, PEGS OR TINE, OR OTHER SUITABLE METHOD AND SHALL BE MAINTAINED UNTIL A CATCH OF VEGETATION IS ESTABLISHED OVER THE ENTIRE DISTURBED AREA.
- IN ADDITION TO PLACEMENT OF RIPRAP, MULCH OR EROSION CONTROL, BASKETS, 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 WHERE NECESSARY DUE TO SEDIMENTATION.
- 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.
- PERMANENT RE-VEGETATION OF ALL DISTURBED AREAS, USING NATIVE PLANT MATERIAL WHEN POSSIBLE, 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.
- DISPOSAL OF COLLECTED DEBRIS MUST BE IN CONFORMANCE WITH MAINE SOLID WASTE LAW, TITLE 38 MRS.A SECTION 1301 ET. SEQ.
- 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 NETTING 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 DRAINAGE WAYS AND OTHER AREAS.

TAX MAP 66 LOTS 24 & 25

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 MOBILE HOME PARK EXPANSION  
 IDLEWOOD LANE/ U.S. ROUTE 1 KITTERY, MAINE  
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 SCALE AS NOTED  
 SHEET TITLE  
 -CONSTRUCTION  
 DETAILS  
 SHEET NUMBER:  
 R6  
 SHEET R6 OF R8  
 PROJECT # 06-684.02



**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 INSPECTED 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. ENCROACHMENT 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 ENCROACHMENT 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 PIPES. 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 EDGES OF THE BARRIER, OR IMPOUNDING OF LARGE VOLUMES OF WATER BEHIND THEM, SEDIMENT BARRIERS SHALL BE REPLACED WITH A TEMPORARY CHECK DAM.

SHOULD THE FABRIC ON A SILT FENCE OR FILTER BARRIER DECOMPOSE OR BECOME INEFFECTIVE PRIOR TO THE END OF THE EXPECTED USABLE LIFE AND THE BARRIER 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 ENCROACHMENT 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 NOT STABILIZED 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 DENUDED UNTIL THE SUBBASE 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, CONTINUATION 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 DENUDED 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 MUST BE APPLIED WITH A MINIMUM 4 INCH THICKNESS. MULCH 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 1ST, 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 SEEDING. IF THE RYE FAILS TO GROW AT LEAST THREE INCHES OR FAILS TO COVER AT LEAST 75% OF THE SLOPE BY NOVEMBER 1, THEN THE CONTRACTOR 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**

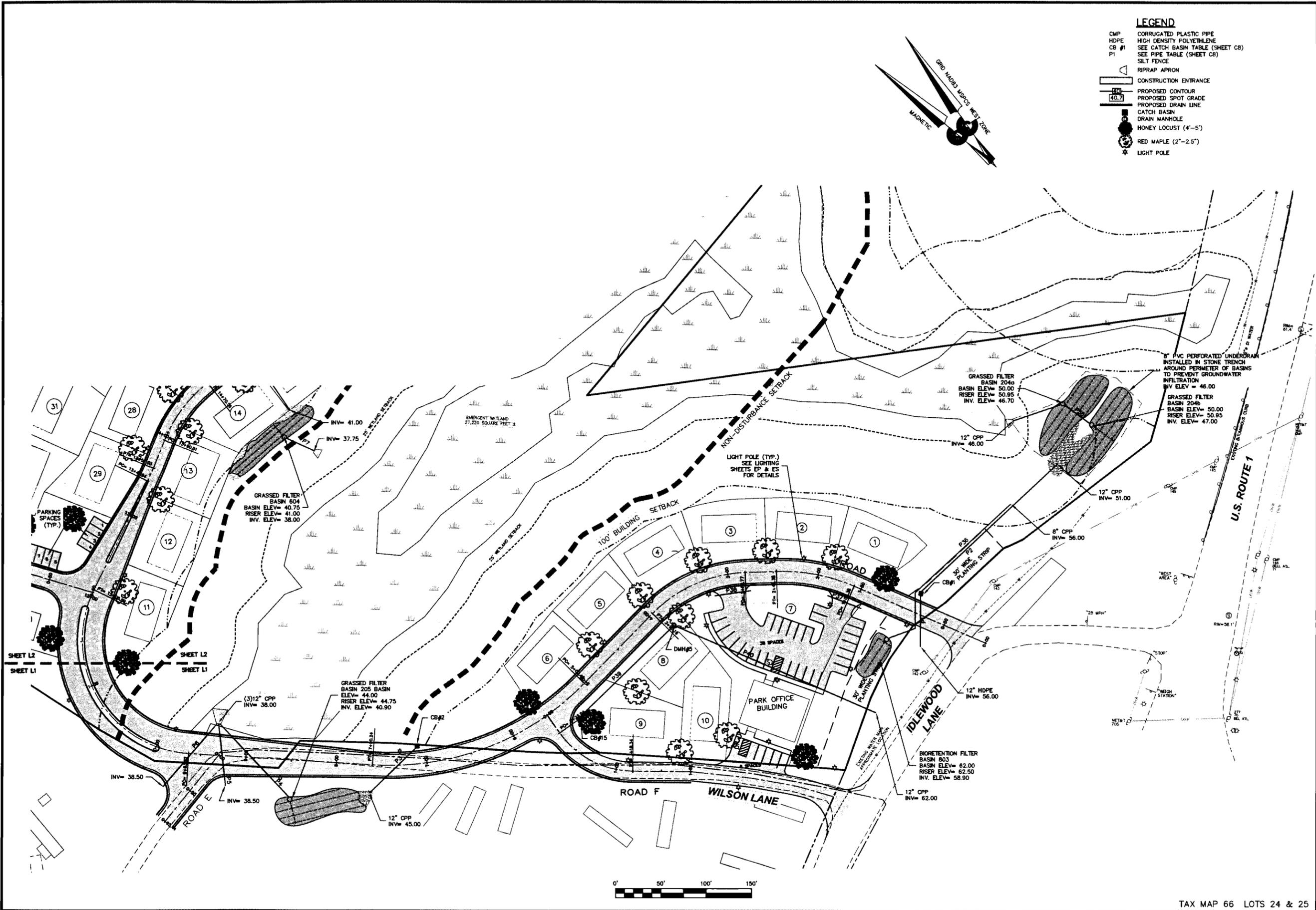
- SEPTEMBER 15 ALL DISTURBED AREAS MUST BE SEEDED AND MULCHED. ALL SLOPES MUST BE STABILIZED, SEEDED AND MULCHED. ALL GRASS-LINED DITCHES AND CHANNELS MUST BE STABILIZED WITH MULCH OR AN EROSION CONTROL BLANKET.
- OCTOBER 1 IF THE SLOPE IS STABILIZED WITH AN EROSION CONTROL BLANKET AND SEEDED, ALL DISTURBED 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.

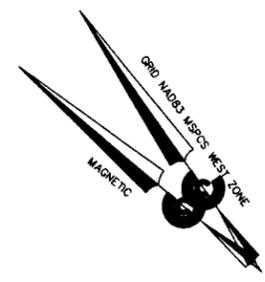
**PROJECT MAINTENANCE ITEMS:**

THE DEVICES THAT WILL REQUIRE MAINTENANCE FOR THIS PROJECT ARE:

<p><b>CIVIL CONSULTANTS</b></p> <p>Engineers Planners Surveyors</p> <p>P.O. Box 100 South Berwick Maine 03908 207-384-2550 civcon@civcon.com</p>	
NO.	REVISIONS
INT.	
DATE	
<p>YANKEE COMMONS MOBILE HOME PARK EXPANSION IDLEWOOD LANE/ U.S. ROUTE 1 KITTERY, MAINE PREPARED FOR: STEPHEN A. HYNES, TRUSTEE REAL PROPERTY TRUST AGREEMENT MAILING ADDRESS: 1571 BELLEVUE AVE., SUITE 210 WEST VANCOUVER, B.C. V7V4H5</p>	
<p><b>CIVIL CONSULTANTS</b></p>	
DRAWN	GDC/JAA
CALC.	
DATE	
CHECKED	
APPROVED	
SCALE	NOT TO SCALE
SHEET TITLE:	
-MAINTENANCE NOTES	
SHEET NUMBER:	
R8	
SHEET R8 of R8	
PROJECT # 06-684.02	



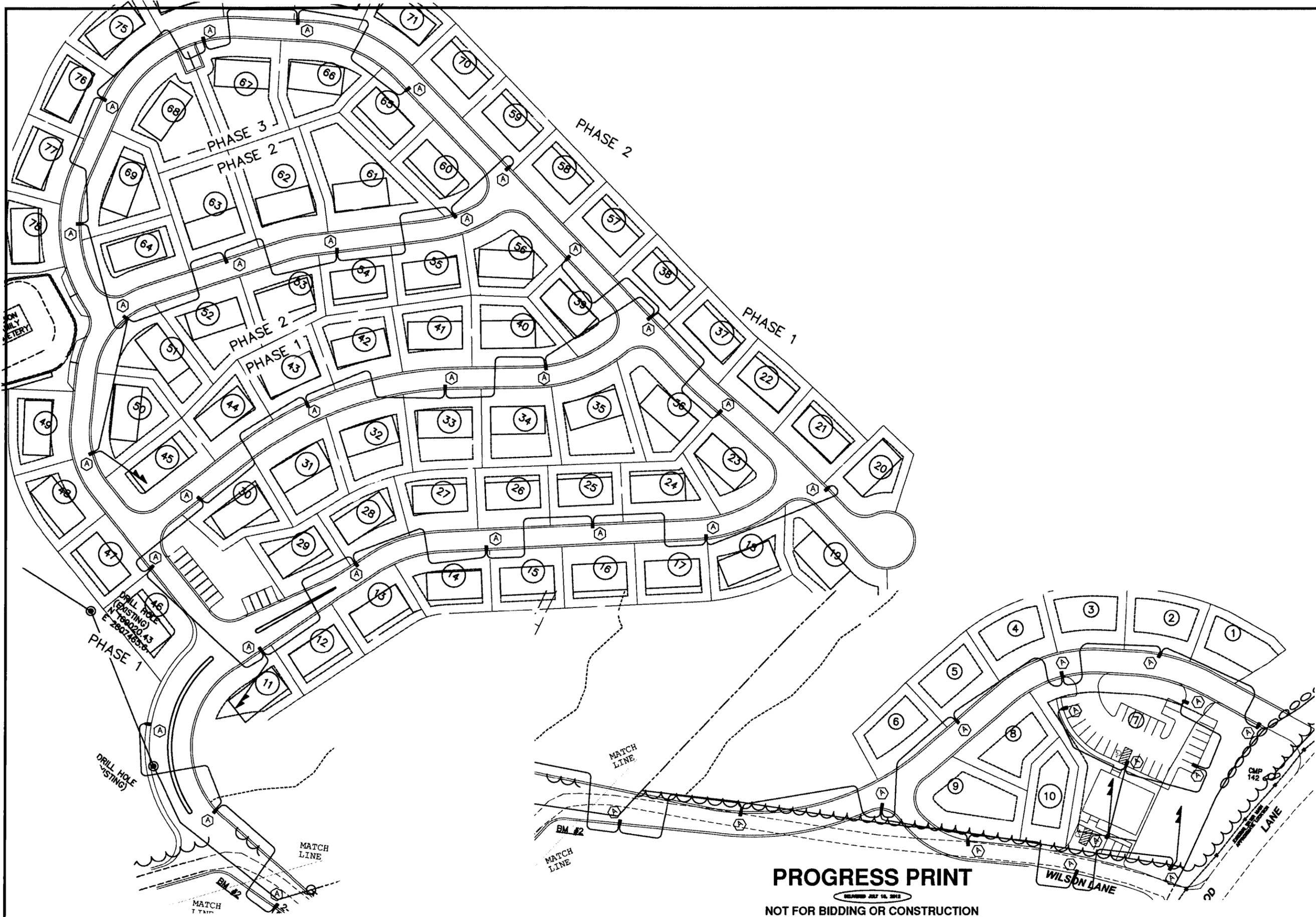
- LEGEND**
- CMP CORRUGATED PLASTIC PIPE
  - HDPE HIGH DENSITY POLYETHYLENE
  - CB #1 SEE CATCH BASIN TABLE (SHEET C8)
  - P1 SEE PIPE TABLE (SHEET C8)
  - SILT FENCE
  - RIPRAP APRON
  - CONSTRUCTION ENTRANCE
  - PROPOSED CONTOUR
  - PROPOSED SPOT GRADE
  - PROPOSED DRAIN LINE
  - CATCH BASIN
  - DRAIN MANHOLE
  - HONEY LOCUST (4'-5')
  - RED MAPLE (2"-2.5')
  - LIGHT POLE



<p><b>CIVIL CONSULTANTS</b></p> <p>Engineers Planners Surveyors</p> <p>P.O. Box 100 South Berwick Maine 03908 207-384-2550 civcon@civcon.com</p>					
	NO.	DATE			
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;"></td> <td style="width: 20%; text-align: center;">NO.</td> <td style="width: 30%; text-align: center;">DATE</td> </tr> </table>				NO.	DATE
	NO.	DATE			
<p><b>YANKEE COMMONS</b> MOBILE HOME PARK EXPANSION IDLEWOOD LANE/ U.S. ROUTE 1 KITTERY, MAINE PREPARED FOR: STEPHEN A. HYNES, TRUSTEE REAL PROPERTY TRUST AGREEMENT MAILING ADDRESS: 1371 BELLEVUE AVE. SUITE 210 WEST VANCOUVER, B.C. V7V1A6</p>					
<p><b>CIVIL CONSULTANTS</b></p>					
DRAWN GDC/JAA CALC.					
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CHECKED					
APPROVED					
SCALE 1"=50'					
SHEET TITLE: LANDSCAPE PLAN					
SHEET NUMBER: <b>L1</b>					
SHEET L1 of L2					
PROJECT # 06-684.02					





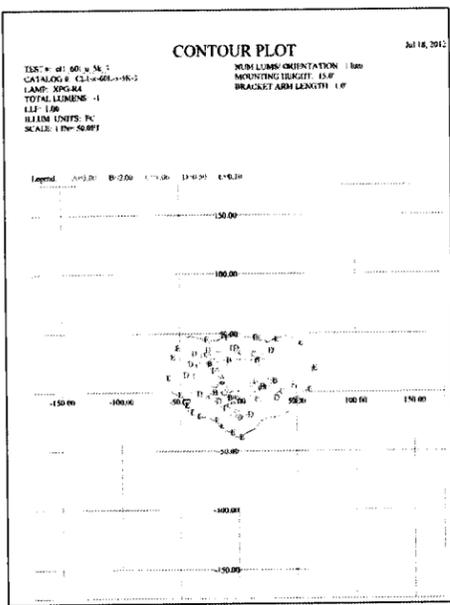
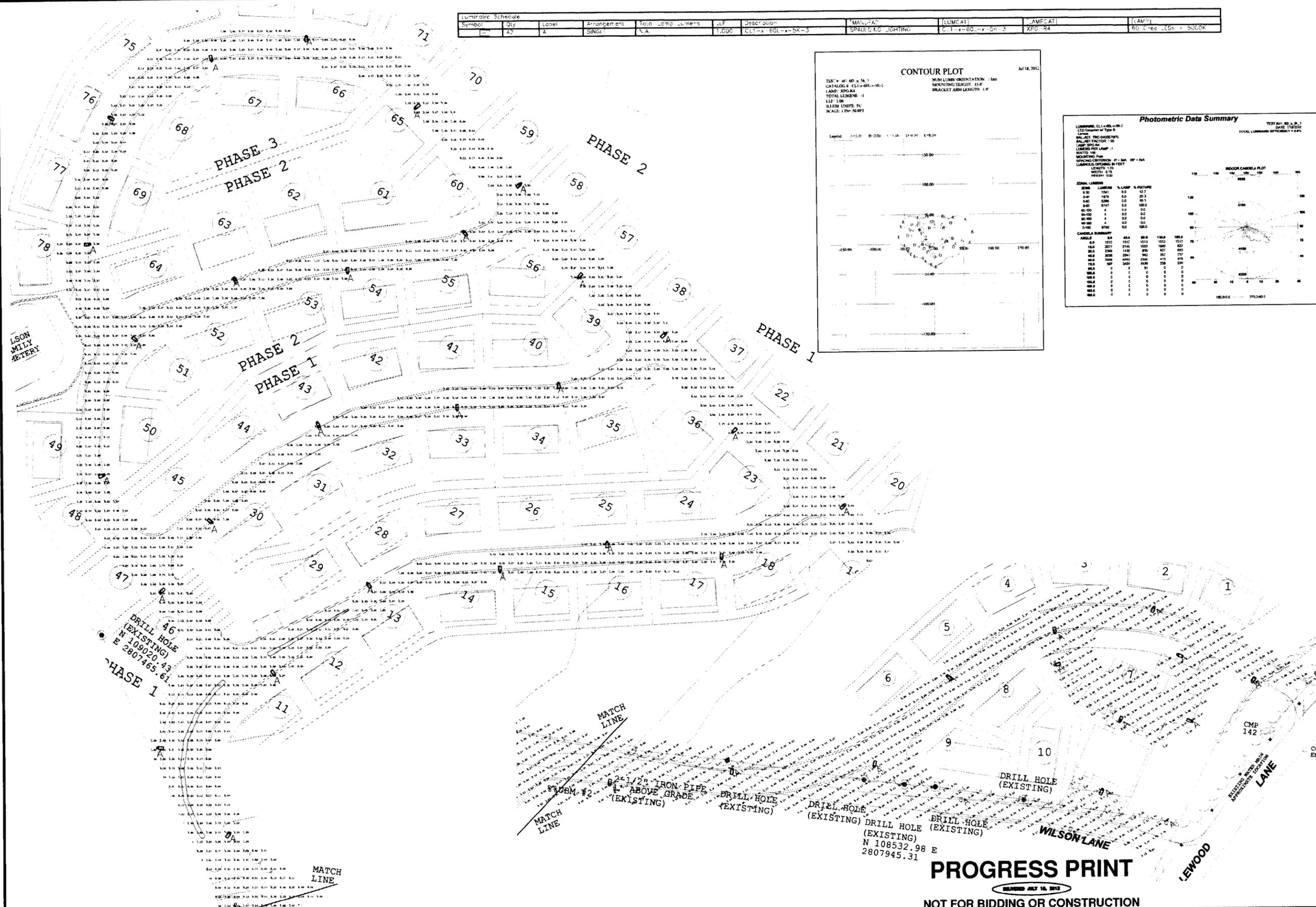


**PROGRESS PRINT**

REVISED JULY 16, 2012  
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<p><b>CIVIL CONSULTANTS</b>          Engineers          Planners          Surveyors          P.O. Box 100          South Berwick          Maine          03906          207-384-2550          civcon@civcon.com</p>	
NO.	DATE
1	
REVISIONS	INT.
<p><b>YANKEE COMMONS</b>          MOBILE HOME PARK EXPANSION          IDLEWOOD LANE/ U.S. ROUTE 1 KITTERY, MAINE          PREPARED FOR:          STEPHEN A. HYNES, TRUSTEE          REAL PROPERTY TRUST AGREEMENT          100 WOODLAND AVENUE, SUITE 200 WEST WOODBORO, N.C. 27158</p>	
<p><b>CIVIL CONSULTANTS</b></p>	
DRAWN: RFS/BMC CALC:	
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SCALE: 1"=50'	
SHEET TITLE: OVERALL SITE PLAN	
SHEET NUMBER: ES	
SHEET 1 of 2	
PROJECT # 06-684.02	

Luminaire Schedule										
Symbol	Qty	Label	Arrangement	Total Lamp Lumens	LF	Description	MANUFAC	LUMCAT	AMFCAT	LAMP
	47	A	SINGL	N.A.	1,000	CL1-x-B0L-x-5K-3	SPACELIGHT LIGHTING	CL1-x-B0L-x-5K-3	XPS-14	60 Cree LEDs - 5000K



**Photometric Data Summary**

TEST # 01, 00 x 0.0; DATE: 07/10/10; TOTAL LUMENS: 41,000

ZONAL LUMENS	ANGLE	LUMENS	% LAMP	% FOOTC
4.0	194	0.0	0.0	0.0
5.0	182	0.0	0.0	0.0
6.0	169	0.0	0.0	0.0
7.0	156	0.0	0.0	0.0
8.0	143	0.0	0.0	0.0
9.0	130	0.0	0.0	0.0
10.0	117	0.0	0.0	0.0
11.0	104	0.0	0.0	0.0
12.0	91	0.0	0.0	0.0
13.0	78	0.0	0.0	0.0
14.0	65	0.0	0.0	0.0
15.0	52	0.0	0.0	0.0
16.0	39	0.0	0.0	0.0
17.0	26	0.0	0.0	0.0
18.0	13	0.0	0.0	0.0
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67.0	0	0.0	0.0	0.0
68.0	0	0.0	0.0	0.0
69.0	0	0.0	0.0	0.0
70.0	0	0.0	0.0	0.0
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73.0	0	0.0	0.0	0.0
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77.0	0	0.0	0.0	0.0
78.0	0	0.0	0.0	0.0

**CIVIL CONSULTANTS**  
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 Maine  
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 207-384-2550  
 civcon@civcon.com

NO.	REVISIONS	INT.	DATE
1			

**CIVIL CONSULTANTS**  
 YANKEE COMMONS  
 MOBILE HOME PARK EXPANSION  
 IDLEWOOD LANE/ U.S. ROUTE 1 KITTERY, MAINE  
 PREPARED FOR:  
 STEPHEN A. HYNES, TRUSTEE  
 REAL PROPERTY TRUST AGREEMENT  
 MAILING ADDRESS: 1071 BELLEVILLE AVE., SUITE 210 WEST WINDSOR, N.S. V9M 4A8

DRAWN: RFS/BMC CALC:  
 DATE:  
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 APPROVED:  
 SCALE: 1"=50'  
 SHEET TITLE:  
 • OVERALL LIGHTING STUDY  
 SHEET NUMBER:  
 EP  
 SHEET 2 of 2  
 PROJECT # 06-684.02

DATE:

**PROGRESS PRINT**  
 DELIVERED JULY 10, 2010  
 NOT FOR BIDDING OR CONSTRUCTION

# YANKEE COMMONS- MOBILE HOME PARK EXPANSION

## IDLEWOOD LANE / US ROUTE 1

### KITTERY, ME

## SUBDIVISION APPLICATION



SHEET NUMBER

SHEET TITLE

	BOUNDARY PLAN
C1	BOUNDARY ADJUSTMENT & EXISTING CONDITIONS PLAN
C2	OVERALL SITE PLAN
C3	GRADING & DRAINAGE PLAN
C4	GRADING & DRAINAGE PLAN
C5	UTILITY & UNDERDRAIN PLAN
C6	UTILITY & UNDERDRAIN PLAN
C7	GRASSED FILTER CONTROL STRUCTURES
C8	GRASSED FILTER SECTION & SCHEDULES
R1	ROADWAY A PLAN & PROFILE
R2	ROADWAY A PLAN & PROFILE
R3	ROADWAY B & C PLAN & PROFILE
R4	ROADWAY D PLAN & PROFILE
R5	ROADWAY E & F PLAN & PROFILE
R6	CONSTRUCTION DETAILS
R7	CONSTRUCTION DETAILS
R8	MAINTENANCE NOTES
L1	LANDSCAPE PLAN
L2	LANDSCAPE PLAN
ES	OVERALL SITE LIGHTING PLAN
EP	OVERALL LIGHTING STUDY

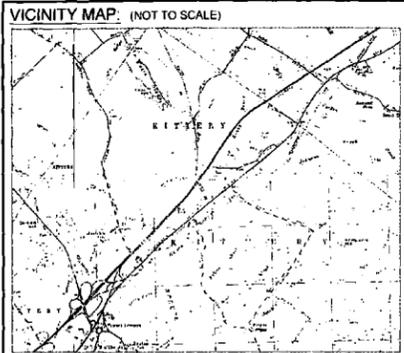
LOCATION PLAN



PREPARED FOR:

**STEPHEN A. HYNES, TRUSTEE**  
**REAL PROPERTY TRUST AGREEMENT**





**GENERAL NOTES:**

- THIS PLAN AND ALL WORK ASSOCIATED WITH IT WAS PERFORMED BY SGC ENGINEERING, LLC PURSUANT TO A PROFESSIONAL SERVICES CONTRACT BETWEEN MR. STEPHEN HYNES AND SGC ENGINEERING LLC, DATED NOVEMBER 23, 2005
- REFERENCE DEED FOR THE LOCUS PARCEL IS CONRAD L. FARR TO STEPHEN A. HYNES, TRUSTEE DATED MARCH 30, 1995 AND RECORDED IN DEED BOOK 7378, PAGE 52 AT THE YORK COUNTY REGISTRY OF DEEDS
- THE BEARINGS SHOWN HEREON ARE BASED THE DEED REFERENCED IN GENERAL NOTE 2
- THE LOCUS PARCEL IS DEPICTED AS LOT 16 ON TOWN OF KITTERY ASSESSORS MAP 66. ABUTTING PROPERTY OWNER INFORMATION REFERENCED HEREON WAS TAKEN FROM THE TOWN OF KITTERY ASSESSOR'S DATA AS OF THE DATE OF THIS SURVEY
- ACCORDING TO DISCUSSIONS WITH THE TOWN OF KITTERY DEPARTMENT OF PUBLIC WORKS ON 1-31-06, IDLEWOOD LANE IS A PUBLIC WAY AND WILSON LANE IS PRIVATE
- NO SUBSURFACE INVESTIGATION HAS BEEN PERFORMED BY SGC ENGINEERING, LLC. DIG-SAFE SHOULD BE CONTACTED PRIOR TO COMMENCING ANY EXCAVATION. (888-344-7233) ALL UNDERGROUND UTILITIES SHOWN HEREON ARE BASED ON SURFACE-OBSERVABLE STRUCTURES AND RECORD PLANS
- THIS PLAN IS THE RESULT OF A FIELD SURVEY CONDUCTED BY SGC ENGINEERING, LLC BETWEEN DECEMBER 14TH - 20TH, 2005 AND JANUARY 6TH, 2006 IN SNOW CONDITIONS. CONSEQUENTLY, NOT ALL SURFACE DETAIL MAY BE DEPICTED
- SUBJECT PREMISES ARE LOCATED IN ZONE C (AREA OF MINIMUM FLOODING) PER FIRM COMMUNITY PANEL 230171 0001 C DATED JULY 5, 1984
- THE PROPERTY SURVEYED CONTAINS 41 MANUFACTURED HOUSING HOME SITES
- ACCESS TO THE MAINE TURNPIKE IS NOT ALLOWED FROM ABUTTING PROPERTIES IN THIS AREA. CONSEQUENTLY, SUCH COMMON BOUNDARIES CANNOT BE UTILIZED AS ROADWAY FRONTAGE. MAINE TURNPIKE IS A LIMITED ACCESS HIGHWAY

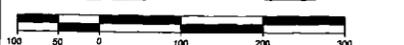
**MAP REFERENCES:**

- A PLAN ENTITLED "YANKEE COMMONS LOT LAYOUT OF EXISTING MOBILE HOME PARK EXTENSION, KITTERY MAINE, FOR CONRAD FARR" BY JOHN W. DURGIN ASSOCIATES, INC., DATED NOVEMBER 20TH, 1978, UNRECORDED.

**LEGEND:**

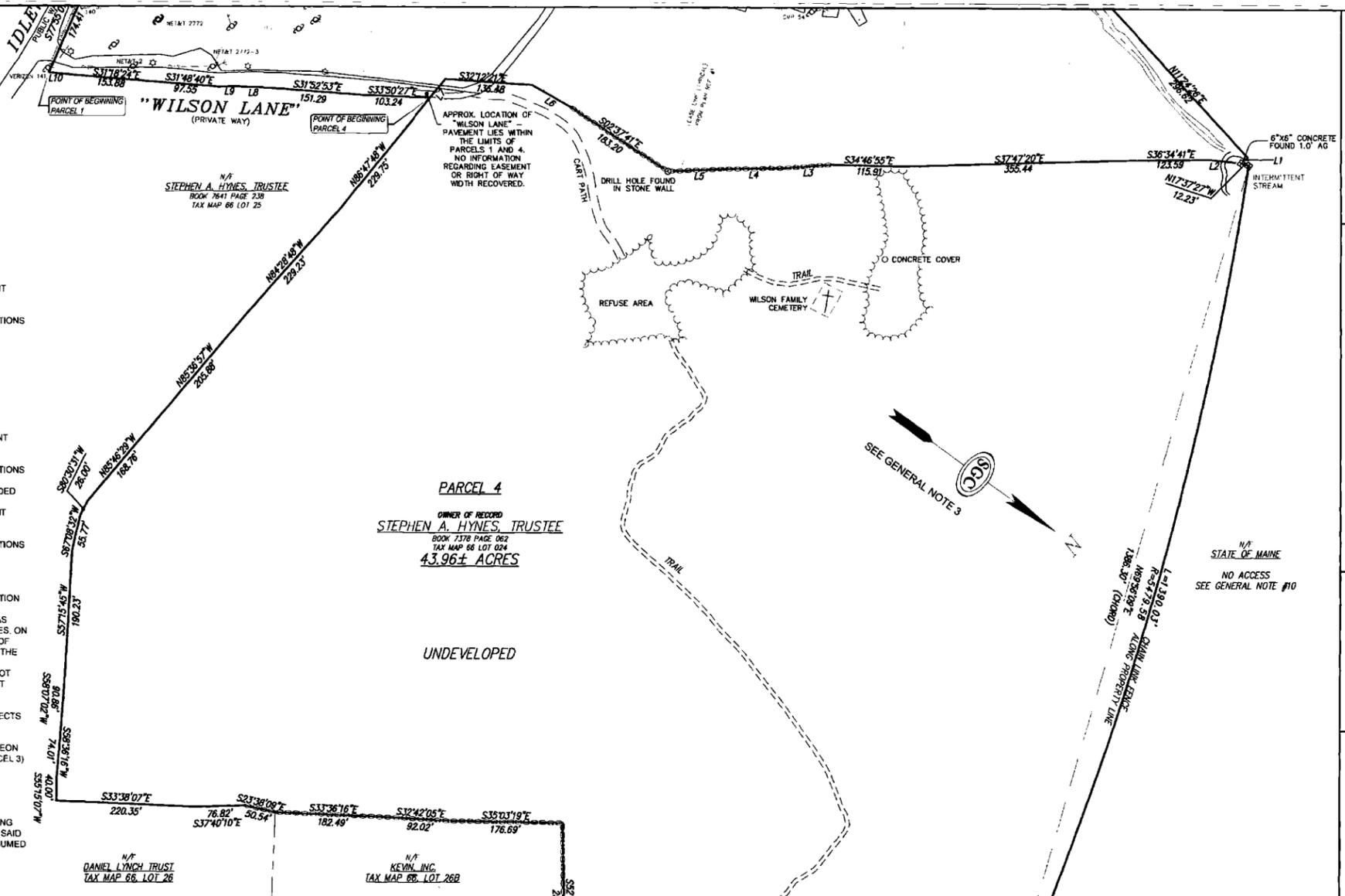
BOUNDARY MONUMENTS (SEE PLAN FOR SPECIFIC INFORMATION)	
IRON PIPE OR ROD FOUND	○
CONCRETE BOUND FOUND	□
EXISTING FEATURES	
PAVED SURFACE	---
WIRE FENCE	---
LOT NUMBER (SEE MAP REF # 1)	---
EXISTING UTILITIES	
UTILITY POLE	○
UTILITY SUPPORT POLE	○
OVERHEAD WIRES	---
COMPLETED SANITARY LINE	---
GUY WIRE	---
ELECTRIC METER BOX	○
LIGHT POLE	○
WATER SHUT-OFF	○
CATCH BASIN	○
SEWER MANHOLE	○
FIRE HYDRANT	○
WATER VALVE	○

**GRAPHIC SCALE:** 1" = 100'



CHICAGO TITLE INSURANCE COMPANY  
COMMITMENT NUMBER 05-1567-2  
EFFECTIVE DATE: JANUARY 23, 2006  
SCHEDULE B-SECTION II

- ITEM 1-8) EXCEPTIONS NOT PLOTTABLE
- ITEM 9) SEE PLOTTED LOCATION OF WILSON FAMILY CEMETERY PLOTTED HEREON (AFFECTS PARCEL 4)
- ITEM 10-12) EXCEPTIONS NOT PLOTTABLE
- ITEM 13) EXCEPTION NOT PLOTTABLE AFFECTS PARCEL 1 BY DESCRIPTION
- ITEM 14) BOOK 9808-PAGE 217 DESCRIBES A STANDARD EASEMENT RELATED TO THE RIGHT TO "ERECT, BURY, MAINTAIN, REBUILD, RESPACE, OPERATE AND PATROL AND DO ALL OTHER ACTIONS INVOLVING ELECTRIC AND COMMUNICATIONS EQUIPMENT." SAID EASEMENT IS NOT PLOTTABLE BY DESCRIPTION (ASSUMED TO AFFECT PARCELS 1, 2, & 3)
- ITEM 15) EXCEPTION NOT PLOTTABLE AFFECTS PARCEL 3 BY DESCRIPTION
- ITEM 16) EXCEPTION NOT PLOTTABLE AFFECTS PARCEL 2 BY DESCRIPTION
- ITEM 17) BOOK 1608, PAGE 320 DESCRIBES A STANDARD EASEMENT RELATED TO THE RIGHT TO "ERECT, BURY, MAINTAIN, REBUILD, RESPACE, OPERATE AND PATROL AND DO ALL OTHER ACTIONS INVOLVING ELECTRIC AND COMMUNICATIONS EQUIPMENT." SAID EASEMENT IS NOT PLOTTABLE BY DESCRIPTION. BOOK 1608, PAGES 320 WERE NOT PROVIDED
- ITEM 18) BOOK 2603-PAGE 150 DESCRIBES A STANDARD EASEMENT RELATED TO THE RIGHT TO "ERECT, BURY, MAINTAIN, REBUILD, RESPACE, OPERATE AND PATROL AND DO ALL OTHER ACTIONS INVOLVING ELECTRIC AND COMMUNICATIONS EQUIPMENT." SAID EASEMENT IS NOT PLOTTABLE BY DESCRIPTION. AFFECTS PARCEL 1 BY DESCRIPTION
- ITEM 19) BOOK 2910, PAGE 189 DESCRIBES SLOPE EASEMENTS GRANTED TO THE MAINE DEPARTMENT OF TRANSPORTATION FOR "THE RIGHT TO ENTER, CLEAR, GRUB, AND/OR CONSTRUCT, AND MAINTAIN SLOPES OF THE HIGHWAY, AS LONG AS THEY ARE NECESSARY FOR HIGHWAY PURPOSES, ON LAND OUTSIDE OF AND ADJOINING THE BOUNDARY LINES OF STATE HIGHWAY "1" AND WITHIN THE LIMITS DEFINED BY THE "CONSTRUCTION LIMIT LINES" AS SHOWN ON THE ABOVE MENTIONED RIGHT-OF-WAY MAP." SAID EASEMENT IS NOT PLOTTABLE BY DESCRIPTION. IT SHOULD BE NOTED THAT ONLY PARCEL 2 HAS FRONTAGE ON STATE ROUTE 1
- ITEM 20) SEE LOCATION OF WILSON LANE PLOTTED HEREON (AFFECTS PARCELS 1 & 4)
- ITEM 21) SEE CURRENT LOCATION OF CUTTS ROAD PLOTTED HEREON. LOCATION OF WATER MAINS NOT VISIBLE (AFFECTS PARCEL 3)
- ITEM 22) SEE PLOTTED LOCATION HEREON (AFFECTS PARCEL 3)
- ITEM 23) EXCEPTION NOT PLOTTABLE
- ITEM 24) BOOK 2188, PAGE 619 DESCRIBES A TAKING FOR I-95 ALONG WITH APPURTENANT SLOPE AND GRADING EASEMENTS. SAID EASEMENTS ARE NOT PLOTTABLE BY DESCRIPTION. ASSUMED TO AFFECT PARCELS 1, 2, 3, & 4



THENCE NORTH 29 DEGREES 42 MINUTES 18 SECONDS WEST A DISTANCE OF 48.42 FEET TO A CONCRETE HIGHWAY BOUND;

THENCE NORTH 17 DEGREES 37 MINUTES 27 SECONDS WEST A DISTANCE OF 12.23 FEET TO A CONCRETE HIGHWAY BOUND;

THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 5.478 58 FEET, AN ARC LENGTH OF 1.380 03 FEET, AND A CHORD WHICH BEARS NORTH 69 DEGREES 58 MINUTES 09 SECONDS EAST HAVING A DISTANCE OF 1.386 30 FEET TO NOW OR FORMERLY A STONE WALL;

THENCE SOUTH 35 DEGREES 02 MINUTES 13 SECONDS EAST ALONG OTHER LAND OF CONRAD L. FARR A DISTANCE OF 258.86 FEET ALONG NOW OR FORMERLY A STONE WALL;

THENCE SOUTH 34 DEGREES 25 MINUTES 01 SECONDS EAST ALONG NOW OR FORMERLY A STONE WALL A DISTANCE OF 208.39 FEET;

THENCE SOUTH 33 DEGREES 38 MINUTES 07 SECONDS EAST ALONG THE STONE WALL AND SAID LYNCH TRUST LAND A DISTANCE OF 220.35 FEET TO A DRILL HOLE AT A BEND IN NOW OR FORMERLY A STONE WALL AT OTHER LAND OF SAID FARR;

THENCE SOUTH 58 DEGREES 15 MINUTES 07 SECONDS WEST ALONG NOW OR FORMERLY A STONE WALL AND LAND OF SAID FARR A DISTANCE OF 40.00 FEET;

THENCE SOUTH 58 DEGREES 36 MINUTES 16 SECONDS WEST ALONG NOW OR FORMERLY A STONE WALL A DISTANCE OF 74.01 FEET;

THENCE SOUTH 58 DEGREES 07 MINUTES 02 SECONDS WEST ALONG NOW OR FORMERLY A STONE WALL A DISTANCE OF 90.86 FEET TO AN IRON PIPE;

THENCE SOUTH 57 DEGREES 15 MINUTES 45 SECONDS WEST A DISTANCE OF 190.23 FEET TO AN IRON PIPE;

THENCE SOUTH 67 DEGREES 08 MINUTES 32 SECONDS WEST A DISTANCE OF 55.71 FEET TO AN IRON PIPE;

THENCE SOUTH 80 DEGREES 30 MINUTES 31 SECONDS WEST A DISTANCE OF 26.00 FEET TO AN IRON PIPE;

THENCE NORTH 85 DEGREES 46 MINUTES 29 SECONDS WEST A DISTANCE OF 168.76 FEET TO AN IRON PIPE;

THENCE NORTH 85 DEGREES 36 MINUTES 57 SECONDS WEST A DISTANCE OF 206.86 FEET TO AN IRON PIPE;

THENCE NORTH 84 DEGREES 28 MINUTES 48 SECONDS WEST A DISTANCE OF 229.23 FEET TO AN IRON PIPE;

THENCE NORTH 88 DEGREES 47 MINUTES 48 SECONDS WEST A DISTANCE OF 229.75 FEET TO THE POINT OF BEGINNING, AND CONTAINING 43.933 ACRES OF LAND, MORE OR LESS.

THENCE NORTH 02 DEGREES 37 MINUTES 41 SECONDS WEST A DISTANCE OF 183.20 FEET TO A DRILL HOLE IN THE NOW OR FORMERLY STONE WALL;

THENCE NORTH 38 DEGREES 18 MINUTES 38 SECONDS WEST ALONG NOW OR FORMERLY A STONE WALL A DISTANCE OF 89.50 FEET;

THENCE NORTH 37 DEGREES 00 MINUTES 14 SECONDS WEST ALONG NOW OR FORMERLY A STONE WALL A DISTANCE OF 85.13 FEET TO A DRILL HOLE, THENCE

THENCE NORTH 40 DEGREES 22 MINUTES 17 SECONDS WEST ALONG NOW OR FORMERLY A STONE WALL A DISTANCE OF 75.35 FEET TO A DRILL HOLE;

THENCE NORTH 34 DEGREES 46 MINUTES 55 SECONDS WEST ALONG NOW OR FORMERLY A STONE WALL A DISTANCE OF 115.91 FEET TO A DRILL HOLE;

THENCE NORTH 37 DEGREES 47 MINUTES 20 SECONDS WEST A DISTANCE OF 355.44 FEET TO A FENCE POST;

THENCE NORTH 38 DEGREES 34 MINUTES 41 SECONDS WEST A DISTANCE OF 123.59 FEET;

THENCE SOUTH 31 DEGREES 51 MINUTES 31 SECONDS EAST ALONG NOW OR FORMERLY A STONE WALL AT THE PARSONS FAMILY CEMETERY A DISTANCE OF 61.93 FEET TO A DRILL HOLE IN STONE WALL;

THENCE SOUTH 35 DEGREES 36 MINUTES 44 SECONDS EAST ALONG LAND NOW OR FORMERLY OF ROBERT & KATHLEEN PREWITT A DISTANCE OF 70.96 FEET TO A DRILL HOLE;

THENCE SOUTH 58 DEGREES 16 MINUTES 52 SECONDS WEST ALONG NOW OR FORMERLY A STONE WALL AND SAID PREWITT LAND A DISTANCE OF 21.30 FEET TO A DRILL HOLE;

THENCE SOUTH 52 DEGREES 43 MINUTES 59 SECONDS WEST ALONG NOW OR FORMERLY A STONE WALL A DISTANCE OF 257.03 FEET TO A DRILL HOLE;

THENCE SOUTH 35 DEGREES 03 MINUTES 19 SECONDS EAST ALONG NOW OR FORMERLY A STONE WALL A DISTANCE OF 176.89 FEET TO A DRILL HOLE;

THENCE SOUTH 32 DEGREES 42 MINUTES 05 SECONDS EAST ALONG NOW OR FORMERLY A STONE WALL A DISTANCE OF 92.02 FEET TO A DRILL HOLE;

THENCE SOUTH 33 DEGREES 36 MINUTES 16 SECONDS EAST ALONG NOW OR FORMERLY A STONE WALL AND LAND OF SAID PREWITT A DISTANCE OF 182.49 FEET TO AN IRON PIPE IN THE WALL AT LAND NOW OR FORMERLY OF THE DANIEL O. LYNCH TRUST;

THENCE SOUTH 23 DEGREES 38 MINUTES 09 SECONDS EAST ALONG NOW OR FORMERLY A STONE WALL AND LAND OF SAID LYNCH TRUST A DISTANCE OF 90.54 FEET TO A DRILL HOLE;

THENCE SOUTH 37 DEGREES 40 MINUTES 10 SECONDS EAST ALONG SAID LYNCH TRUST LAND A DISTANCE OF 78.82 FEET TO A DRILL HOLE IN NOW OR FORMERLY A STONE WALL;

**LINE TABLE**

LINE	BEARING	DISTANCE
L1	S79°56'38"E	13.46'
L2	S29°42'18"E	48.42'
L3	S40°22'17"E	75.35'
L4	S37°01'42"E	85.13'
L5	S38°16'34"E	89.50'
L6	S05°36'30"E	68.45'
L7	S06°51'06"E	38.09'
L8	S33°21'57"E	44.64'
L9	S36°15'47"E	34.23'
L10	S79°25'43"E	17.35'
L11	S71°21'21"E	120.02'
L12	S74°15'15"W	39.94'
L13	N12°17'18"W	170.47'
L14	N80°17'50"W	83.37'
L15	N87°02'20"W	98.40'
L16	S83°17'46"W	54.98'

YORK, ss REGISTRY OF DEEDS  
Received May 16, 2006 in 18 m 2 Page 3  
Filed in Plan Book 34 ATT-11  
Register

APPROVED FOR SUBMITTAL  
AS PERMITTED BY ATTORNEY

REVISIONS:  
NO. DATE REASON  
1 2-17-06

Seal  
ONLY VALID WITH ORIGINAL STAMP

SGC ENGINEERING, LLC  
Civil Design & Survey Engineering  
Environmental & Regulatory Permitting  
Electrical Power Systems Engineering

SERVING OUR CLIENTS IN THE U.S.A. & CANADA  
501 County Road  
Webster, Maine 04092  
Tel: 207-984-8411  
Fax: 207-984-8101

PROJECT: 4880101  
DRAWING: CRM  
DATE: 12-29-05  
SCALE: 1" = 100'

ALTAACSM LAND TITLE SURVEY  
OF PROPERTY LOCATED ON  
**3 IDLE WOOD LANE**  
**KITTERY, YORK COUNTY, MAINE**

PREPARED FOR:  
**STEPHEN HYNES**  
60 TANGLEWOOD ESTATES  
10 SPARKBROOK STREET  
KEENE, NH 03431

000233

YORK, ss REGISTRY OF DEEDS  
Received May 16, 2006  
At 3 h 18 m 2 Page 3  
Filed in Plan Book 34  
ATTEST: Debra A. Anderson  
Register

**SURVEY NOTES:**

- PLANIMETRIC AND TOPOGRAPHIC DETAIL WITHIN THE U.S. ROUTE ONE RIGHT-OF-WAY AS DEPICTED HEREON IS BASED ON AN ON-THE-GROUND FIELD SURVEY BY CIVIL CONSULTANTS BETWEEN SEPTEMBER, 2007 AND JANUARY, 2008. PLANIMETRIC AND TOPOGRAPHIC DETAIL ON THE REMAINDER OF THE SITE IS DIGITIZED FROM REFERENCE PLANS 3 AND 4.
- BEARINGS AS DEPICTED HEREON ARE REFERENCED TO GRID NORTH, NAD83, MAINE STATE PLANE COORDINATE SYSTEM, WEST ZONE (EPOCH 2002.0). COORDINATE VALUES AND ORIENTATION ARE DERIVED FROM A GPS SURVEY COMPUTED UTILIZING THE NGS OPUS ON-LINE PROCESSING SERVICE. THE SURVEY IS TIED TO CORNS STATIONS BOSTON WAAS 1 CORN (ZBW), BARTLETT CORN (BARH) AND BRUNSWICK 1 CORN (BRU1). DISTANCES DEPICTED HEREON ARE GRID. TO CONVERT GRID DISTANCES TO GROUND DISTANCES, MULTIPLY THE GRID DISTANCE BY 1.000007300 (AVERAGE COMBINED SCALE FACTOR FOR THE SITE).
- ELEVATIONS DEPICTED HEREON ARE BASED ON NGVD29 AS DERIVED FROM TIES TO BENCHMARKS DEPICTED ON REFERENCE PLANS 3 AND 4. ELEVATIONS WERE CHECKED BY THE ABOVE REFERENCED GPS SURVEY.
- 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 DISSAFE AND FIELD VERIFY ALL EXISTING UTILITIES PRIOR TO CONSTRUCTION.
- THE PROPERTY LINES DEPICTED HEREON ARE BASED SOLELY ON REFERENCE PLANS 1 AND 2 AND FIELD LOCATION OF A SAMPLING OF MONUMENTATION DEPICTED ON SAID PLANS. AT THIS TIME, THE POSITION OF EVERY MONUMENT ON REFERENCE PLANS 1 AND 2 HAS NOT BEEN INDEPENDENTLY VERIFIED. DEED RESEARCH BY CIVIL CONSULTANTS HAS BEEN LIMITED TO THE TIME PERIOD BETWEEN MARCH, 1995 (DATE OF REFERENCE PLAN 2) AND JANUARY, 2008. CIVIL CONSULTANTS HAS NOT PERFORMED AN INDEPENDENT BOUNDARY RETRACEMENT SURVEY.
- WETLAND BOUNDARIES DEPICTED HEREON ARE BASED ON FIELD LOCATION OF WETLAND DELINEATION FLAGS MARKED BY STANTEC. FLAGS WERE LOCATED BY CIVIL CONSULTANTS ON OCTOBER 16, 18 AND NOVEMBER 15, 2007 UTILIZING GPS EQUIPMENT GENERALLY CAPABLE OF ATTAINING HORIZONTAL POSITIONS WITH 1-2 METER ACCURACY.
- TEST PITS DEPICTED HEREON ARE BASED ON FIELD LOCATION OF TEST PITS EXCAVATED BY KENNETH GARDNER, SOILS SCIENTIST. TEST PITS WERE LOCATED BY CIVIL CONSULTANTS ON OCTOBER 16, 18 AND NOVEMBER 15, 2007 UTILIZING GPS EQUIPMENT GENERALLY CAPABLE OF ATTAINING HORIZONTAL POSITIONS WITH 1-2 METER ACCURACY.
- A PORTION OF THE LOCUS PARCEL IS LOCATED IN "ZONE A" ON THE NATIONAL FLOOD INSURANCE PROGRAM, FLOOD INSURANCE RATE MAP (FIRM) FOR THE TOWN OF KITTERY, MAINE, YORK COUNTY, COMMUNITY PANEL NUMBER 230171 0001 C, EFFECTIVE DATE JULY 5, 1984. ZONE A IS DEFINED AS "AREAS OF 100-YEAR FLOOD; BASE FLOOD ELEVATIONS AND FLOOD HAZARD FACTORS NOT DETERMINED". THE REMAINDER OF THE SITE IS IN "ZONE C". ZONE C IS DEFINED AS "AREAS OF MINIMAL FLOODING". THE FLOOD ZONE BOUNDARY DEPICTED HEREON IS BASED ON SCANNING AND GEO-REFERENCING THE ABOVE REFERENCED FIRM. THE EASTERLY PORTION OF THE "A ZONE" DOES NOT APPEAR TO MATCH THE PHYSICAL LOCATION OF THE STREAM.
- ACCORDING TO REFERENCE PLAN 2, THE WILSON FAMILY CEMETERY IS EXCEPTED FROM THE LOCUS PARCEL AND A RIGHT-OF-WAY TO THE CEMETERY WAS RESERVED.

**SOILS LEGEND:**

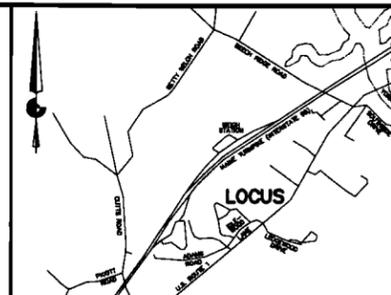
- Ab- ABRAMS SANDY LOAM, EXCESSIVELY DRAINED
- Bk- BECKET, FINE SANDY LOAM, MODERATELY WELL DRAINED
- Bd- BIDDIFORD, MUCKY PEAT, VERY POORLY DRAINED
- Bu- BUXTON, SILT LOAM, SOMEWHAT POORLY DRAINED
- Lc- LAMONIE, SILT LOAM, SOMEWHAT POORLY DRAINED
- Ly- LYMAN, FINE SANDY LOAM, SOMEWHAT EXCESSIVELY DRAINED
- Md- MADE LAND
- Mr- MARLOW, FINE SANDY LOAM, WELL DRAINED
- Pr- PERU, FINE SANDY LOAM, MODERATELY WELL DRAINED
- Sc- SCANTIC, SILT LOAM, POORLY DRAINED
- Sk- SKERRY, FINE SANDY LOAM, MODERATELY WELL DRAINED
- Tu- TUNBRIDGE, FINE SANDY LOAM, WELL DRAINED

**SOILS SLOPES:**

- B 0-8%
  - C 8-15%
  - D 15-20%
  - E >25%
- HIGH INTENSITY SOIL SURVEY WAS PERFORMED BY KENNETH GARDNER, NOVEMBER 2007. THE HIGH INTENSITY SOIL SURVEY MEETS THE STANDARD FOR A CLASS B SOIL SURVEY. REFER TO THE HIGH INTENSITY SOILS REPORT FOR SOILS CLASSIFICATIONS AND TEST PIT LOSS.

**NOTES:**

- ASSESSOR'S INFORMATION: TOWN OF KITTERY  
ASSESSOR'S MAP 66  
LOT 24
- RECORD OWNER: STEPHEN A. HYNES, TRUSTEE  
REAL PROPERTY TRUST AGREEMENT  
1571 BELLEVUE AVE. SUITE 210  
WEST VANCOUVER BC V7V1A6
- ZONING INFORMATION: MIXED USE (MU)  
LOT SIZE: 200,000 sq.ft.  
MINIMUM FRONTAGE: 250'  
SETBACKS:  
FRONT YARD: 60'  
SIDE YARD: 30'  
REAR YARD: 30'  
MAXIMUM BUILDING HEIGHT: 40'  
RURAL RESIDENTIAL (R-RL)  
LAND AREA/DWELLING UNIT: 40,000 sq.ft.  
LOT SIZE: 40,000 sq.ft.  
MINIMUM FRONTAGE: 150'  
SETBACKS:  
FRONT YARD: 40'  
SIDE YARD: 20'  
REAR YARD: 20'  
MAXIMUM BUILDING HEIGHT: 35'  
MAXIMUM BUILDING COVERAGE: 15%
- PARCEL AREA (AFTER LOT LINE ADJUSTMENT)  
TAX MAP 66 LOT 24= 50.1 ACRES±  
TAX MAP 66 LOT 25= 7.95 ACRES±
- APPROVAL OF THIS PLAN IS BASED ON INFORMATION PRESENTED TO AND ON FILE WITH THE TOWN OF KITTERY PLANNING BOARD.
- LOCUS PARCEL CONTAINS 50.1 ACRES MORE OR LESS.

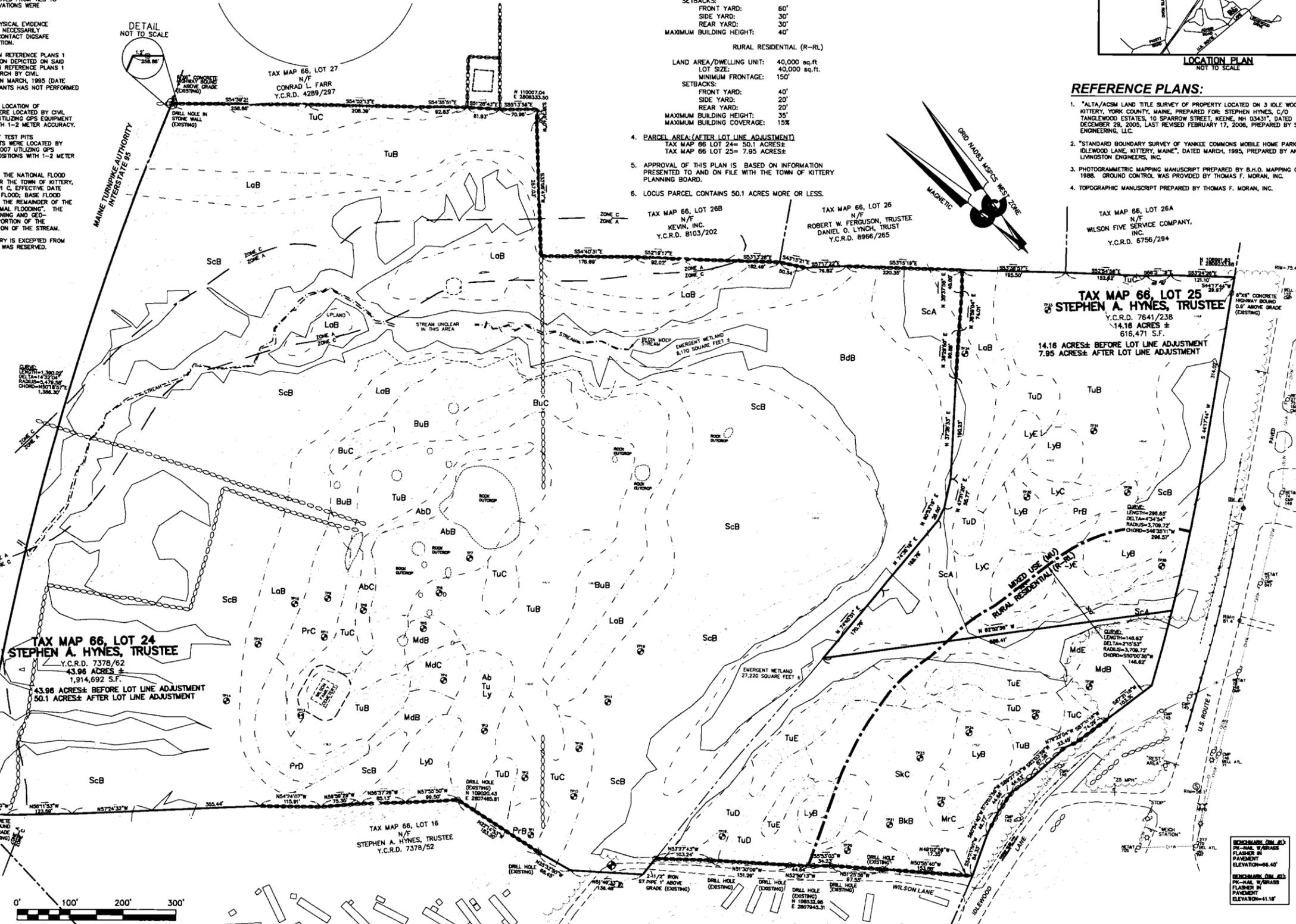


**REFERENCE PLANS:**

- "ALTA/ASIS LAND TITLE SURVEY OF PROPERTY LOCATED ON 3 IDE WOOD LANE, KITTERY, YORK COUNTY, MAINE, PREPARED FOR: STEPHEN HYNES, C/O TANGLEWOOD ESTATES, 10 SPARROW STREET, KEENE, NH 03431", DATED DECEMBER 29, 2005, LAST REVISED FEBRUARY 17, 2006, PREPARED BY SGC ENGINEERING, LLC.
- "STANDARD BOUNDARY SURVEY OF YANKEE COMMONS MOBILE HOME PARK, IDEWOOD LAKE, KITTERY, MAINE", DATED MARCH, 1995, PREPARED BY ANDERSON LIVINGSTON ENGINEERS, INC.
- PHOTOGRAMMETRIC MAPPING MANUSCRIPT PREPARED BY B.H.O. MAPPING CORP., IN 1988. GROUND CONTROL WAS PROVIDED BY THOMAS F. MORAN, INC.
- TOPOGRAPHIC MANUSCRIPT PREPARED BY THOMAS F. MORAN, INC.

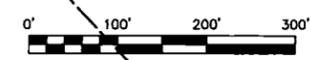
**LEGEND:**

- 7378/62 DEED VOLUME / PAGE NUMBER
- N/F HOW OR FORMERLY
- S.F. SQUARE FEET
- Y.C.R.D. YORK COUNTY REGISTRY OF DEEDS
- LIGHT POLE
- UTILITY POLE
- OVERHEAD WIRES
- FIRE HYDRANT
- SANITARY SEWER MANHOLE
- SINGLE AND DOUBLE POST SIGNS
- WETLAND (SEE NOTE #)
- TEST PIT (SEE NOTE #)
- STONE WALL
- SURVEY BENCHMARK
- TREE LINE
- LOCUS PROPERTY LINE
- APPROXIMATE ADJOINING PROPERTY LINE
- CONTIGUOUS OWNERSHIP
- EXISTING CONTOUR
- STREAM
- ROCK OUTCROP (AS NOTED)



**TAX MAP 66, LOT 24**  
STEPHEN A. HYNES, TRUSTEE  
Y.C.R.D. 7378/62  
43.96 ACRES±  
1,914,692 S.F.  
43.96 ACRES± BEFORE LOT LINE ADJUSTMENT  
50.1 ACRES± AFTER LOT LINE ADJUSTMENT

**TAX MAP 66, LOT 25**  
STEPHEN A. HYNES, TRUSTEE  
Y.C.R.D. 7641/238  
14.16 ACRES± BEFORE LOT LINE ADJUSTMENT  
7.95 ACRES± AFTER LOT LINE ADJUSTMENT



CIVIL CONSULTANTS

**CIVIL CONSULTANTS**

Engineers  
Planners  
Surveyors

P.O. Box 100  
South Berwick  
Maine  
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civcon@civcon.com

NO.	DATE	REVISIONS	INT.
1	JAA 08/31/12	ADD LOT LINE ADJUSTMENT	

**YANKEE COMMONS**  
MOBILE HOME PARK EXPANSION  
IDLEWOOD LAKE/ U.S. ROUTE 1 KITTERY, MAINE

PREPARED FOR:  
STEPHEN A. HYNES, TRUSTEE  
REAL PROPERTY TRUST AGREEMENT  
MAILING ADDRESS: 1571 BELLEVUE AVE., SUITE 210 WEST VANCOUVER, B.C. V7V1A6

CIVIL CONSULTANTS

DRAWN MPP/JAA CALC.

DATE 1 AUGUST 2012

CHECKED

APPROVED

SCALE 1"=100'

SHEET TITLE:  
**BOUNDARY ADJUSTMENT & EXISTING CONDITIONS PLAN**

SHEET NUMBER:  
**C1**

SHEET C1 OF C8

PROJECT # 06-684.02



**DRAIN PIPE SCHEDULE**

PIPE	INV. IN	INV. OUT	LENGTH (FT)	SLOPE (FT/FT)	MATERIAL
P1	56.00	55.20	57	0.014	12" CPP, SMOOTH
P2	55.00	51.00	206	0.019	12" CPP, SMOOTH
P3	48.00	45.00	71	0.042	12" CPP, SMOOTH
P4	40.90	40.50	110	0.004	12" CPP, SMOOTH
P5	41.00	40.50	59	0.008	12" CPP, SMOOTH
P6	41.00	40.50	66	0.008	12" CPP, SMOOTH
P7	41.50	41.00	93	0.005	12" CPP, SMOOTH
P8	41.20	39.70	101	0.015	12" CPP, SMOOTH
P9	36.45	35.75	348	0.002	12" CPP, SMOOTH
P10	43.50	43.40	18	0.006	12" CPP, SMOOTH
P11	43.70	43.40	46	0.007	12" CPP, SMOOTH
P12	45.00	43.65	51	0.026	12" CPP, SMOOTH
P13	43.55	43.20	62	0.006	12" CPP, SMOOTH
P14	39.80	39.50	63	0.005	12" CPP, SMOOTH
P15	39.50	38.50	110	0.009	12" CPP, SMOOTH
P16	30.00	28.75	48	0.026	12" CPP, SMOOTH
P17	28.55	27.50	51	0.021	12" CPP, SMOOTH
P18	24.40	24.00	66	0.006	12" CPP, SMOOTH
P19	28.80	28.55	45	0.006	12" CPP, SMOOTH
P20	28.35	28.00	63	0.006	12" CPP, SMOOTH
P21	27.80	27.50	60	0.005	12" CPP, SMOOTH
P22	24.40	24.00	44	0.009	12" CPP, SMOOTH
P23	35.70	34.50	135	0.009	12" CPP, SMOOTH
P24	34.30	31.40	108	0.027	12" CPP, SMOOTH
P25	31.20	31.05	30	0.005	12" CPP, SMOOTH
P26	30.95	30.50	85	0.005	12" CPP, SMOOTH
P27	27.40	27.00	60	0.007	12" CPP, SMOOTH
P28	27.40	27.00	90	0.004	12" CPP, SMOOTH
P29	39.10	38.85	56	0.004	12" CPP, SMOOTH
P30	38.65	38.30	79	0.004	12" CPP, SMOOTH
P31	38.10	37.95	44	0.003	12" CPP, SMOOTH
P32	37.75	37.50	73	0.003	12" CPP, SMOOTH
P33	33.00	32.00	33	0.030	12" CPP, SMOOTH
P34	33.00	32.00	46	0.022	12" CPP, SMOOTH
P35	47.00	46.75	35	0.007	12" CPP, SMOOTH
P36	58.90	50.00	257	0.035	12" CPP, SMOOTH
P37	60.70	60.50	40	0.005	12" CPP, SMOOTH
P38	64.70	64.50	40	0.005	12" CPP, SMOOTH
P39	64.80	64.10	142	0.005	12" CPP, SMOOTH
P40	64.00	62.00	240	0.008	12" CPP, SMOOTH
P41	38.00	37.75	34	0.007	12" CPP, SMOOTH
P42	43.40	43.20	66	0.003	12" CPP, SMOOTH
P43	46.75	46.25	33	0.015	12" CPP, SMOOTH

**CATCH BASIN SCHEDULE**

STRUCTURE	Associated Filter/Pond	RIM ELEV	PIPE IN	PIPE OUT
CB #1	204b	61.20	P1	P2
CB #15	204b	67.80		P39
DMH#5	204b	70.20	P39	P40
CB #2	205	53.00		P3
CB #3	604	45.00		P7
CB #4	800	47.50	P12	P13
CB #5	802b	33.50		P16
DMH #1	607	45.50	P10, P11	P12
CB #6	802b	33.50		P16
DMH #2	802a	33.20	P20	P21
CB #7	802a	31.50		P19
CB #8	802a	31.50	P19	P20
CB #9	801b	39.20		P23
DMH #3	801b	38.00	P23	P24
CB #10	801b	33.50	P24	P25
CB #11	801b	33.50	P25	P26
CB #12	601a/601b	41.80		P29
CB #13	601a/601b	41.80	P29	P30
CB #14	601a/601b	41.50	P30	P31
DMH#4	601a/601b	41.20	P31	P32

**LEGEND**

- CMP CORRUGATED PLASTIC PIPE
- HDPE HIGH DENSITY POLYETHYLENE
- CB #1 SEE CATCH BASIN TABLE (SHEET C8)
- P1 SEE PIPE TABLE (SHEET C8)
- SILT FENCE
- RIPRAP APRON
- CONSTRUCTION ENTRANCE
- PROPOSED CONTOUR
- PROPOSED SPOT GRADE
- PROPOSED DRAIN LINE
- CATCH BASIN
- DRAIN MANHOLE

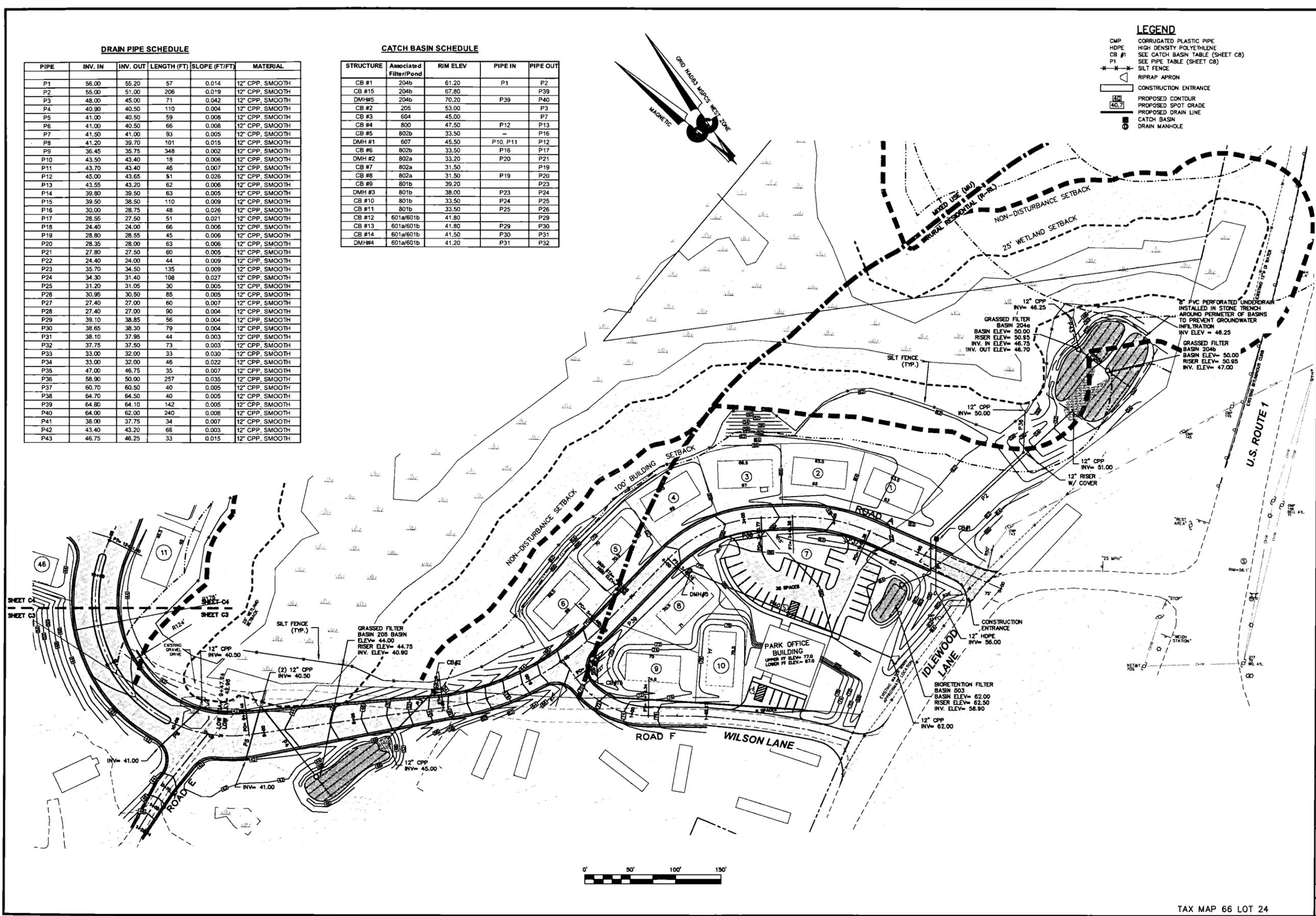


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 207-384-2500  
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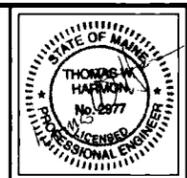
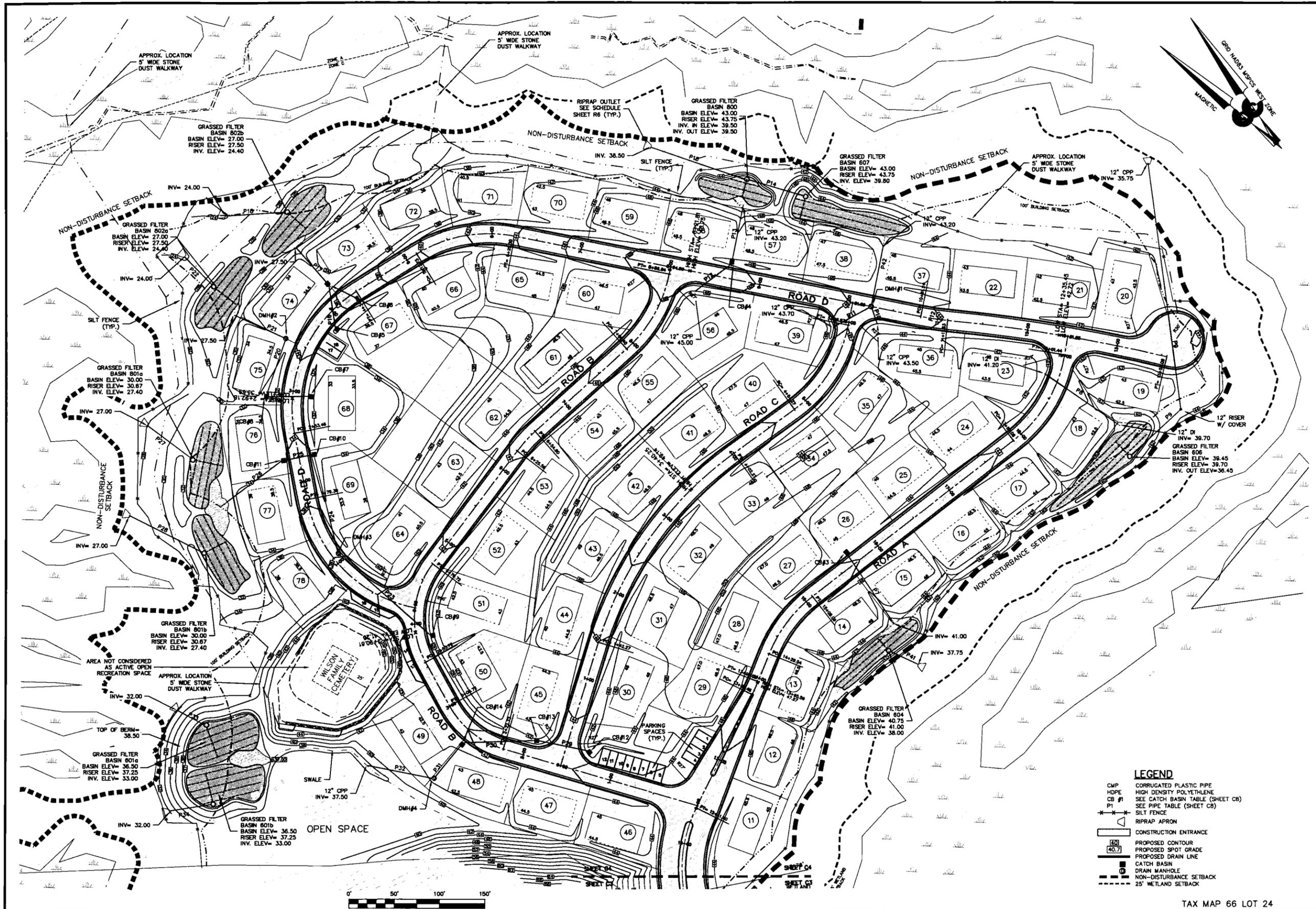
NO.	REVISIONS	DATE
2	REVISE PER REVIEW COMMENTS	JAN 10/17/12
1	CORRECTED PARKING SPACE COUNT	JAN 08/23/12

**YANKEE COMMONS**  
**MOBILE HOME PARK EXPANSION**  
 IDLEWOOD LANE/ U.S. ROUTE 1 KITTERY, MAINE  
 PREPARED FOR:  
**STEPHEN A. HYNES, TRUSTEE**  
**REAL PROPERTY TRUST AGREEMENT**  
 MAILING ADDRESS: 1571 BELLEFLEUR AVE., SUITE 210 WEST VANCOUVER, B.C. V7V4A5

**CIVIL CONSULTANTS**  
 DRAWN GDC/JAA CALC.  
 DATE 1 AUGUST 2012  
 CHECKED  
 APPROVED  
 SCALE 1"=50'  
 SHEET TITLE:  
**-GRADING & DRAINAGE PLAN**  
 SHEET NUMBER:  
**C3**  
 SHEET C3 of C8  
 PROJECT # **06-684.02**



TAX MAP 66 LOT 24



CIVIL CONSULTANTS  
**CIVIL CONSULTANTS**  
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NO.	REVISIONS	INT.	DATE
2	REVISION PER TOWN REVIEW COMMENTS	JAA	03/15/13
1	REVISION PER REVIEW COMMENTS	JAA	10/17/12

**YANKEE COMMONS**  
**MOBILE HOME PARK EXPANSION**  
 IDLEWOOD LANE / U.S. ROUTE 1 KITTERY, MAINE  
 PREPARED FOR:  
**STEPHEN A. HYNES, TRUSTEE**  
**REAL PROPERTY TRUST AGREEMENT**  
 MAILING ADDRESS: 1571 BELLEVUE AVE., SUITE 210 WEST VANCOUVER, B.C. V7Y4A8



DRAWN GDC/JAA CALC.  
 DATE 1 AUGUST 2012  
 CHECKED  
 APPROVED  
 SCALE 1"=50'

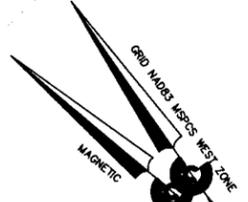
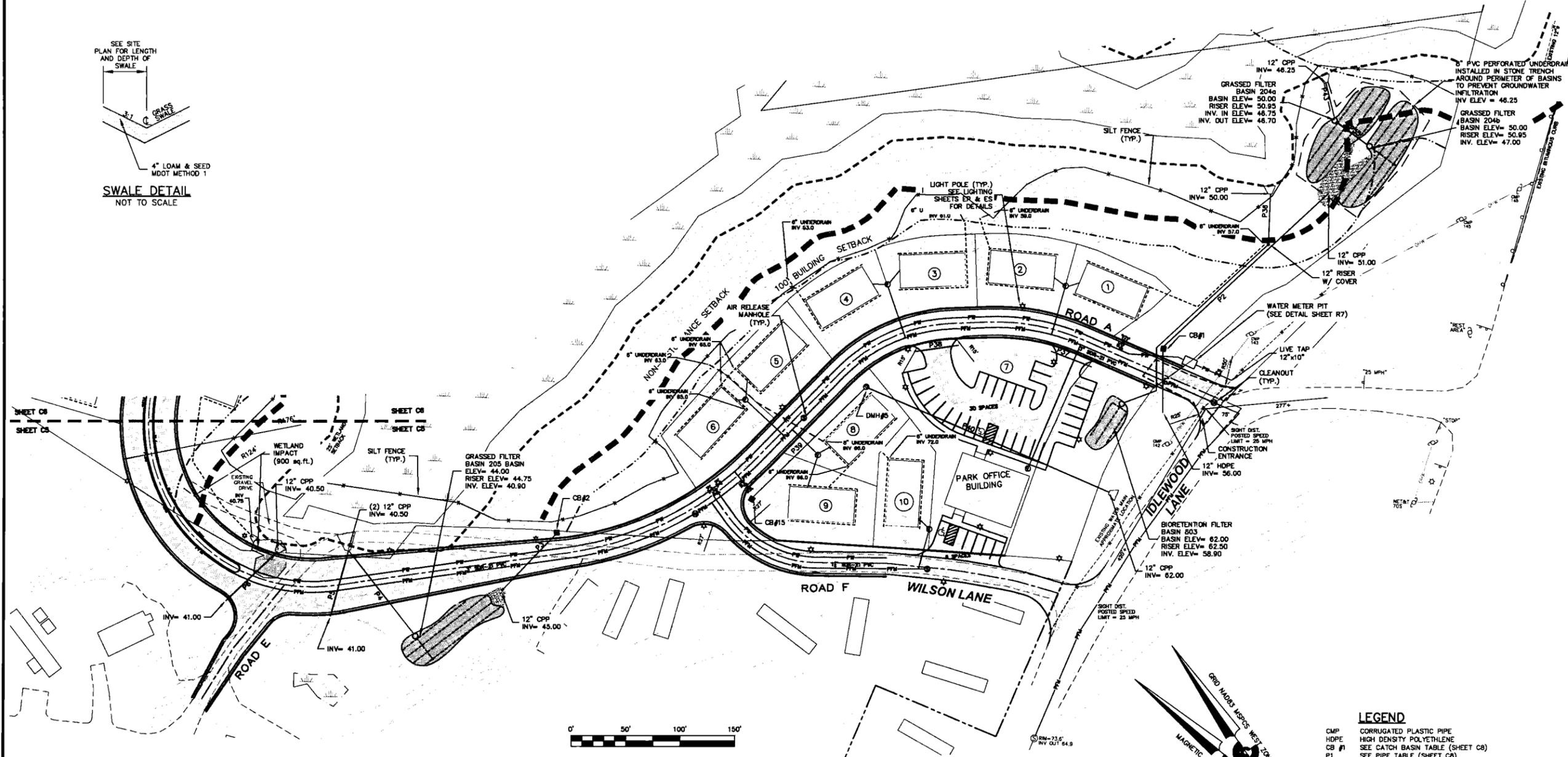
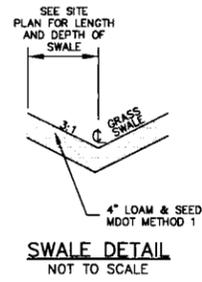
SHEET TITLE:  
**-GRADING & DRAINAGE PLAN**

SHEET NUMBER:  
**C4**

SHEET C4 of C8  
 PROJECT # **06-684.02**

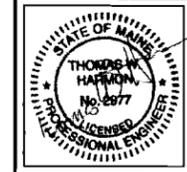
- LEGEND**
- CMP CORRUGATED PLASTIC PIPE
  - HDPE HIGH DENSITY POLYETHYLENE
  - CB #1 SEE CATCH BASIN TABLE (SHEET C8)
  - P1 SEE PIPE TABLE (SHEET C8)
  - SILT FENCE
  - RIPPRAP APRON
  - CONSTRUCTION ENTRANCE
  - PROPOSED CONTOUR
  - PROPOSED SPOT GRADE
  - PROPOSED DRAIN LINE
  - CATCH BASIN
  - DRAIN MANHOLE
  - NON-DISTURBANCE SETBACK
  - 25' WETLAND SETBACK





**LEGEND**

- CMP CORRUGATED PLASTIC PIPE
- HDPE HIGH DENSITY POLYETHYLENE
- CB #1 SEE CATCH BASIN TABLE (SHEET C8)
- P1 SEE PIPE TABLE (SHEET C8)
- SILT FENCE
- ▲ RIPRAP APRON
- ▭ CONSTRUCTION ENTRANCE
- ④ PROPOSED CONTOUR
- ④④ PROPOSED SPOT GRADE
- PROPOSED DRAIN LINE
- ④ CATCH BASIN
- ④ DRAIN MANHOLE
- EXISTING SEWER MAIN
- PFM PROPOSED FORCE MAIN
- PW PROPOSED WATER LINE
- ④ SEWER MANHOLE
- ④ SEWER CLEANOUT
- ④ WATER VALVE
- UNDERDRAIN (SIZE AS NOTED)
- ④ SEWER AIR RELEASE MANHOLE
- ④ SEWER PUMP STATION
- ④ HYDRANT
- ④ WATER VALVE
- ④ LIGHT POLE
- NON-DISTURBANCE SETBACK
- 25' WETLAND SETBACK



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NO.	REVISIONS	INT.	DATE
4	REVISE PER TOWN REVIEW COMMENTS	JAA	03/15/13
3	REVISE PER DEP. REVIEW COMMENTS	NJR	3/11/13
2	REVISE PER DEP. REVIEW COMMENTS	JAA	10/07/12
1	CORRECTED FORCE MAIN PIPE TYPE	JAA	08/29/12

**YANKEE COMMONS**  
**MOBILE HOME PARK EXPANSION**  
**IDLEWOOD LANE/ U.S. ROUTE 1 KITTERY, MAINE**

PREPARED FOR:  
**STEPHEN A. HYNES, TRUSTEE**  
**REAL PROPERTY TRUST AGREEMENT**  
MAILING ADDRESS: 171 BELLEVUE AVE., SUITE 210 WEST WANKOBER, B.C. VT0445

**CIVIL CONSULTANTS**

DRAWN GDC/JAA CALC.

DATE 1 AUGUST 2012

CHECKED

APPROVED

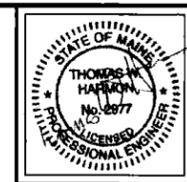
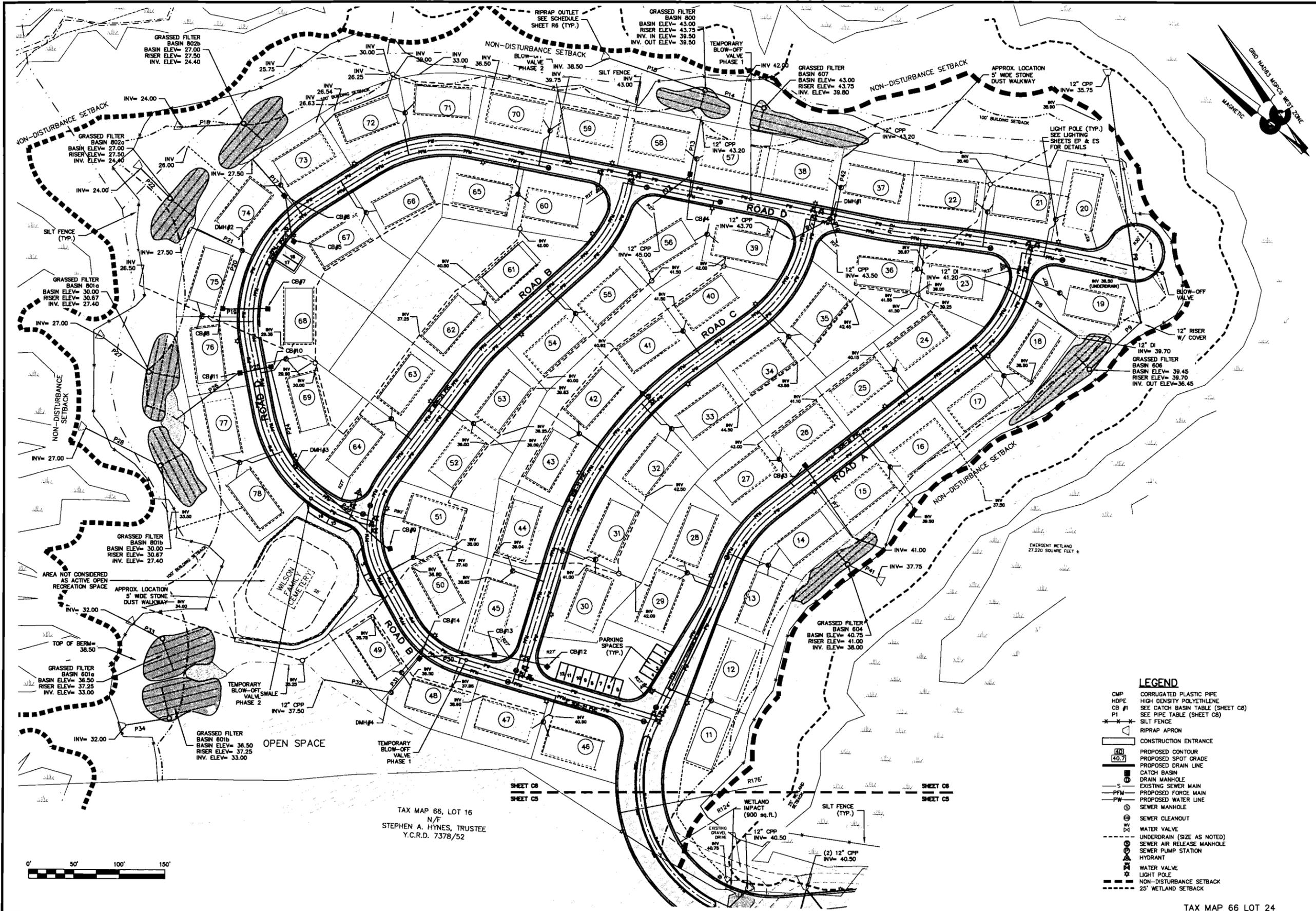
SCALE 1"=50'

SHEET TITLE:  
**UTILITY & UNDERDRAIN PLAN**

SHEET NUMBER:  
**C5**

SHEET C5 of C8

PROJECT # **06-684.02**



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NO.	REVISIONS	DATE
1	CORRECTED FORCE MAIN PIPE TYPE	JAN 08/23/12
2	REVISE PER REVIEW COMMENTS	JAN 10/17/12
3	REVISE PER DEP. REVIEW COMMENTS	JAN 3/17/13

**YANKEE COMMONS**  
**MOBILE HOME PARK EXPANSION**  
 IDEWOOD LANE/ U.S. ROUTE 1 KITTERY, MAINE  
 PREPARED FOR:  
**STEPHEN A. HYNES, TRUSTEE**  
**REAL PROPERTY TRUST AGREEMENT**  
 MAILING ADDRESS: 1571 BELLEVUE AVE., SUITE 210 WEST VANCOUVER, B.C. V7V1A8

**CIVIL CONSULTANTS**

DRAWN: GDC/JAA    CALC.:

DATE: 1 AUGUST 2012

CHECKED:

APPROVED:

SCALE: 1"=50'

SHEET TITLE:  
**UTILITY & UNDERDRAIN PLAN**

SHEET NUMBER:  
**C6**

SHEET C6 OF C6

PROJECT # **06-684.02**

TAX MAP 66, LOT 16  
 N/F  
 STEPHEN A. HYNES, TRUSTEE  
 Y.C.R.D. 7378/52



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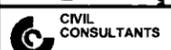


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NO.	DATE	INT.
1	03/15/13	
2	5/17/13	
1	10/17/12	

NO.	REVISIONS
1	REVISE PER TOWN REVIEW COMMENTS
2	REVISE PER DEP. REVIEW COMMENTS
1	REVISE PER REVIEW COMMENTS

YANKEE COMMONS  
MOBILE HOME PARK EXPANSION  
IDLEWOOD LANE/ U.S. ROUTE 1 KITTERY, MAINE  
PREPARED FOR:  
STEPHEN A. HYNES, TRUSTEE  
REAL PROPERTY TRUST AGREEMENT  
MAILING ADDRESS: 1571 BELLEVUE AVE., SUITE 210 WEST VANCOUVER, B.C. V7V4A5



DRAWN	GDC/JAA	CALC.
DATE	1 AUGUST 2012	
CHECKED		
APPROVED		
SCALE	AS NOTED	

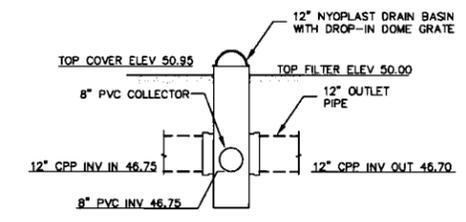
SHEET TITLE:  
-GRASSED FILTER  
BASIN DETAILS

SHEET NUMBER:

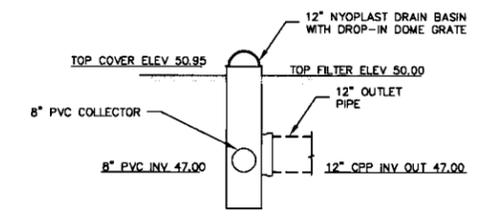
C7

SHEET C7 of C8

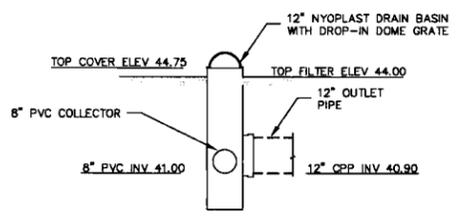
PROJECT # 06-684.02



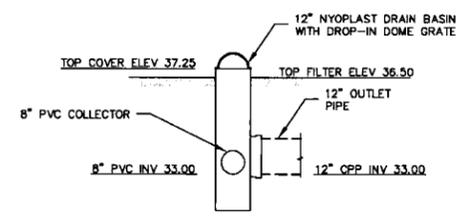
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NOT TO SCALE



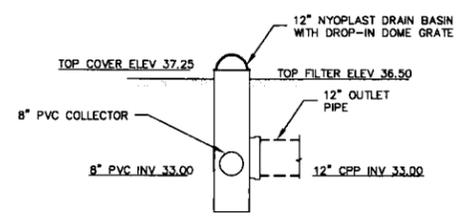
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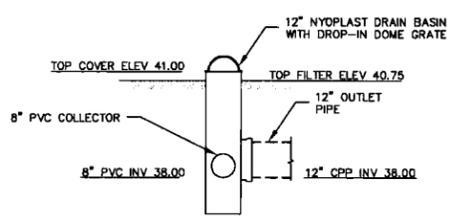
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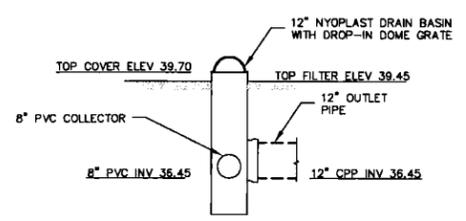
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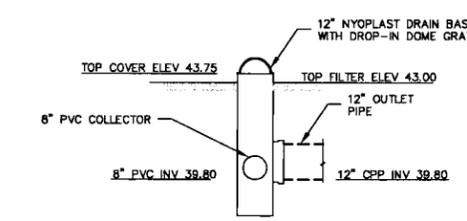
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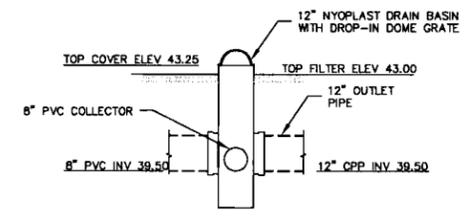
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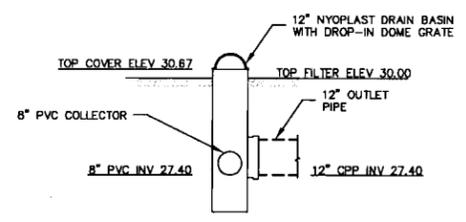
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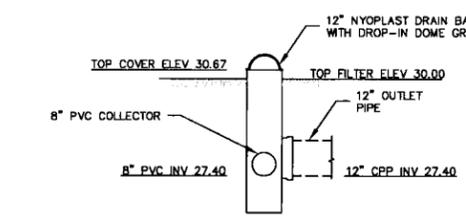
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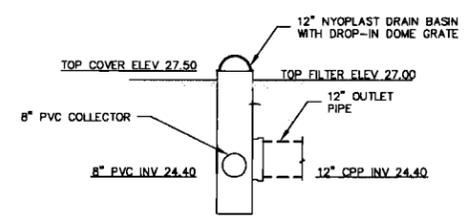
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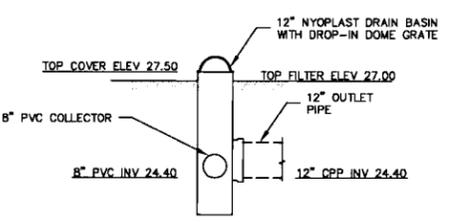
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NOT TO SCALE



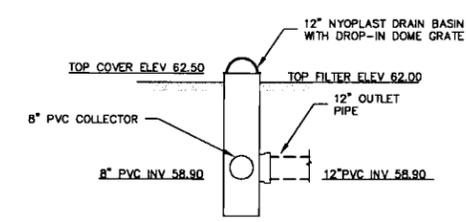
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NOT TO SCALE



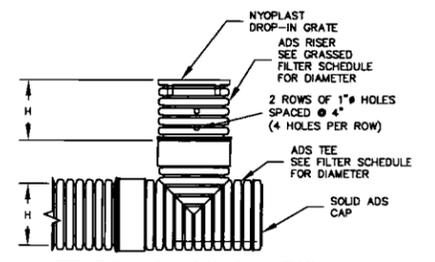
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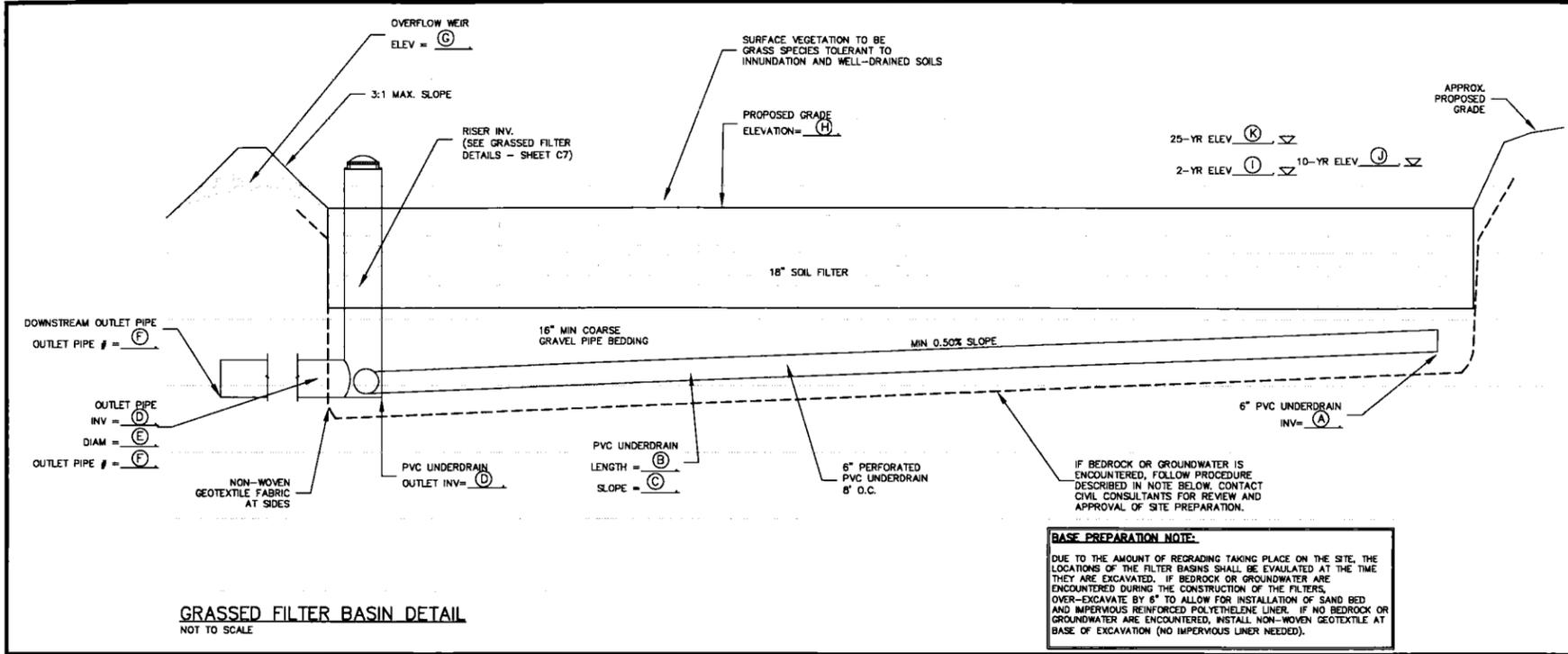
GRASSED FILTER 802b CONTROL STRUCTURE  
NOT TO SCALE



BIORETENTION BASIN 803 CONTROL STRUCTURE  
NOT TO SCALE



TEMPORARY RISER DETAIL  
NOT TO SCALE  
NOTE:  
TEMPORARY RISER TO BE USED DURING CONSTRUCTION FOR SEDIMENT CONTROL. TYPICAL FOR ALL LOTS PRIOR TO LOT DEVELOPMENT. RISER TO BE REPLACED WITH SOLID RISER WHEN INDIVIDUAL LOT IS DEVELOPED. CAPPED END OF TEE TO BE FACING FUTURE FILTER COLLECTOR, PERFORATE AS NEEDED TO ALLOW FOR COLLECTOR INSTALLATION UPON DEVELOPMENT OF CONTRIBUTING LOT. SEE GRASSED FILTER SCHEDULE FOR FINAL LAYOUT.



**GRASSED FILTER BASIN DETAIL**  
NOT TO SCALE

**GRASSED FILTER & BIORETENTION BASIN SCHEDULE**

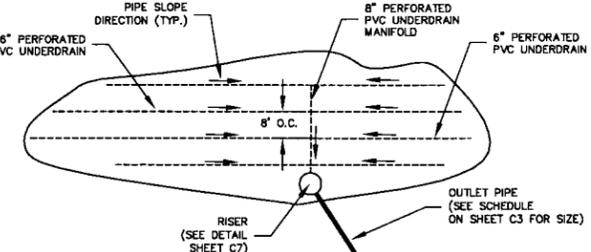
Designation	Underdrain Properties			Outlet Structure**	Outlet Pipe	Weir outlet Elev	Top of Filter	2-yr Elev	10-yr Elev	25-yr Elev	
	Inv In	Length	Slope								Inv Out
Basin 204(a)	47.50	53.00	1.4%	46.75	12" Diam.	P43	51.50	50.00	50.76	51.18	51.30
Basin 204(b)	47.50	60.00	0.8%	47.00	12" Diam.	P35	51.50	50.00	50.76	51.18	51.30
Basin 205	41.50	76.00	0.7%	41.00	12" Diam.	P4	45.25	44.00	44.82	45.08	45.21
Basin 601(a)	34.00	60.00	1.7%	33.00	12" Diam.	P33	38.25	36.50	37.33	37.77	38.14
Basin 601(b)	34.00	42.00	2.4%	33.00	12" Diam.	P34	38.25	36.50	37.33	37.77	38.14
Basin 604	38.25	62.00	0.5%	37.95	12" Diam.	P41	41.50	40.75	41.11	41.33	41.42
Basin 606	36.70	95.00	0.3%	36.45	12" Diam.	P9	40.30	39.45	39.88	40.25	40.42
Basin 607	40.00	20.00	0.5%	39.90	12" Diam.	P14	44.25	43.00	43.85	44.26	44.45
Basin 800	40.50	50.00	2.0%	39.50	12" Diam.	P15	43.75	43.00	43.17	43.34	43.41
Basin 801(a)	27.50	40.00	0.4%	27.35	12" Diam.	P27	31.50	30.00	30.71	30.99	31.17
Basin 801(b)	27.50	50.00	0.3%	27.35	12" Diam.	P28	31.50	30.00	30.71	30.99	31.17
Basin 802(a)	24.50	47.00	0.5%	24.25	12" Diam.	P22	28.25	27.00	27.57	28.05	28.36
Basin 802(b)	24.50	47.00	0.5%	24.25	12" Diam.	P18	28.25	27.00	27.57	28.05	28.36
Basin 803	59.25	50.00	0.5%	59.00	12" Diam.	P36	63.25	62.00	62.59	62.71	62.74

\*If describing a cell with varying lengths of drain pipes, length shown is the maximum.  
\*\*All grassed filter basin outlet structures to be Myoplast drainage basins with a 12" diameter.

TYPE	APPLICATION RATE
CREEPING RED FESCUE	20 LBS/ACRE
TALL FESCUE	20 LBS/ACRE
BIRDSFOOT TREFOL	8 LBS/ACRE
<b>TOTAL</b>	<b>48 LBS/ACRE</b>

**BASE PREPARATION NOTE:**  
DUE TO THE AMOUNT OF REGRADING TAKING PLACE ON THE SITE, THE LOCATIONS OF THE FILTER BASINS SHALL BE EVALUATED AT THE TIME THEY ARE EXCAVATED. IF BEDROCK OR GROUNDWATER ARE ENCOUNTERED DURING THE CONSTRUCTION OF THE FILTERS, OVER-EXCAVATE BY 6" TO ALLOW FOR INSTALLATION OF SAND BED AND IMPERVIOUS REINFORCED POLYETHYLENE LINER. IF NO BEDROCK OR GROUNDWATER ARE ENCOUNTERED, INSTALL NON-WOVEN GEOTEXTILE AT BASE OF EXCAVATION (NO IMPERVIOUS LINER NEEDED).

**MANIFOLD INSTALLATION NOTE:**  
THE 8" HDPE MANIFOLD ORIENTATIONS VARY, REFER TO SHEET C5 & C6 FOR INTENDED LAYOUT. CIVIL CONSULTANTS TO CONFIRM PROPER PLACEMENT OF DRAINS AND MANIFOLDS PRIOR TO PLACEMENT OF PIPE BEDDING MATERIAL AND FILTER MATERIAL. CONTACT ENGINEER FOR CLARIFICATION IF NEEDED.



**TYPICAL GRASSED FILTER UNDERDRAIN LAYOUT**  
NOT TO SCALE

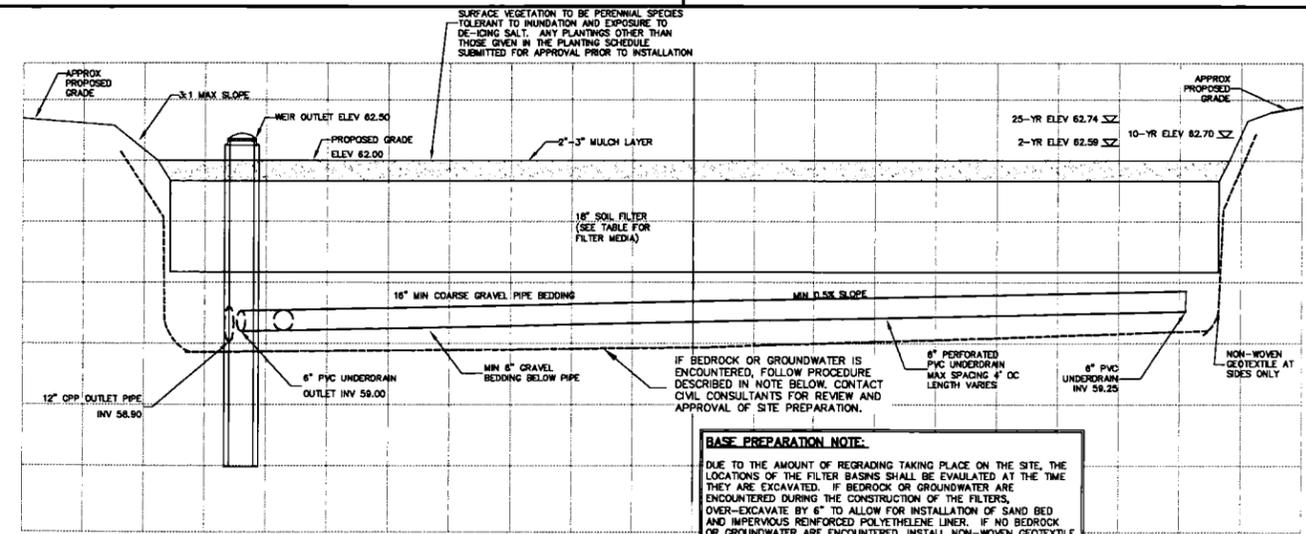
**CONSTRUCTION OVERSIGHT NOTES:**  
INSPECTION OF THE FILTER/BIORETENTION BASINS SHALL BE PROVIDED FOR EACH PHASE OF CONSTRUCTION BY THE DESIGN ENGINEER WITH REQUIRED REPORTING TO THE DEP. AT A MINIMUM, INSPECTIONS WILL OCCUR:  
• AFTER PRELIMINARY CONSTRUCTION OF THE FILTER GRADIES AND ONCE THE UNDERDRAIN PIPES ARE INSTALLED BUT NOT BACKFILLED;  
• AFTER THE DRAINAGE LAYER IS CONSTRUCTED AND PRIOR TO THE INSTALLATION OF THE FILTER MEDIA;  
• AFTER THE FILTER MEDIA HAS BEEN INSTALLED AND SEEDING (OR PLANTED AND MULCHED IF BIORETENTION BASIN);  
• AFTER ONE YEAR TO INSPECT HEALTH OF THE VEGETATION AND MAKE CORRECTIONS;  
• ALL MATERIAL USED FOR THE CONSTRUCTION OF THE FILTER BASIN WILL BE APPROVED BY THE DESIGN ENGINEER AFTER TESTS BY A CERTIFIED LABORATORY SHOW THAT THEY ARE PASSING DEP SPECIFICATIONS.

COMPONENT MATERIAL	PERCENT OF MIXTURE BY VOLUME	GRADATION OF MATERIAL	
		SIEVE NO.	PERCENT BY WEIGHT PASSING STANDARD SIEVE
MODERATELY FINE SHREDDED BARK OR WOOD FIBER MULCH, WITH FINES AS INDICATED	20 TO 25	200	< 5
LOAMY COARSE SAND (MDOT 703.01)	75 TO 80	3/4"	100
		4"	95 TO 100
		8"	80 TO 100
		16"	50 TO 85
		30"	25 TO 60
	60	10 TO 30	
	100	2 TO 10	
	200	0 TO 5	

**GRASSED SOIL FILTER MAINTENANCE NOTES:**  
**SOIL FILTER INSPECTION:** THE SOIL FILTER SHOULD BE INSPECTED AFTER EVERY MAJOR STORM IN THE FIRST FEW MONTHS TO ENSURE PROPER FUNCTION. THEREAFTER, THE FILTER SHOULD BE INSPECTED AT LEAST ONCE EVERY SIX MONTHS TO ENSURE THAT IT IS DRAINING BETWEEN 24 AND 48 HOURS.  
**SOIL FILTER REPLACEMENT:** THE TOP SEVERAL INCHES OF THE FILTER SHALL BE REPLACED WITH FRESH MATERIAL WHEN WATER PONDS ON THE SURFACE OF THE BED FOR MORE THAN 72 HOURS. THE REMOVED SEDIMENTS SHOULD BE DISPOSED IN AN ACCEPTABLE MANNER.  
**SEDIMENT REMOVAL:** SEDIMENT AND PLANT DEBRIS SHOULD BE REMOVED FROM THE PRE-TREATMENT STRUCTURE AT LEAST ANNUALLY.  
**MOWING:** FILTERS WITH GRASS COVER SHOULD BE MOWED NO MORE THAN 2 TIMES PER GROWING SEASON TO MAINTAIN GRASS HEIGHTS LESS THAN 12 INCHES.  
**FERTILIZATION:** FERTILIZATION OF THE UNDERDRAINED FILTER AREA SHOULD BE AVOIDED UNLESS ABSOLUTELY NECESSARY TO ESTABLISH VEGETATION.  
**HARVESTING AND WEEDING:** HARVESTING AND PRUNING OF EXCESSIVE GROWTH WILL NEED TO BE DONE OCCASIONALLY. WEEDING TO CONTROL UNWANTED OR INVASIVE PLANTS MAY ALSO BE NECESSARY.

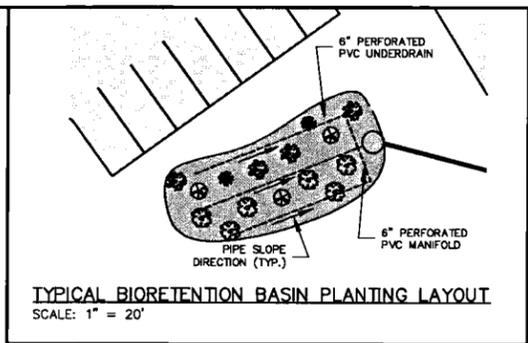
COMPONENT MATERIAL	SIEVE NO.	GRADATION OF MATERIAL	
		PERCENT BY WEIGHT	PASSING STANDARD SIEVE
UNDERDRAIN BACKFILL MATERIAL (MDOT 703.22 TYPE C)	1"	100	
	3/4"	90 TO 100	
	3/8"	0 TO 75	
	4"	0 TO 25	
	10"	0 TO 5	

**BIORETENTION FILTER MAINTENANCE NOTES:**  
**SOIL FILTER INSPECTION:** THE SOIL FILTER SHOULD BE INSPECTED AFTER EVERY MAJOR STORM IN THE FIRST FEW MONTHS TO ENSURE PROPER FUNCTION. THEREAFTER, THE FILTER SHOULD BE INSPECTED AT LEAST ONCE EVERY SIX MONTHS TO ENSURE THAT IT IS DRAINING BETWEEN 24 AND 48 HOURS. IF PONDED WATER REMAINS FOR MORE THAN 48 HOURS, FILTER BED MUST BE ROTOTILLED AND RE-ESTABLISHED.  
**SOIL FILTER REPLACEMENT:** THE MULCH SHALL BE REPLACED WITH FRESH MATERIAL ON A YEARLY BASIS.  
**SEDIMENT REMOVAL:** SEDIMENT AND PLANT DEBRIS SHOULD BE REMOVED FROM THE PRE-TREATMENT AREA AND BASIN AT LEAST ANNUALLY.  
**FERTILIZATION:** FERTILIZATION OF THE UNDERDRAINED FILTER AREA SHOULD BE AVOIDED UNLESS ABSOLUTELY NECESSARY TO ESTABLISH VEGETATION.  
**HARVESTING AND WEEDING:** HARVESTING AND PRUNING OF EXCESSIVE GROWTH WILL NEED TO BE DONE OCCASIONALLY. WEEDING TO CONTROL UNWANTED OR INVASIVE PLANTS MAY ALSO BE NECESSARY. PLANTINGS THAT ARE NOT THRIVING MUST BE REPLACED.



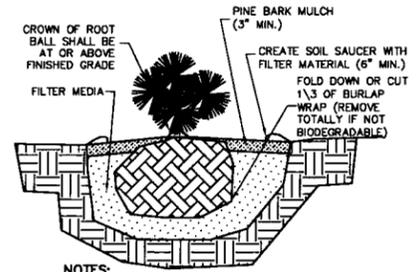
**TYPICAL BIORETENTION BASIN DETAIL - COLLECTOR PIPE AT CENTER**  
NOT TO SCALE

**BASE PREPARATION NOTE:**  
DUE TO THE AMOUNT OF REGRADING TAKING PLACE ON THE SITE, THE LOCATIONS OF THE FILTER BASINS SHALL BE EVALUATED AT THE TIME THEY ARE EXCAVATED. IF BEDROCK OR GROUNDWATER ARE ENCOUNTERED DURING THE CONSTRUCTION OF THE FILTERS, OVER-EXCAVATE BY 6" TO ALLOW FOR INSTALLATION OF SAND BED AND IMPERVIOUS REINFORCED POLYETHYLENE LINER. IF NO BEDROCK OR GROUNDWATER ARE ENCOUNTERED, INSTALL NON-WOVEN GEOTEXTILE AT BASE OF EXCAVATION (NO IMPERVIOUS LINER NEEDED).



**TYPICAL BIORETENTION BASIN PLANTING LAYOUT**  
SCALE: 1" = 20'

SYMBOL	BOTANICAL NAME	COMMON NAME	QUANTITY	SIZE/UNIT
☘	VACCINIUM CORYBOSUM	HIGHBUSH BLUEBERRY	4	12' HT.
☘	VIURNUM TRILOBUM	AMERICAN CRANBERRY VIBURNUM	3	15' HT.
☘	ROSA PALUSTRIS	SWAMP ROSE	2	5'-7' HT.
☘	SAMBUCUS CANADENSIS	COMMON ELDERBERRY	6	6'-8' HT.



**NOTES:**  
1. DO NOT DAMAGE MAIN ROOTS OR DESTROY ROOT BALL WHEN STAKING  
2. WATER THOROUGHLY BEFORE PLANTING  
3. REMOVE ANY STAKES WITHIN TWO YEARS OF PLANTING

**SHRUB INSTALLATION DETAIL**  
NOT TO SCALE

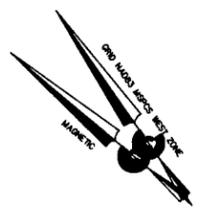


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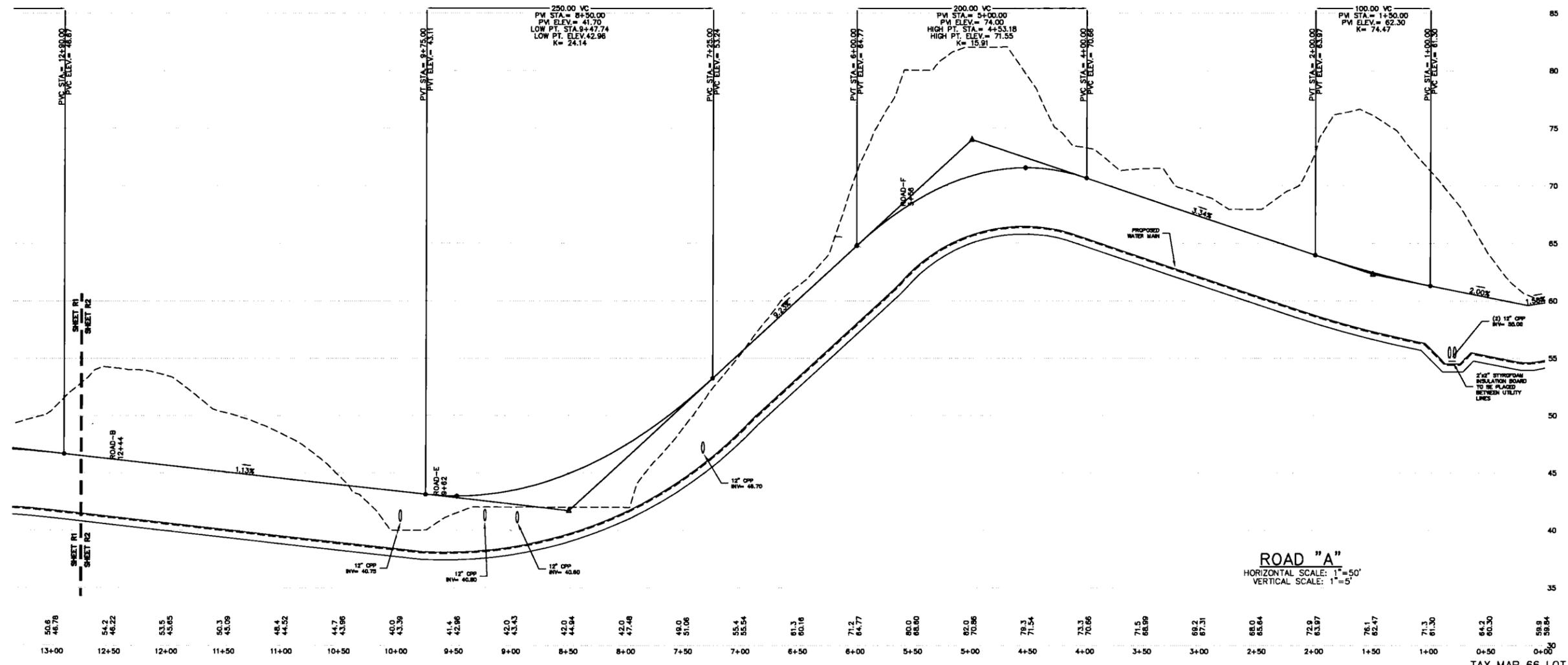
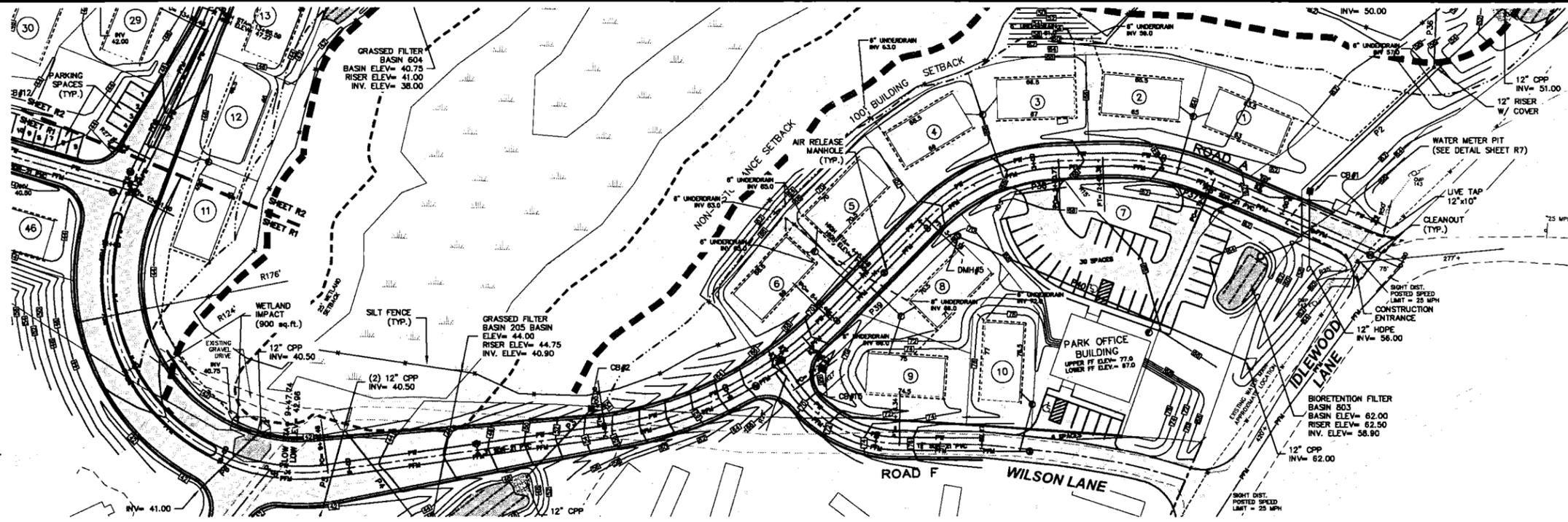
NO.	REVISIONS	DATE
1	REVISED SCHEDULE, ADDED MANIFOLD NOTE	4/2/13
2	REVISE PER DEP REVIEW COMMENTS	3/01/13
3	REVISE PER DEP REVIEW COMMENTS	10/27/12

**YANKEE COMMONS**  
**MOBILE HOME PARK EXPANSION**  
IDLEWOOD LANE/ U.S. ROUTE 1 KITTERY, MAINE  
PREPARED FOR:  
**STEPHEN A. HYNES, TRUSTEE**  
REAL PROPERTY TRUST AGREEMENT  
MAILING ADDRESS: 157 BELLEVUE AVE., SUITE 210 WEST WINDSOR, B.C. VT048

**CIVIL CONSULTANTS**  
DRAWN: GDC/JAA  
CALC.:  
DATE: 1 AUGUST 2012  
CHECKED:  
APPROVED:  
SCALE: AS NOTED  
SHEET TITLE:  
**GRASSED FILTER BASIN DETAILS & SCHEDULES**  
SHEET NUMBER:  
**C8**  
SHEET 08 of 08  
PROJECT # **06-684.02**



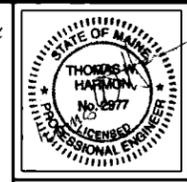
ROAD "A"  
SCALE: 1"=50'



ROAD "A"  
HORIZONTAL SCALE: 1"=50'  
VERTICAL SCALE: 1"=5'

50.0	54.2	53.5	50.3	48.4	44.7	40.0	41.4	42.0	42.0	49.0	55.4	61.3	71.2	80.0	82.0	78.3	73.3	71.5	69.2	68.0	72.9	76.1	71.3	64.2	58.8	
46.78	46.22	43.85	43.08	44.52	43.96	43.36	42.86	43.43	44.94	47.48	51.06	60.16	64.77	68.00	70.86	71.34	70.66	68.89	67.31	65.64	63.97	62.47	61.30	60.30	58.84	
13+00	12+50	12+00	11+50	11+00	10+50	10+00	9+50	9+00	8+50	8+00	7+50	7+00	6+50	6+00	5+50	5+00	4+50	4+00	3+50	3+00	2+50	2+00	1+50	1+00	0+50	0+00

TAX MAP 66 LOT 24



CIVIL CONSULTANTS  
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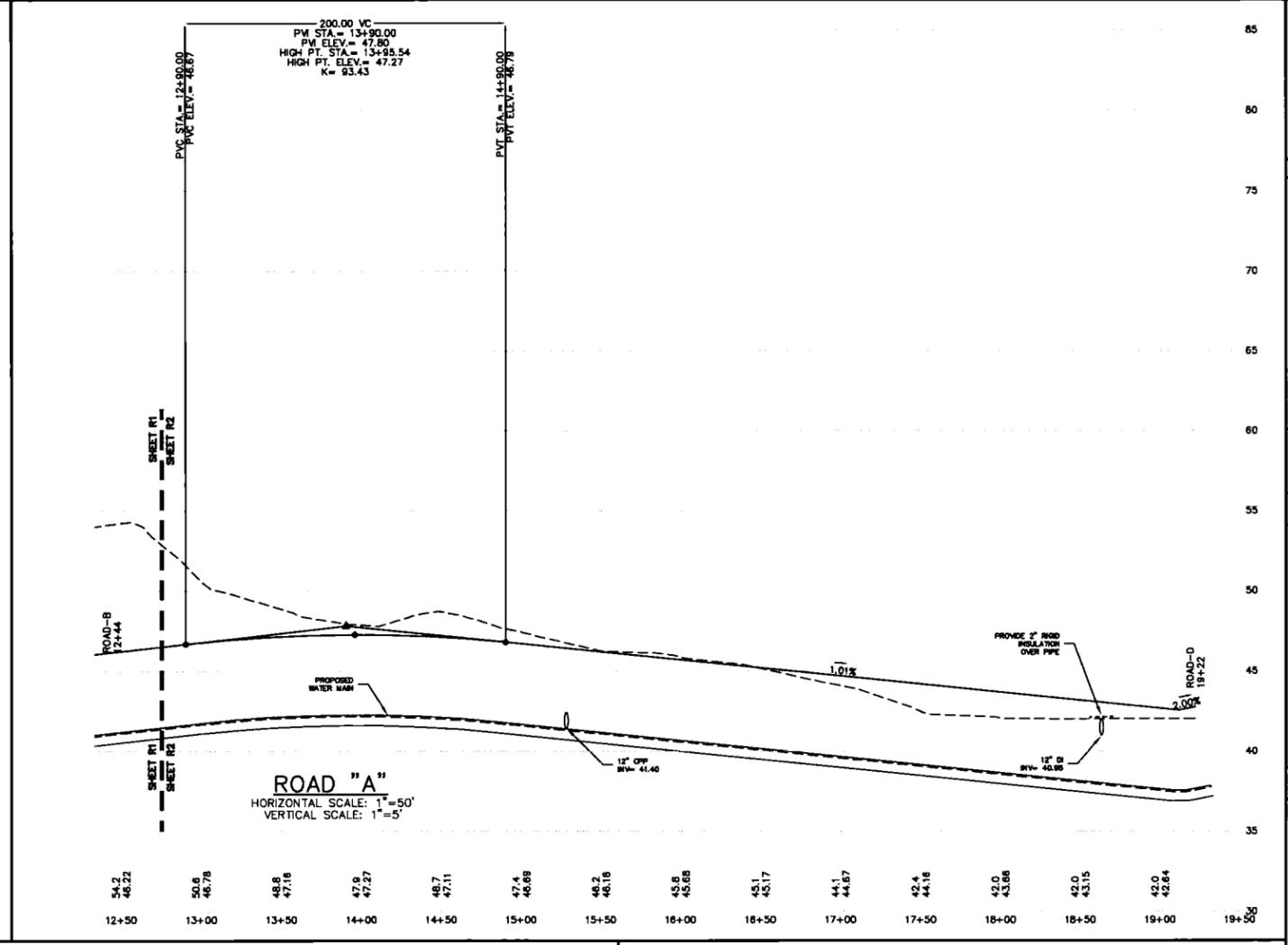
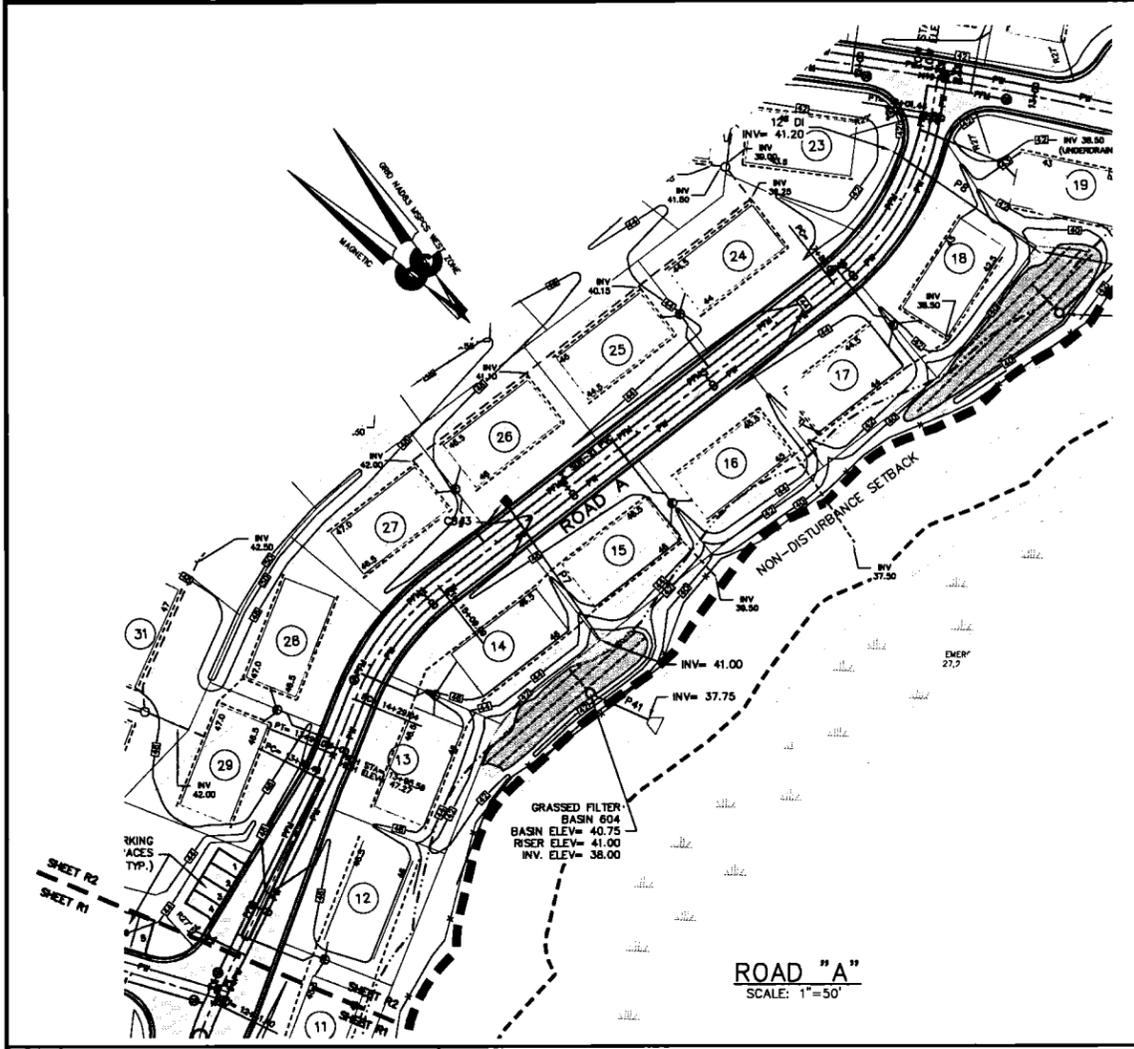
NO.	REVISIONS	INT.	DATE
2	REVISION PER REVIEW COMMENTS	JAA	10/17/12
1	ADD SIGHT DISTANCE / FLIPPED PROFILE	JAA	08/31/12

YANKEE COMMONS  
MOBILE HOME PARK EXPANSION  
IDLEWOOD LANE/ U.S. ROUTE 1 KITTERY, MAINE  
PREPARED FOR:  
STEPHEN A. HYNES, TRUSTEE  
REAL PROPERTY TRUST AGREEMENT  
MAILING ADDRESS: 1571 BELLEVUE AVE., SUITE 210 WEST VANCOUVER, B.C. V7V1A8



DRAWN GDC/JAA CALC.  
DATE 1 AUGUST 2012  
CHECKED  
APPROVED  
SCALE AS NOTED  
SHEET TITLE:  
ROADWAY PLAN & PROFILE  
ROAD A

SHEET NUMBER:  
**R1**  
SHEET R1 OF R8  
PROJECT # 06-684.02



### CONSTRUCTION SEQUENCE

THE GENERAL SEQUENCE OF EVENTS FOR THE DEVELOPMENT OF THE SITE WILL BE AS FOLLOWS:

- PRIOR TO COMMENCING ANY OPERATION ON THE SITE:
  - A PRE-CONSTRUCTION MEETING SHALL BE REQUIRED.
  - SATISFACTORY SURETY SHALL BE PLACED WITH THE TOWN.
  - INSTALL TEMPORARY EROSION CONTROL DEVICES (SILT FENCE AND/OR HAY BALE BARRIER) AS INDICATED.
- CLEAR AND GRUB SITE AS REQUIRED. UPON GRUBBING OF THE FIRST 150' OF ROADWAY, THE CONSTRUCTION ENTRANCE SHALL BE INSTALLED.
- CONSTRUCT BIOTENTION CELLS AND STORMWATER CONTROL STRUCTURES. ADEQUATE SEDIMENTATION CONTROL SHALL BE EMPLOYED TO PROTECT THE BIOTENTION CELLS UNTIL STABILIZATION.
- STRAW BALE CATCH BASIN STRUCTURES TO BE MAINTAINED AT ALL CATCH BASINS UNTIL VEGETATION IS ESTABLISHED.
- UTILITY AND ROADWAY CONSTRUCTION SHALL PROCEED IN CONJUNCTION WITH LOT DEVELOPMENT.
- SHAPE, LOAM AND SEED ROADWAY SIDE SLOPES, BIOTENTION AREAS AND ANY DISTURBED AREAS.
- AFTER GRASS HAS BEEN ESTABLISHED ON DISTURBED AREAS, CLEAN, REPAIR AND RESEED AS REQUIRED.
- INSTALL SURFACE PAVEMENT.
- ALL CONSTRUCTION AND MATERIALS SHALL BE IN ACCORDANCE WITH APPLICABLE TOWN STANDARDS. INSPECTION SHALL BE REQUIRED DURING CONSTRUCTION.

ROAD INTERSECTIONS			
ROAD	STA.	NORTHING	EASTING
IDLEWOOD LANE/ ROAD A	0+00	108370.28	2808389.58
ROAD A / ROAD F	5+56	108582.51	2807947.81
ROAD A / ROAD E	9+62	108640.31	2807579.48
ROAD A / ROAD B	12+44	108979.97	2807614.84
ROAD A / ROAD D	19+22	109169.44	2808244.21
ROAD B / ROAD C	1+57	1092102.40	2807516.58
ROAD B / ROAD D	4+18	109337.48	2807484.45
ROAD B / ROAD E	8+95	109483.12	2807929.76
ROAD C / ROAD D	6+22	109335.81	2808070.99

Centerline Report (ROAD A) Fri Oct 26 09:50:17 2012  
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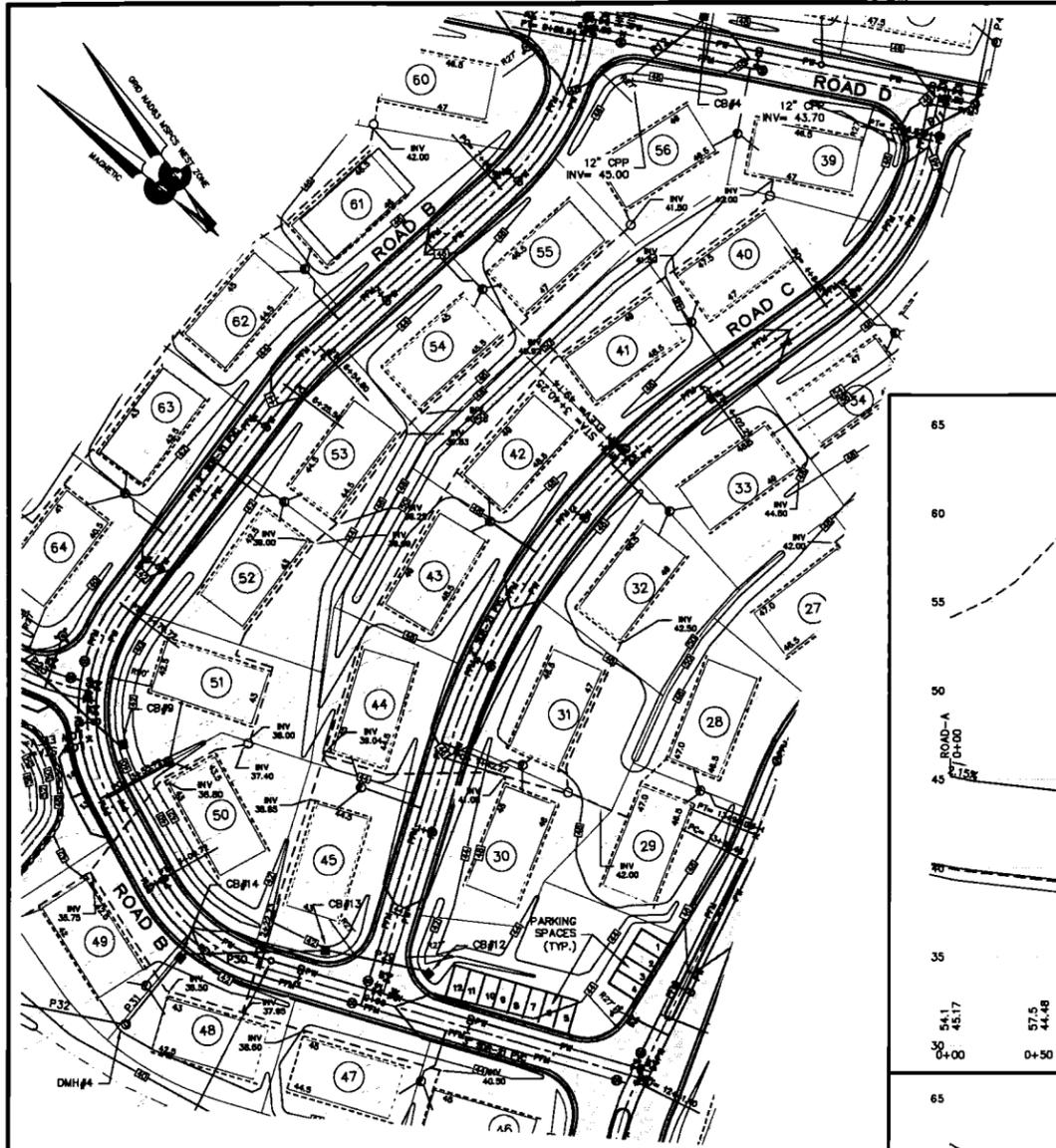
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1+56.361	108545.884	2808308.185	N 31°46'41" W	196.361
1+56.361	108399.558	2808136.167	Radius Length: 200.000'	
1+56.361	108492.912	2808282.827	2+45.000 Tangent: 44.734'	
1+56.361	86.048	2808275.507	Arc Len: 77.984'	
1+56.361	87.310	2808275.507	Chord Len: 78.032'	
1+56.361	86.048	2808275.507	Radius-In: S 89°20'18" E	
1+56.361	86.048	2808275.507	Radius-Out: S 89°20'18" E	
2+44.360	108667.390	2808446.113	PT	
2+44.360	108667.390	2808446.113	N 58°56'37" W	34.391
2+44.360	108667.390	2808446.113	Radius Length: 150.000'	
2+44.360	108667.390	2808446.113	Chord Len: 114.800'	
2+44.360	108667.390	2808446.113	Radius-In: S 33°00'33" W	
2+44.360	108667.390	2808446.113	Radius-Out: S 33°00'33" W	
3+48.178	108607.817	2808108.727	PT	
3+48.178	108607.817	2808108.727	S 79°18'20" W	107.278
3+48.178	108607.817	2808108.727	Radius Length: 300.000'	
3+48.178	108607.817	2808108.727	Chord Len: 114.800'	
3+48.178	108607.817	2808108.727	Radius-In: N 79°50'36" W	
3+48.178	108607.817	2808108.727	Radius-Out: N 79°50'36" W	
4+02.457	108587.709	2808001.313	PT	
4+02.457	108587.709	2808001.313	Radius Length: 300.000'	
4+02.457	108587.709	2808001.313	Chord Len: 114.800'	
4+02.457	108587.709	2808001.313	Radius-In: N 87°49'48" W	
4+02.457	108587.709	2808001.313	Radius-Out: N 87°49'48" W	
4+02.457	108587.709	2808001.313	Tangent-In: Tangent-Out	
4+02.457	108587.709	2808001.313	Tangent-In: Tangent-Out	
9+14.478	108715.889	2807918.481	PT	
9+14.478	108715.889	2807918.481	N 82°37'58" W	216.478
9+14.478	108715.889	2807918.481	Radius Length: 150.000'	
9+14.478	108715.889	2807918.481	Chord Len: 114.800'	
9+14.478	108715.889	2807918.481	Radius-In: N 87°49'48" W	
9+14.478	108715.889	2807918.481	Radius-Out: N 87°49'48" W	
9+14.478	108715.889	2807918.481	Tangent-In: Tangent-Out	
9+14.478	108715.889	2807918.481	Tangent-In: Tangent-Out	
12+41.403	108678.857	2807912.250	PT	
12+41.403	108678.857	2807912.250	N 81°08'43" E	138.081
12+41.403	108678.857	2807912.250	Radius Length: 200.000'	
12+41.403	108678.857	2807912.250	Chord Len: 155.989'	
12+41.403	108678.857	2807912.250	Radius-In: N 28°11'17" E	
12+41.403	108678.857	2807912.250	Radius-Out: N 28°11'17" E	
12+41.403	108678.857	2807912.250	Tangent-In: Tangent-Out	
12+41.403	108678.857	2807912.250	Tangent-In: Tangent-Out	
13+83.483	109043.798	2807734.048	PT	
13+83.483	109043.798	2807734.048	Radius Length: 200.000'	
13+83.483	109043.798	2807734.048	Chord Len: 155.989'	
13+83.483	109043.798	2807734.048	Radius-In: N 28°11'17" E	
13+83.483	109043.798	2807734.048	Radius-Out: N 28°11'17" E	
13+83.483	109043.798	2807734.048	Tangent-In: Tangent-Out	
13+83.483	109043.798	2807734.048	Tangent-In: Tangent-Out	
14+28.041	109071.837	2807774.857	PT	
14+28.041	109071.837	2807774.857	N 56°40'38" E	32.879
14+28.041	109071.837	2807774.857	Radius Length: 150.000'	
14+28.041	109071.837	2807774.857	Chord Len: 114.800'	
14+28.041	109071.837	2807774.857	Radius-In: N 33°19'24" E	
14+28.041	109071.837	2807774.857	Radius-Out: N 33°19'24" E	
14+28.041	109071.837	2807774.857	Tangent-In: Tangent-Out	
14+28.041	109071.837	2807774.857	Tangent-In: Tangent-Out	
17+80.894	109108.847	2808138.845	PT	
17+80.894	109108.847	2808138.845	N 87°15'10" E	278.985
17+80.894	109108.847	2808138.845	Radius Length: 150.000'	
17+80.894	109108.847	2808138.845	Chord Len: 114.800'	
17+80.894	109108.847	2808138.845	Radius-In: N 87°15'10" E	
17+80.894	109108.847	2808138.845	Radius-Out: N 87°15'10" E	
17+80.894	109108.847	2808138.845	Tangent-In: Tangent-Out	
17+80.894	109108.847	2808138.845	Tangent-In: Tangent-Out	
19+01.438	109154.844	2808229.842	PT	
19+01.438	109154.844	2808229.842	N 44°30'11" E	20.408
19+01.438	109154.844	2808229.842	Radius Length: 150.000'	
19+01.438	109154.844	2808229.842	Chord Len: 114.800'	
19+01.438	109154.844	2808229.842	Radius-In: N 44°30'11" E	
19+01.438	109154.844	2808229.842	Radius-Out: N 44°30'11" E	
19+01.438	109154.844	2808229.842	Tangent-In: Tangent-Out	
19+01.438	109154.844	2808229.842	Tangent-In: Tangent-Out	

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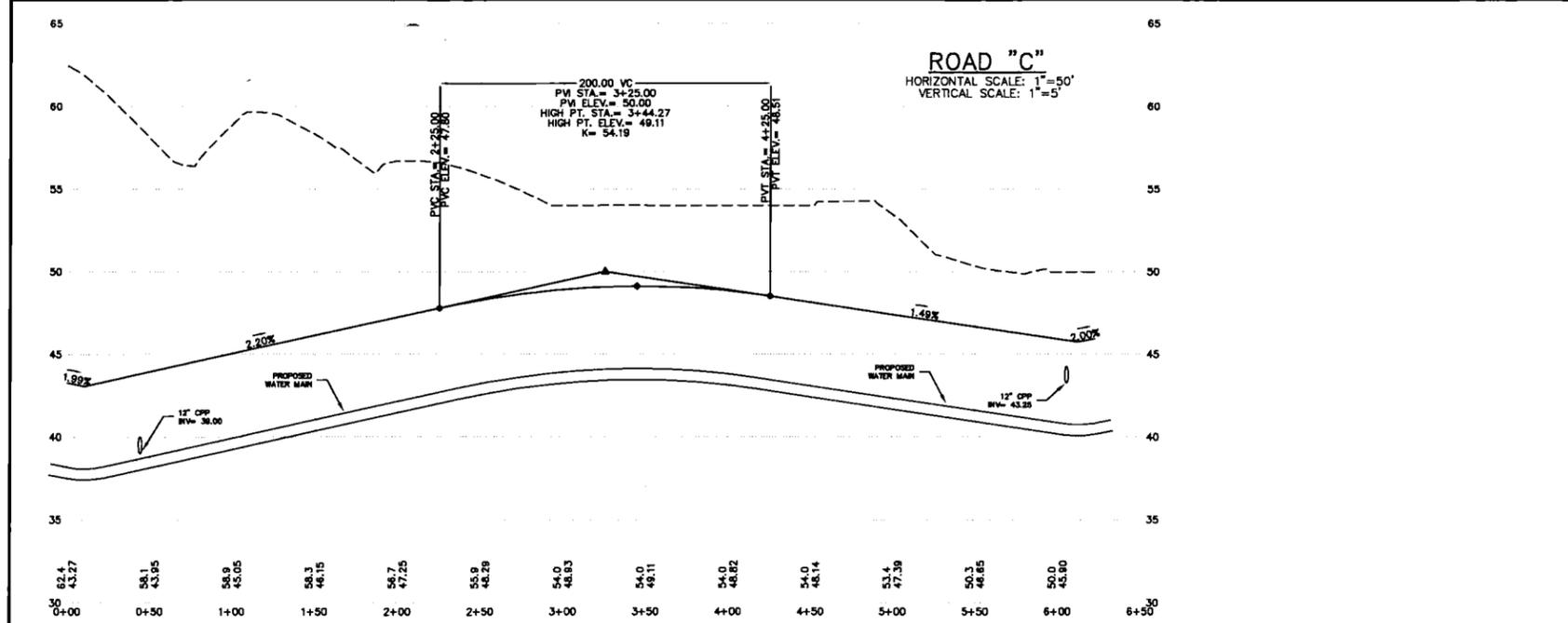
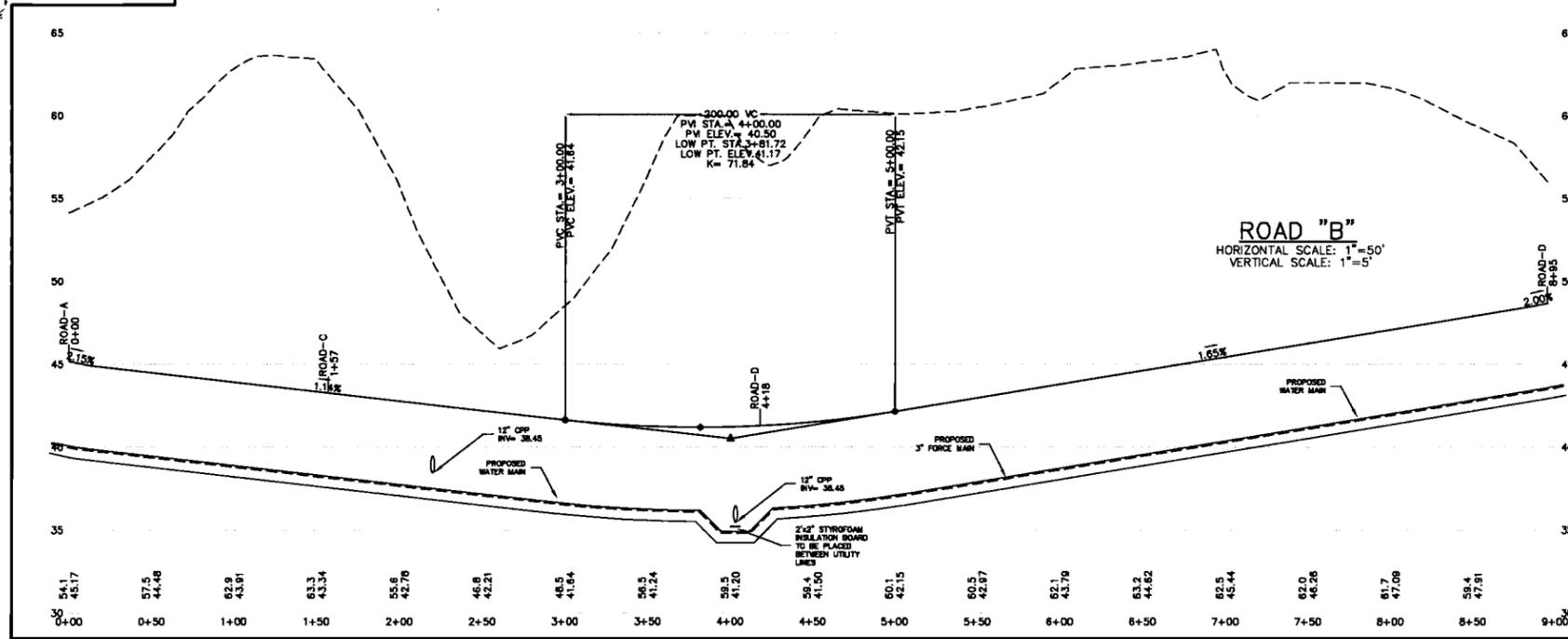
Station	Northing	Eastng	Bearing	Distance
0+00.000	108370.28	2808389.58		
2+22.728	109153.817	2807475.403	PC	
2+22.728	109153.817	2807475.403	N 35°41'34" W	222.728
2+22.728	109153.817	2807475.403	Radius Length: 100.000'	
2+22.728	109153.817	2807475.403	Chord Len: 71.984'	
2+22.728	109153.817	2807475.403	Arc Len: 77.984'	
2+22.728	109153.817	2807475.403	Chord Len: 78.032'	
2+22.728	109153.817	2807475.403	Radius-In: N 91°17'28" E	
2+22.728	109153.817	2807475.403	Radius-Out: S 89°20'18" E	
2+22.728	109153.817	2807475.403	Tangent-In: Tangent-Out	
2+22.728	109153.817	2807475.403	Tangent-In: Tangent-Out	
3+45.723	109229.775	2807454.004	PT	
3+45.723	109229.775	2807454.004	N 00°56'41" E	55.000
3+45.723	109229.775	2807454.004	Radius Length: 100.000'	
3+45.723	109229.775	2807454.004	Chord Len: 114.800'	
3+45.723	109229.775	2807454.004	Radius-In: S 89°20'18" E	
3+45.723	109229.775	2807454.004	Radius-Out: S 89°20'18" E	
3+45.723	109229.775	2807454.004	Tangent-In: Tangent-Out	
3+45.723	109229.775	2807454.004	Tangent-In: Tangent-Out	
6+25.584	109414.227	2807875.290	PC	
6+25.584	109414.227	2807875.290	N 71°53'04" E	154.870
6+25.584	109414.227	2807875.290	Radius Length: 150.000'	
6+25.584	109414.227	2807875.290	Chord Len: 114.800'	
6+25.584	109414.227	2807875.290	Radius-In: N 71°53'04" E	
6+25.584	109414.227	2807875.290	Radius-Out: N 71°53'04" E	
6+25.584	109414.227	2807875.290	Tangent-In: Tangent-Out	
6+25.584	109414.227	2807875.290	Tangent-In: Tangent-Out	
7+40.398	109438.882	2807838.383	PC	
7+40.398	109438.882	2807838.383	N 83°02'33" E	135.582
7+40.398	109438.882	2807838.383	Radius Length: 150.000'	
7+40.398	109438.882	2807838.383	Chord Len: 114.800'	
7+40.398	109438.882	2807838.383	Radius-In: N 83°02'33" E	
7+40.398	109438.882	2807838.383	Radius-Out: N 83°02'33" E	
7+40.398	109438.882	2807838.383	Tangent-In: Tangent-Out	
7+40.398	109438.882	2807838.383	Tangent-In: Tangent-Out	
8+44.804	109450.557	2807703.788	PT	
8+44.804	109450.557	2807703.788	N 10°42'18" E	7.968
8+44.804	109450.557	2807703.788	Radius Length: 150.000'	
8+44.804	109450.557	2807703.788	Chord Len: 114.800'	
8+44.804	109450.557	2807703.788	Radius-In: N 10°42'18" E	
8+44.804	109450.557	2807703.788	Radius-Out: N 10°42'18" E	
8+44.804	109450.557	2807703.788	Tangent-In: Tangent-Out	
8+44.804	109450.557	2807703.788	Tangent-In: Tangent-Out	
13+58.082	109088.638	2808320.888	PT	
13+58.082	109088.638	2808320.888	N 54°30'18" E	83.924
13+58.082	109088.638	2808320.888	Radius Length: 150.000'	
13+58.082	109088.638	2808320.888	Chord Len: 114.800'	
13+58.082	109088.638	2808320.888	Radius-In: N 54°30'18" E	
13+58.082	109088.638	2808320.888	Radius-Out: N 54°30'18" E	
13+58.082	109088.638	2808320.888	Tangent-In: Tangent-Out	
13+58.082	109088.638	2808320.888	Tangent-In: Tangent-Out	

Centerline Report (ROAD C) Wed Mar 14 11:52:48 2012  
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0+00.000	108370.28	2808389.58		
1+42.287	108160.208	2807828.533	PC	
1+42.287	108160.208	2807828.533	N 51°53'28" E	142.287
1+42.287	108160.208	2807828.533	Radius Length: 400.000'	
1+42.287	108160.208	2807828.533	Chord Len: 94.447'	
1+42.287	108160.208	2807828.533	Arc Len: 260.000'	
1+42.287	108160.208	2807828.533	Chord Len: 260.000'	
1+42.287	108160.208	2807828.533	Radius-In: N 87°15'10" E	
1+42.287	108160.208	2807828.533	Radius-Out: S 89°20'18" E	
1+42.287	108160.208	2807828.533	Tangent-In: Tangent-Out	
1+42.287	108160.208	2807828.533	Tangent-In: Tangent-Out	
4+42.287	108275.427	2807888.335	PT	
4+42.287	108275.427	2807888.335	N 89°07'38" E	82.000
4+42.287	108275.427	2807888.335	Radius Length: 150.000'	
4+42.287	108275.427	2807888.335	Chord Len: 114.800'	
4+42.287	108275.427	2807888.335	Radius-In: N 89°07'38" E	
4+42.287	108275.427	2807888.335	Radius-Out: N 89°07'38" E	
4+42.287	108275.427	2807888.335	Tangent-In: Tangent-Out	
4+42.287	108275.427	2807888.335	Tangent-In: Tangent-Out	
8+21.801	108338.805	2808070.999	PT	
8+21.801	108338.805	2808070.999	N 48°08'07" E	24.967
8+21.801	108338.805	2808070.999	Radius Length: 150.000'	
8+21.801	108338.805	2808070.999	Chord Len: 114.800'	
8+21.801	108338.805	2808070.999	Radius-In: N 48°08'07" E	
8+21.801	108338.805	2808070.999	Radius-Out: N 48°08'07" E	
8+21.801	108338.805			



ROAD "B" & "C"  
SCALE: 1"=50'



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NO.	REVISIONS	INT.	DATE
2	REVISE PER REVIEW COMMENTS	JAA	10/17/12
1	EXPANDED INTERSECTION ROADS A & B	JAA	08/31/12

YANKEE COMMONS  
 MOBILE HOME PARK EXPANSION  
 IDLEWOOD LANE/ U.S. ROUTE 1 KITTERY, MAINE  
 PREPARED FOR:  
 STEPHEN A. HYNES, TRUSTEE  
 REAL PROPERTY TRUST AGREEMENT  
 MAILING ADDRESS: 1571 BELLEVUE AVE., SUITE 210 WEST VANCOUVER, B.C. V7V1A8



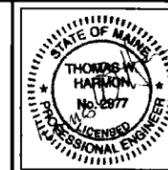
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 DATE: 1 AUGUST 2012  
 CHECKED:  
 APPROVED:  
 SCALE: AS NOTED

SHEET TITLE:  
 ROADWAY PLAN & PROFILE  
 ROAD B & C

SHEET NUMBER:  
**R3**

SHEET R3 of R8  
 PROJECT # 06-684.02

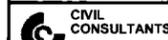
TAX MAP 66 LOT 24



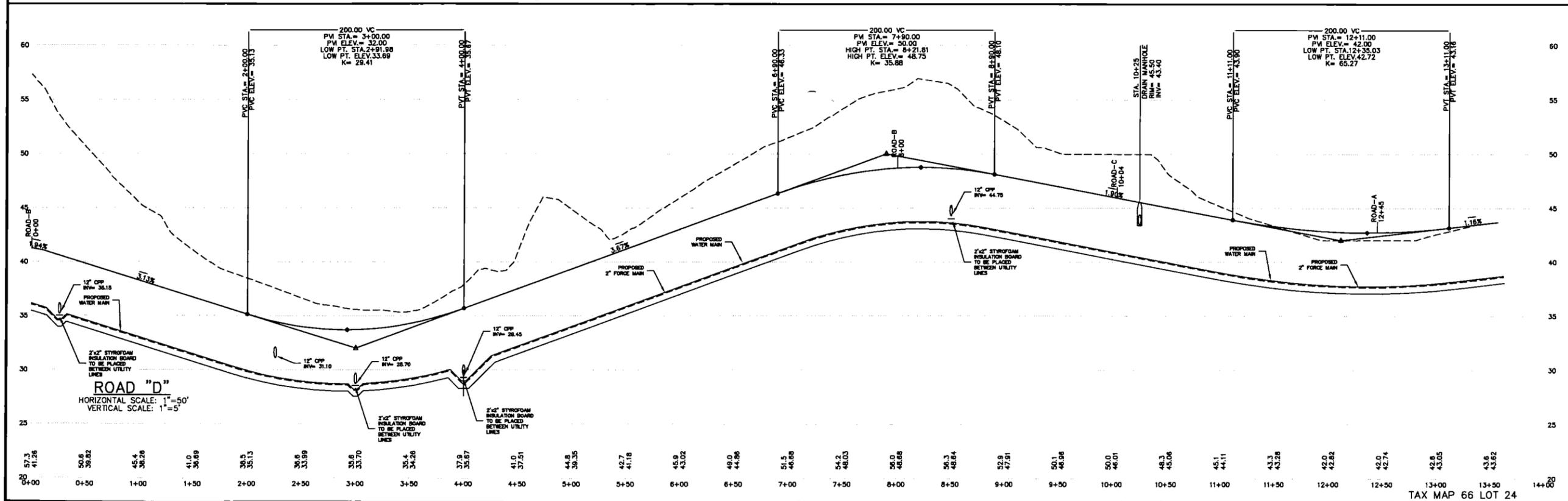
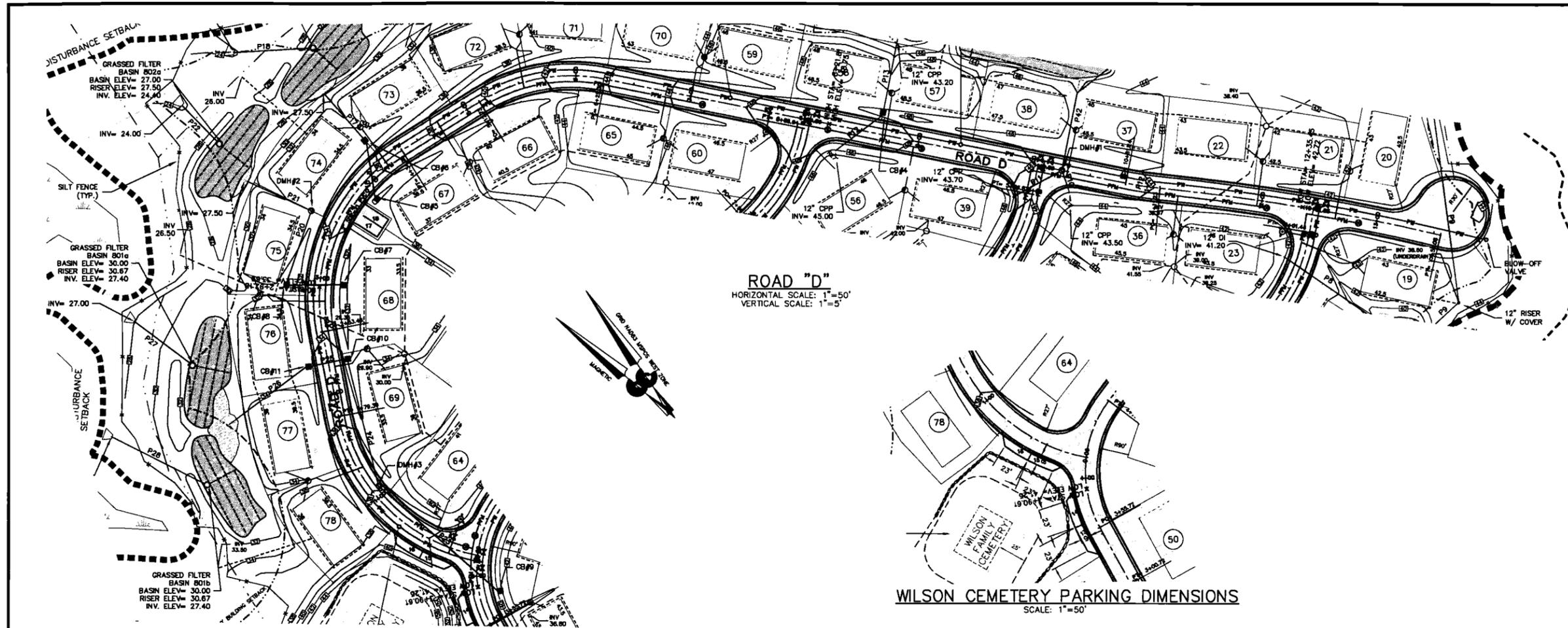
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NO.	REVISIONS	INT.	DATE
1	REVISE PER REVIEW COMMENTS	JAA	10/17/12

YANKEE COMMONS  
 MOBILE HOME PARK EXPANSION  
 IDLEWOOD LANE/ U.S. ROUTE 1 KITTERY, MAINE  
 PREPARED FOR:  
 STEPHEN A. HYNES, TRUSTEE  
 REAL PROPERTY TRUST AGREEMENT  
 MAILING ADDRESS: 1571 BELLEVUE AVE., SUITE 210 WEST VANCOUVER, B.C. V7V1A8



DRAWN GDC/JAA CALC.  
 DATE 1 AUGUST 2012  
 CHECKED  
 APPROVED  
 SCALE AS NOTED  
 SHEET TITLE:  
 ROADWAY PLAN & PROFILE  
 ROAD D  
 SHEET NUMBER:  
**R4**  
 SHEET R4 of R8  
 PROJECT # 06-684.02





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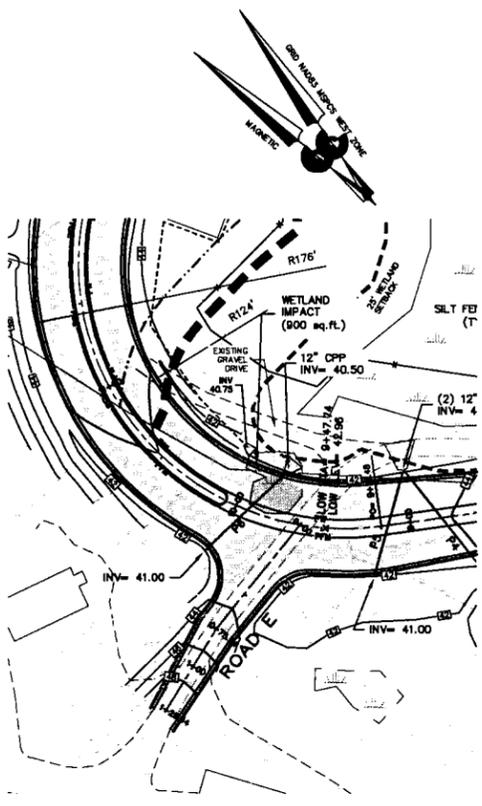
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1	REVISE PER REVIEW COMMENTS	JAA 10/27/12

YANKEE COMMONS  
 MOBILE HOME PARK EXPANSION  
 IDLEWOOD LANE/ U.S. ROUTE 1 KITTERY, MAINE  
 PREPARED FOR:  
 STEPHEN A. HYNES, TRUSTEE  
 REAL PROPERTY TRUST AGREEMENT  
 MAILING ADDRESS: 157 BELLEVUE AVE., SUITE 210 WEST VANCOUVER, B.C. V7V1A8

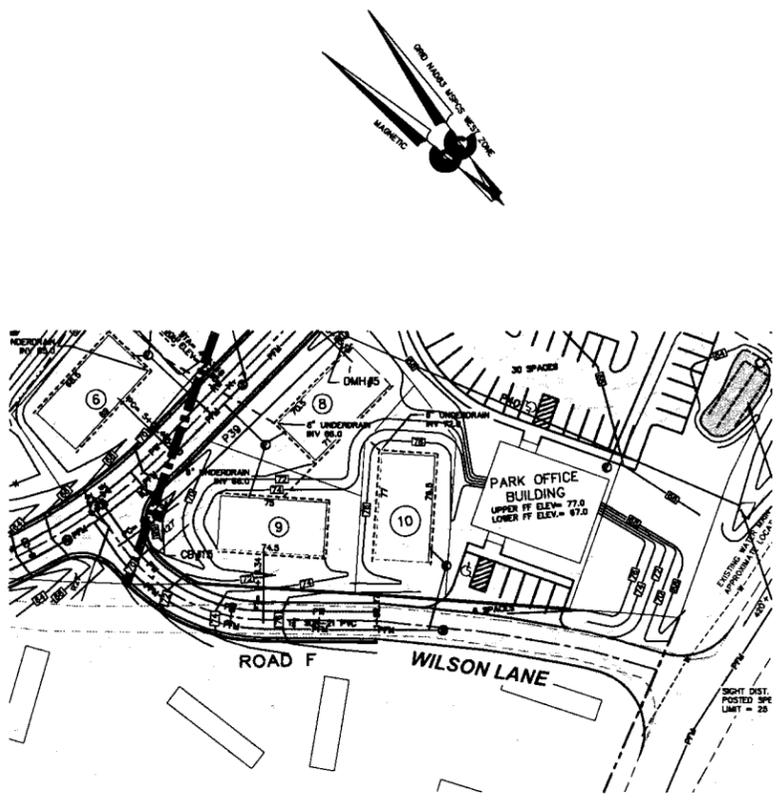


DRAWN GDC/JAA CALC.  
 DATE 1 AUGUST 2012  
 CHECKED  
 APPROVED  
 SCALE AS NOTED  
 SHEET TITLE:  
 ROADWAY PLAN & PROFILE - ROAD E&F-SECTION

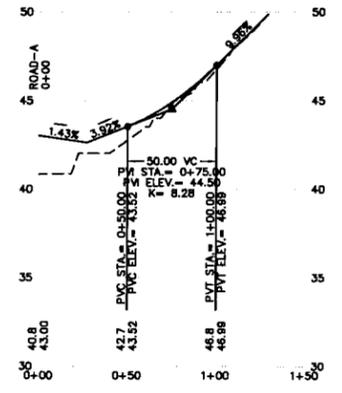
SHEET NUMBER:  
**R5**  
 SHEET R5 of R8  
 PROJECT # 06-684.02



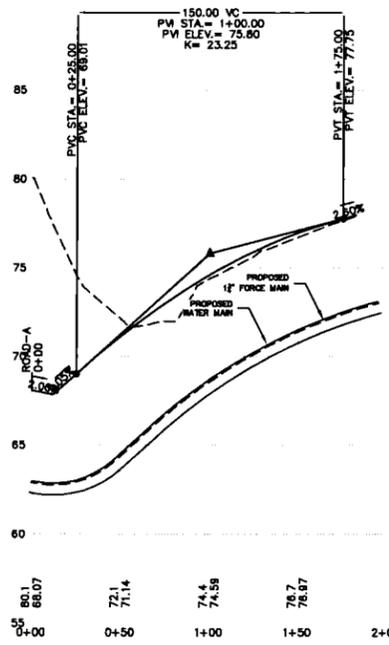
**ROAD "E"**  
 HORIZONTAL SCALE: 1"=50'  
 VERTICAL SCALE: 1"=5'



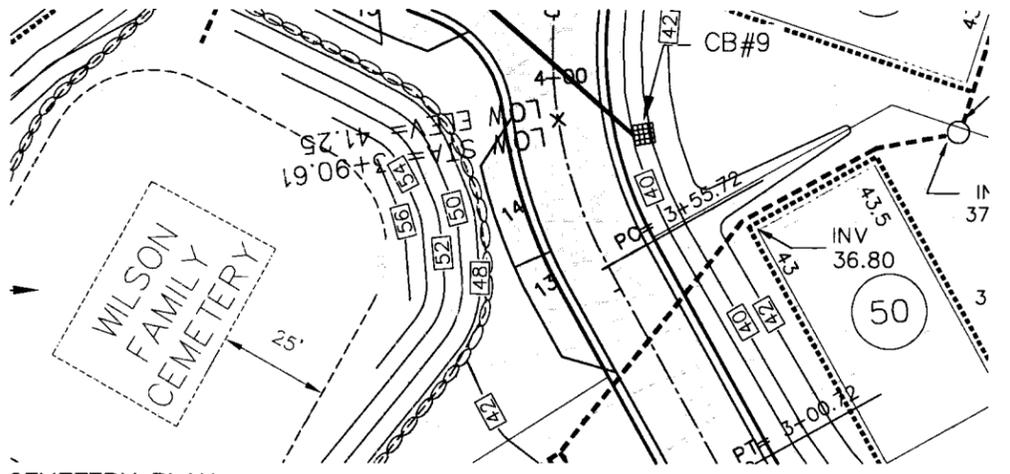
**ROAD "F"**  
 HORIZONTAL SCALE: 1"=50'  
 VERTICAL SCALE: 1"=5'



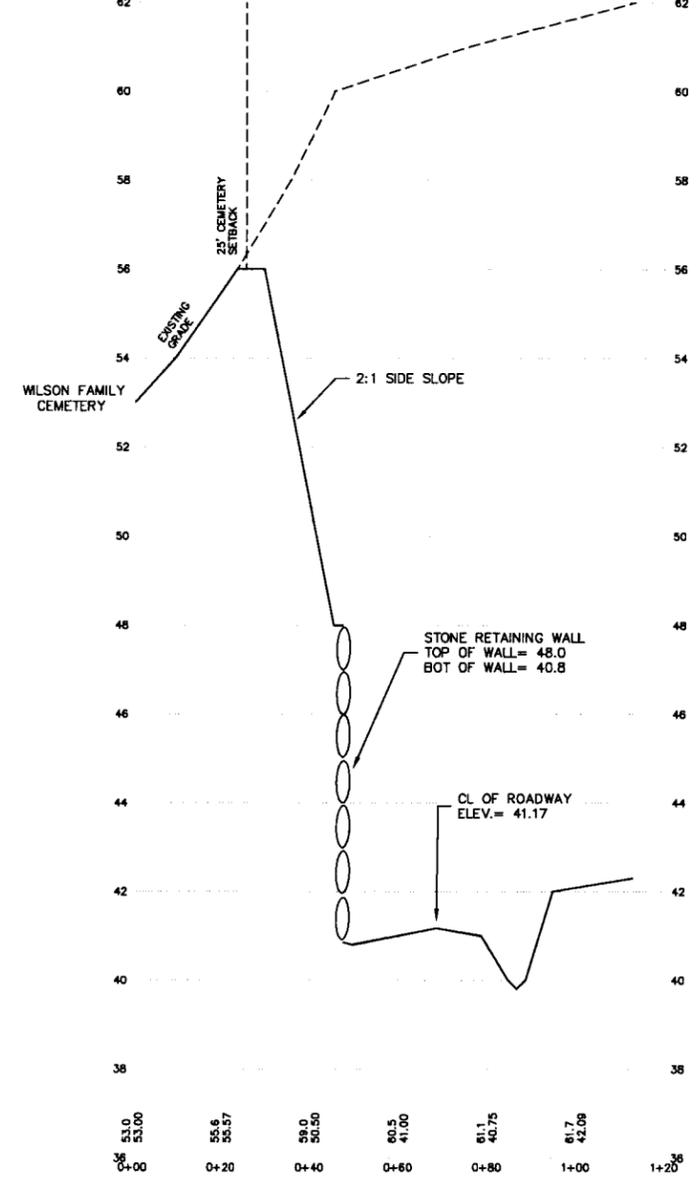
**ROAD "E"**  
 HORIZONTAL SCALE: 1"=50'  
 VERTICAL SCALE: 1"=5'



**ROAD "F"**  
 HORIZONTAL SCALE: 1"=50'  
 VERTICAL SCALE: 1"=5'



**CEMETERY PLAN**  
 SCALE: 1"=20'



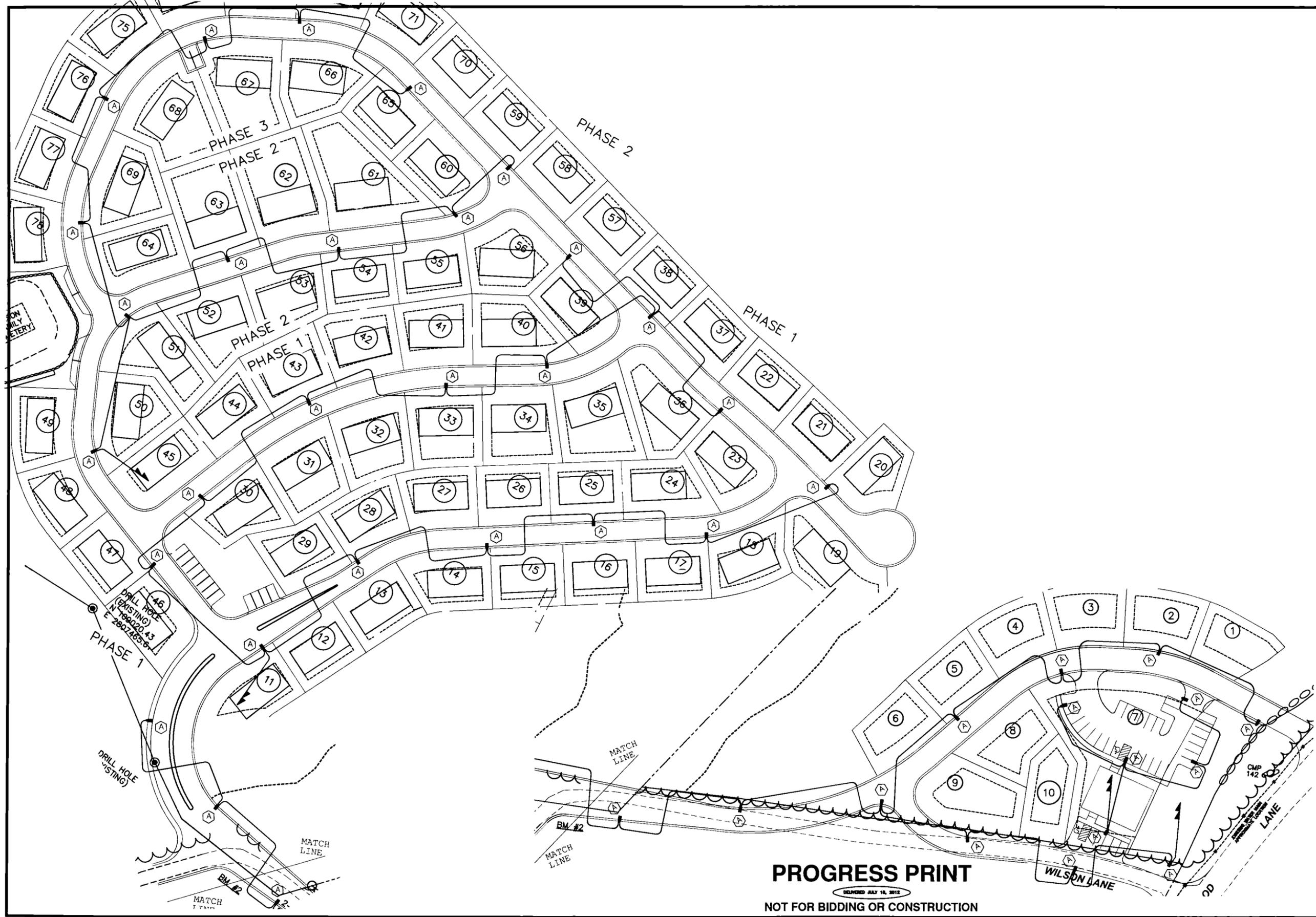
**CEMETERY SECTION**  
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 VERTICAL SCALE: 1"=2'

TAX MAP 66 LOT 24





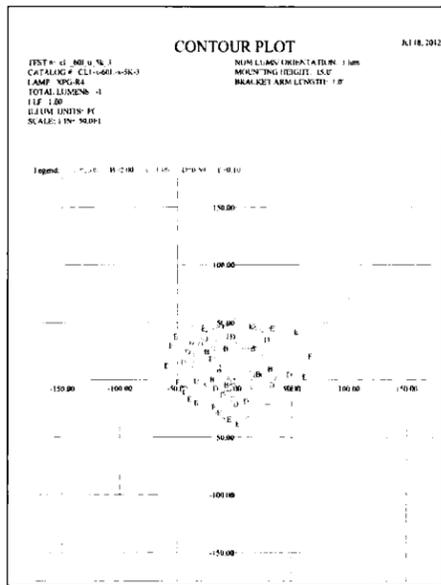
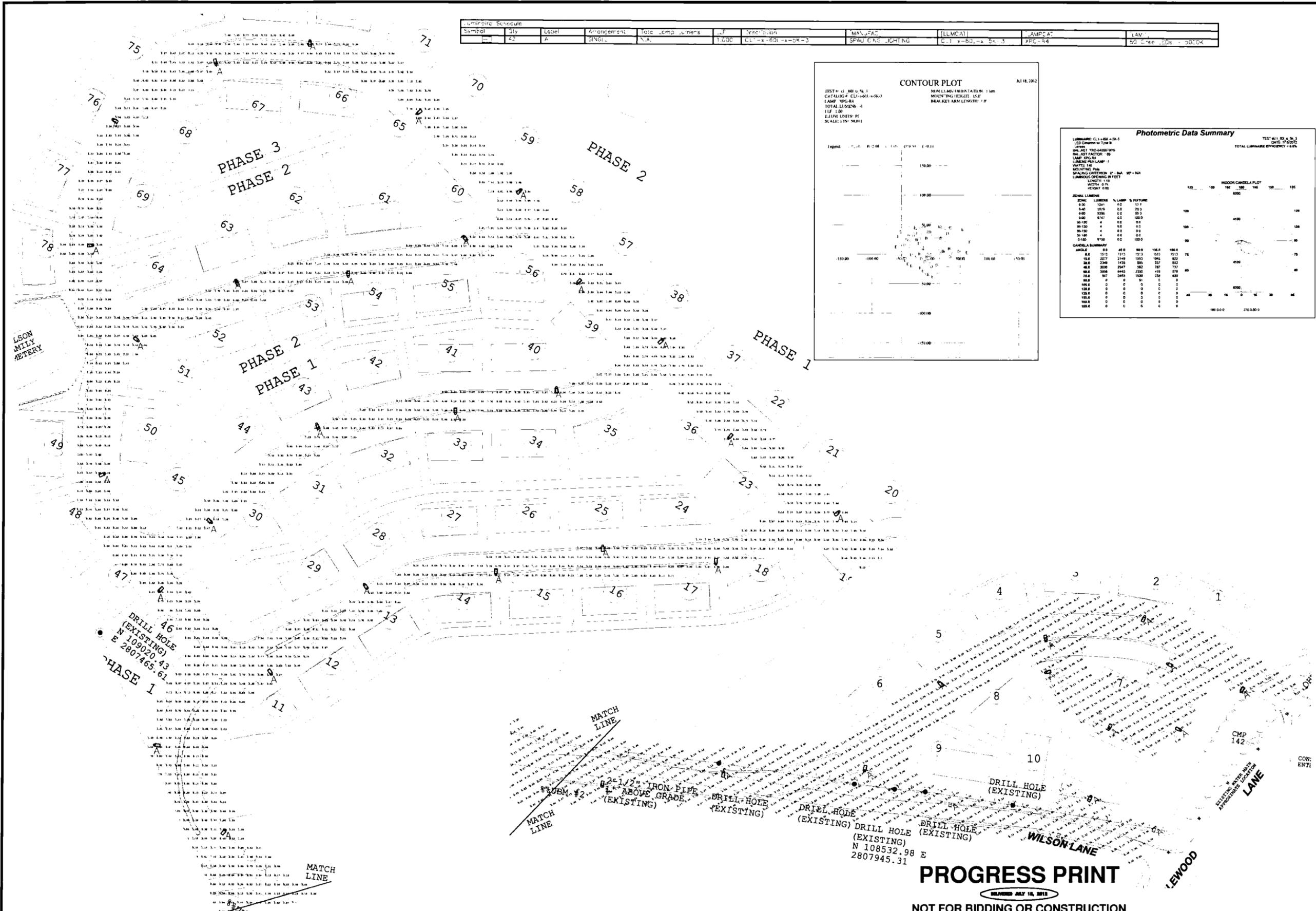




**PROGRESS PRINT**  
DELIVERED JULY 16, 2012  
**NOT FOR BIDDING OR CONSTRUCTION**

<p><b>CIVIL CONSULTANTS</b>          Engineers          Planners          Surveyors          P O Box 100          South Berwick          Maine          03908          207-384-2550          civcon@civcon.com</p>	
NO.	DATE
1	JAA 08/31/12
CHANGED SHEET NAME REVISIONS	
<p><b>YANKEE COMMONS</b>          MOBILE HOME PARK EXPANSION          IDLEWOOD LANE/ U.S. ROUTE 1 KITTERY, MAINE          PREPARED FOR:          STEPHEN A. HYNES, TRUSTEE          REAL PROPERTY TRUST AGREEMENT          MAILING ADDRESS: 1871 BELLEVUE AVE., SUITE 210 WEST VANCOUVER, B.C. V7V4A8</p>	
DRAWN	RFS/BMC
CALC.	
DATE	
CHECKED	
APPROVED	
SCALE	1"=50'
SHEET TITLE: • OVERALL SITE LIGHTING PLAN	
SHEET NUMBER: <div style="font-size: 2em; font-weight: bold; text-align: center;">ES</div>	
SHEET 1 of 2 PROJECT # 06-684.02	

Symbol	Qty	Label	Arrangement	Total Lamp Lumens	LF	Spec/Notes	MANUFACT	[LUMCA]	LAMP CAT	FLM
[Symbol]	42	A	SINGL	N/A	1000	CL-1-601-xx-0K-3	SPAL EXE LIGHTING	0-3-9-80-A 5-3	XPC-64	50 Cree LEDs - 5000K



**Photometric Data Summary**

TEST # 01, 02, 03, 04  
DATE: 7/10/2012

LUMINAIRE: CL-1-601-xx-0K-3  
LED Coreless Type B  
LUMEN PER HOUR: 1000  
MOUNTING HEIGHT: 15' F  
MOUNTING ARM LENGTH: 1' F  
SCALE: 1/8" = 1'-0"

ZONE	LUMENS	% LAMP	% FEATURE
1	1000	0.0	0.0
2	1000	0.0	0.0
3	1000	0.0	0.0
4	1000	0.0	0.0
5	1000	0.0	0.0
6	1000	0.0	0.0
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77	1000	0.0	0.0
78	1000	0.0	0.0
79	1000	0.0	0.0
80	1000	0.0	0.0

**CIVIL CONSULTANTS**

Engineers  
Planners  
Surveyors

P.O. Box 100  
South Berwick  
Maine  
03908  
207-384-2550  
civcon@civcon.com

NO.	REVISIONS	INT.	DATE
1			

**YANKEE COMMONS**  
MOBILE HOME PARK EXPANSION  
IDLEWOOD LANE/ U.S. ROUTE 1 KITTERY, MAINE

PREPARED FOR:  
**STEPHEN A. HYNES, TRUSTEE**  
REAL PROPERTY TRUST AGREEMENT  
MAILING ADDRESS: 197 BELLEVUE AVE., SUITE 210 WEST WASHINGTON, ILL. 60093

**CIVIL CONSULTANTS**

DRAWN: RFS/BMC    CALC.:

DATE:

CHECKED:

APPROVED:

SCALE: 1"=50'

SHEET TITLE:  
OVERALL LIGHTING STUDY

SHEET NUMBER:  
EP

SHEET 2 of 2

PROJECT # 06-684.02

**PROGRESS PRINT**  
REVISED JULY 16, 2012

NOT FOR BIDDING OR CONSTRUCTION

DIRECTORY: \0688402\CARLSON\ENGINEERING\DRAWING    DWG NAME: 0688402E-EX-2C    DATE:

**Town of Kittery Maine  
Town Planning Board Meeting  
May 14, 2015**

**ITEM 5 – 81 Tower Road – Shoreland Development Plan Review**

Action: accept or deny plan application; approve or deny plan. Owner/applicant The Frederick Nominee Trust requests consideration of a shoreland development plan for an addition to and second story expansion of an existing, nonconforming structure located at 81 Tower Road, Tax Map 58, Lot 46 in the Residential – Rural Conservation (R-RLC) and Shoreland Overlay (OZ-SL-250')Zones. Agent is Jason Smith, Evergreen Builders.

**PROJECT TRACKING**

REQ'D	ACTION	COMMENTS	STATUS
NO	Sketch Plan Review		NA
NO	Site Visit		NA
YES	Determination of Completeness/Acceptance		Scheduled for 5/14
NO	Public Hearing		NA
YES	Final Plan Review and Decision		Feasible for 5/14

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 project is required by 16.10.3.2. Other Development Review because it is located in the Shoreland Overlay Zone. The existing use is a nonconforming single family dwelling on a nonconforming lot. Approximately half of the house is located within the 100-foot setback from Highest Annual Tide. Expansion of that portion is limited to 30% in floor area or volume by 16.7.3.6.1 Nonconforming Structure Expansion. Development on the lot as a whole is also limited to 20% devegetated coverage by Shoreland Zoning Law. The existing condition is 11.4%. However, the Residential – Rural Conservation Zone further restricts building coverage to 6% of the lot area. The existing condition is 5.75%.

The proposal is to add a second story, part of which will lie within the 100-foot setback. This includes a second-story bay window. Also proposed is a small two story addition which is outside the 100-foot setback.

The proposed expansions equal a 6.4% increase in floor area and a 7.4% increase in volume, bringing the building coverage to 5.99% and devegetated coverage to 11.7%.

**Staff Review**

Percentages of expansion, building coverage, and devegetated area fall within allowable maximums, although if properly rounded the building coverage should equal 6% even, which is still allowable.

We did notice that the proposed 80-square-foot expansion of area within the 100-foot setback does not match the area shown on the plan. The plan shows a 10-foot by 15-foot right triangle within the setback, as well as the 8-square-foot bay window. If the area totals 158 square feet, that should alter the volume of the expansion and relative percentages. Of course, they will still be well within the 30% maximum. The

accuracy of existing conditions will be important if the property is further developed in the future. The applicant should either provide the Architect's volume calculation or include the Architect's name and seal on the plan.

A check of Town records confirms that there was no previous expansion after 1989. Please add a note to the plan stating this.

The Maine DEP has issued a new document for Highest Annual Tide in 2015 (<http://www.maine.gov/dep/land/slz/predictions.pdf>) which uses a different datum. This is the result of a shift across North America from NGVD29 to the more accurate, modern datum NAVD88. Although the HAT has not changed, applicants will be asked to include the new datum on their plans. The note should read, "Highest Annual Tide (H.A.T.) NGVD29 Elev. 7.0' (NAVD88 Elev. 6.3')."

### **Recommendations**

Staff finds that the request appears to be substantially in conformance with the applicable provisions of Title 16. The proposed development is minor in nature and may not warrant a public hearing or site visit. The needed changes to the plan are fairly minor and could be made conditions of approval. Staff suggests that the Board accept the application and grant conditional approval.

***Move to accept the application and grant conditional approval for the Shoreland Development Plan dated April 23, 2015 from The Frederick Nominee Trust for 81 Tower Road (Tax Map 58, Lot 46) in the Residential – Rural Conservation and Shoreland Overlay Zones subject to the following conditions...***

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

KITTERY PLANNING BOARD

**FINDINGS OF FACT**  
**For 81 Tower Road**  
**Shoreland Development Plan Review**

**UNAPPROVED**

**WHEREAS:** The Frederick Nominee Trust requests approval of a shoreland development plan for an addition to and second story expansion of an existing, nonconforming structure located at 81 Tower Road, Tax Map 58, Lot 46 in the Residential – Rural Conservation (R-RLC) 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;

Planning Board Review	May 14, 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 Application, April 23, 2015.
2. Shoreland Development Plan, North Easterly Surveying, Inc., April 21, 2015.
3. Frederick Residence Addition, Randall Design, January 12, 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**

<b>16.3.2.17. D Shoreland Overlay Zone</b>
<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>
<b>Findings:</b> Existing conditions on the 37,530-square-foot lot include 4,290 square feet of devegetated area.
The proposed construction would result in a total of 4,388 square feet, or 11.7% of the 37,530-square-foot lot.
<b>Conclusion:</b> This standard appears to have been met.
<b>Vote:</b> __ 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, nonconforming lot with an existing single family dwelling structure that is nonconforming to the 100-foot setback from the water and side yard setbacks. A dwelling is a special exception use in the Rural Conservation – Shoreland Overlay Zone.

The proposed development increases nonconformity as permitted in 16.7.3.6.1 Nonconforming Structure Expansion.

**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 development increases nonconformity as permitted in 16.7.3.6.1 Nonconforming Structure Expansion.

**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 Overlay Zones**

**16.7.3.6.1 Nonconforming Structure Expansion**

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

*A. After January 1, 1989, if any portion of a structure is less than the required setback from the normal high-water line of a water body or tributary stream of 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 16.7.3.5.4 and Section 16.7.3.5.6 and is less than the required setback from a water body, tributary stream or wetland, the replacement structure will not be permitted to expand if the original structure existing on January 1, 1989, has been expanded by 30% in floor area and volume since that date.*

*C. Whenever a new, expanded or replacement foundation is constructed under a nonconforming structure, the structure and new foundation must be placed such that the setback requirement is met to the greatest practical extent as determined by the Planning Board, basing its decisions on the criteria specified in Section 16.7.3.5.4 B, Nonconforming Structure Relocation. If the completed foundation does not extend beyond the exterior dimensions of the structure, except for expansion in conformity with Section 16.7.3.6.1.A, and the foundation does not cause the structure to be elevated by more than three (3) additional feet, as measured from the uphill side of the structure (from original ground level to the bottom of the first floor sill), it will not be considered to be an expansion of the structure.*

**Finding:** A. Staff confirmed that there are no recorded expansions of the portion of the structure within the setback since 1989. The proposed expansion represents a 6.4% increase in area and a 7.4% increase in volume. B. Does not apply. C. The expanded foundation meets the setback requirement.

**Conclusion:** The requirement appears to be met.

**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 to avoid impact on adjacent surface waters.

**Conclusion:** This requirement appears to be met.

**Vote:**  in favor  against  abstaining

<p><b>3. Adequately provide for the disposal of all wastewater;</b> <u>Finding:</u> The proposed development does not appear to have an adverse impact. <u>Conclusion:</u> This requirement appears to be met.</p>
<b>Vote: __ in favor __ against __ abstaining</b>
<p><b>4. Not have an adverse impact on spawning grounds, fish, aquatic life, bird or other wildlife habitat;</b> <u>Finding:</u> Maine DEP Best Management practices will be followed for erosion and sedimentation control during site preparation and building construction to avoid impact on adjacent surface waters. <u>Conclusion:</u> This requirement appears to be met.</p>
<b>Vote: __ in favor __ against __ abstaining</b>
<p><b>5. Conserve shore cover and visual, as well as actual, points of access to inland and coastal waters;</b> <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>
<b>Vote: __ in favor __ against __ abstaining</b>
<p><b>6. Protect archaeological and historic resources;</b> <u>Finding:</u> The proposed development does not appear to have an adverse impact. <u>Conclusion:</u> This requirement appears to be met.</p>
<b>Vote: __ in favor __ against __ abstaining</b>
<p><b>7. Not adversely affect existing commercial fishing or maritime activities in a commercial fisheries/maritime activities district;</b> <u>Finding:</u> The proposed development does not appear to have an adverse impact. <u>Conclusion:</u> This requirement appears to be met.</p>
<b>Vote: __ in favor __ against __ abstaining</b>
<p><b>8. Avoid problems associated with floodplain development and use;</b> <u>Finding:</u> The proposed development is not within the floodplain. <u>Conclusion:</u> This requirement appears to be met.</p>
<b>Vote: __ in favor __ against __ abstaining</b>
<p><b>9. Is in conformance with the provisions of this Code;</b> <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>
<b>Vote: __ in favor __ against __ abstaining</b>
<p><b>10. Be recorded with the York County Registry of Deeds.</b> <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>
<b>Vote: __ in favor __ against __ abstaining</b>

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 The Frederick Nominee Trust, owner and applicant, for an addition to and second story expansion of an existing, nonconforming structure located at 81 Tower Road, Tax Map 58, Lot 46 in the Residential – Rural Conservation (R-RLC) and Shoreland Overlay (OZ-SL-250') Zones subject to an conditions or waivers, as follow:

**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 May 14, 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 KITTELY 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.



**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](http://www.kittery.org)

**APPLICATION: SHORELAND OVERLAY ZONE**

**RECEIVED PROJECT PLAN REVIEW**  
 APR 23 2015

BY: \_\_\_\_\_

<b>FEE FOR REVIEW</b>	<input type="checkbox"/> \$200.00	<b>Amount Paid:</b>
		\$ 200
		<b>Date:</b> 4/23/15

<b>PROPERTY DESCRIPTION</b>	<b>Parcel ID</b>	<b>Map</b>	58	<b>Base Zone</b>	R-RC	<b>Total Land Area</b>	37,530 SQ. FT. TO H.A.T.
		<b>Lot</b>	46	<b>Overlay Zone</b>	OZ-SL-250'		
	<b>Physical Address</b>	81 TOWER ROAD, KITTERY POINT, ME 03905					

<b>PROPERTY OWNER'S INFORMATION</b>	<b>Name</b>	THE FREDERICK NOMINEE TRUST	<b>Mailing Address</b>	ALBERT R. FREDERICK, JR., TRUSTEE
	<b>Phone</b>	207-439-4689		SUZANNE M. FREDERICK, TRUSTEE
	<b>Fax</b>			99 FLORENCE STREET
	<b>Email</b>	DSEAWARDJR@GMAIL.COM		No. 10 PHW CHESTNUT HILL, MA 02467

<b>APPLICANT'S AGENT INFORMATION</b>	<b>Name</b>	JASON SMITH	<b>Mailing Address</b>	EVERGREEN BUILDERS
	<b>Phone</b>	207-451-7782		2 EVERGREEN DR.
	<b>Fax</b>			KITTERY, ME 03904
	<b>Email</b>	JSNEVRGRN@HOTMAIL.COM		

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

<b>PROJECT DESCRIPTION</b>	<b>Please describe any construction constraints (wetlands, shoreland overlay zone, flood plain, non-conformance, etc.)</b>
	STRUCTURE IS LOCATED IN THE SHORELAND OVERLAY ZONE. EXISTING STRUCTURE IS NON-CONFORMING TO
	PROTECTED RESOURCE SETBACK (64.5' - ATLANTIC OCEAN). PROPOSED ADDITION CONFORMS TO PROTECTED
	RESOURCE SETBACK (> 100'). PROPOSED VERTICAL EXPANSION IS NO MORE NON-CONFORMING THAN THE
	EXISTING NON-CONFORMANCE. EXISTING AND PROPOSED NON-VEGETATED COVERAGE IS CONFORMING (<20%).
	EXISTING AND PROPOSED BUILDING COVERAGE IS CONFORMING (<6%).

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:

[Signature]  
4/23/15

Owner's  
Signature:  
Date:

ROBERT A. FRIDGENICK, DR  
4/23/15

### 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

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.

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

**Project Plan must include the following existing and proposed information:**

**Existing:**

- Land Use Zone and boundary
- Topographic map (optional)
- Wetlands and flood plains
- Water bodies and water courses
- Parcel area
- Lot dimensions
- Utilities (Sewer/septic, water, electric, phone)
- Streets, driveways and rights-of-way
- Structures

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

- Recreation areas and open space *N/A*
- Setback lines and building envelopes
- Lot dimensions
- Utilities (Sewer/septic, water, electric, phone) *N/A*
- Streets, driveways and rights-of-way *N/A*
- Structures
- Shoreland Project Expansion Analysis (see attached)

**Distance to:**

- Nearest driveways and intersections
- Nearest fire hydrant *N/A*
- 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 KITTELY 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	<u>80</u> SF	<u>561</u> CF	<u>MR</u>	NA
CHANGE – PERCENT	<u>6.4</u> %	<u>7.4</u> %	NA	NA
CONSTRUCTION VALUE	NA	NA		\$ <u>65,000</u>
EXISTING –				
PRIOR TO SHORELAND LAW – 1987	<u>1,254</u> SF	<u>7,600</u> 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	<u>1,334</u> SF	<u>8,161</u> CF	NA	NA
CHANGE – PERCENT	<u>6.4</u> % **	<u>7.4</u> % 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

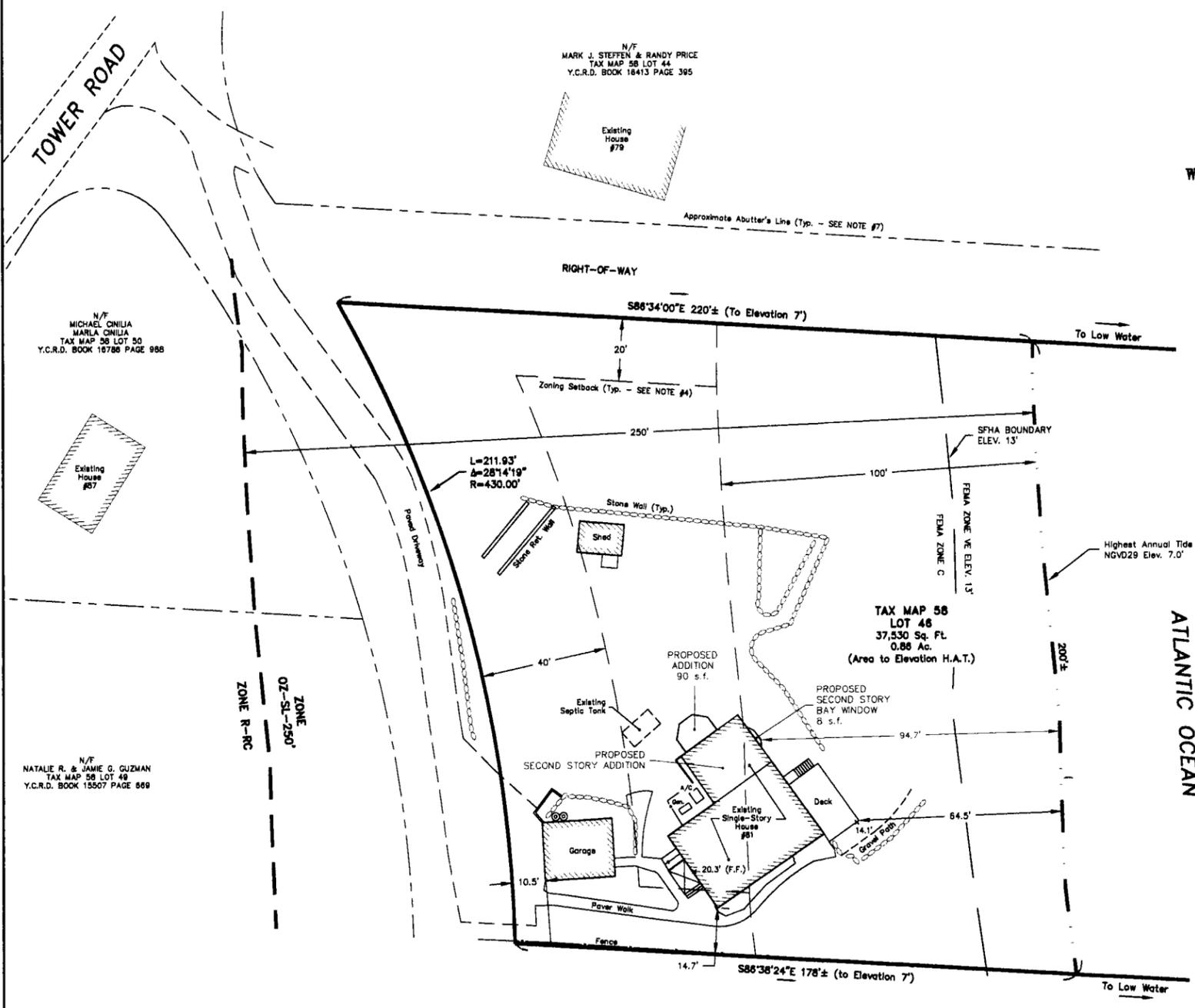
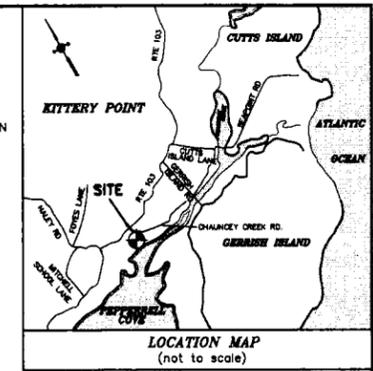
**PLAN REFERENCES:**

1. "PLAN OF ROCKY SHORE FRONT OF ISLAND ACRES INC., GERRISH ISLAND, ME.", PREPARED BY JOHN W. DURGIN, DATED MAR. 1950 AND RECORDED AT THE Y.C.R.D. AS PLAN BOOK 22 PAGE 64.

**PURPOSE OF PLAN:**

THE PURPOSE OF THIS SHORELAND DEVELOPMENT PLAN IS TO SHOW PROPOSED IMPROVEMENTS TO AN EXISTING BUILDING LOCATED IN THE SHORELAND OVERLAY ZONE.

THIS IS NOT A STANDARD BOUNDARY SURVEY. REFER TO PLAN REFERENCE #2 FOR BOUNDARY DETAIL.



**EXPANSION ANALYSIS OF CONSTRUCTION WITHIN 100' SETBACK**

	AREA	VOLUME
EXISTING	1,254 s.f.	7,600 c.f.
PROPOSED ADDITION	80 s.f.	561 c.f.*
EXISTING + PROPOSED	1,334 s.f.	8,161 c.f.
CHANGE TOTAL	80 s.f.	561 c.f.
CHANGE PERCENT	6.4% (80 s.f. / 1,254 s.f.)	7.4% (561 c.f. / 7,600 c.f.)

\*Value provided by the Architect

**NONVEGETATED COVERAGE CALCULATION:**

TOTAL LOT AREA	37,530 SQ. FT. (TO H.A.T.)
BUILDINGS	2,160 SQ. FT. (5.75%)
PAVEMENT	405 SQ. FT.
GRAVEL/WALKWAYS	752 SQ. FT.
RETAINING WALLS	660 SQ. FT.
DECK/STEPS	290 SQ. FT.
A/C/ GEN.	25 SQ. FT.
<b>TOTAL</b>	<b>4,290± SQ. FT. /37,530 SQ. FT. = 11.4%</b>
PROPOSED ADDITION	+90 SQ. FT.
(BUILDINGS) EXISTING + PROPOSED	2,250 SQ. FT. (5.99%)
PROPOSED BAY WINDOW (2ND STORY)	+8 SQ. FT.
(NON-VEGETATED) EXISTING + PROPOSED	4,388± SQ. FT. /37,530 SQ. FT. = 11.7%

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

BASE ZONE: RESIDENTIAL RURAL CONSERVATION (R-RC)  
OVERLAY ZONE: WATER BODY/WETLAND PROTECTION AREA - 250' (OZ-SL-250')

**R-RC BASE ZONE REQUIREMENTS:**

MINIMUM LAND AREA PER DWELLING UNIT: 80,000 SQ. FT.  
MINIMUM LOT SIZE: 80,000 SQ. FT.  
MINIMUM STREET FRONTAGE: 200 FT.  
MINIMUM FRONT YARD: 40 FT.  
MINIMUM REAR AND SIDE YARDS: 20 FT.  
MAXIMUM BUILDING COVERAGE: 6%  
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:**

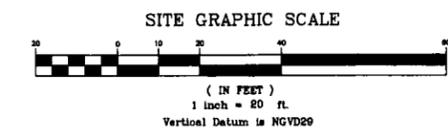
1. "PLAN OF ROCKY SHORE FRONT OF ISLAND ACRES INC., GERRISH ISLAND, ME.", PREPARED BY JOHN W. DURGIN, DATED MAR. 1950 AND RECORDED AT THE Y.C.R.D. AS PLAN BOOK 22 PAGE 64.

**NOTES:**

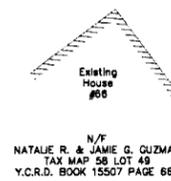
- OWNERS OF RECORD:  
THE FREDERICK (MAINE) NOMINEE TRUST  
ALBERT R. FREDERICK, JR., TRUSTEE  
SUZANNE M. FREDERICK, TRUSTEE  
TAX MAP 58 LOT 46  
Y.C.R.D. BOOK 15031 PAGE 176  
DATED DECEMBER 8, 2006
- TOTAL EXISTING PARCEL AREA:  
TAX MAP 58 LOT 46  
37,530± SQ. FT. (TO H.A.T. ELEV. 7.0')
- BASIS 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 REFERENCE #1.
- THE SPECIAL FLOOD HAZARD AREA (SFHA) BOUNDARY SHOWN HEREON IS APPROXIMATE PER FEMA FIRM 230171 0003 C, DATED 7/5/1984.
- APPROXIMATE ABUTTER'S LINES SHOWN HEREON ARE FOR REFERENCE PURPOSES ONLY.

**CONDITIONS OF APPROVAL:**

- NO CHANGES, ERASURES, MODIFICATIONS OR REVISIONS MAY BE MADE TO ANY PLANNING BOARD APPROVED FINAL PLAN. (TITLE 16.10.9.1.2)
- APPLICANT/CONTRACTOR WILL FOLLOW MAINE DEP BEST MANAGEMENT PRACTICES FOR ALL WORK ASSOCIATED WITH SITE AND BUILDING CONSTRUCTION TO ENSURE ADEQUATE EROSION CONTROL AND SLOPE STABILIZATION.
- PRIOR TO THE COMMENCEMENT OF GRADING AND/OR CONSTRUCTION WITHIN A BUILDING ENVELOPE, AS SHOWN ON THE PLAN, THE OWNER AND/OR DEVELOPER MUST STAKE ALL CORNERS OF THE ENVELOPE. THESE MARKERS MUST REMAIN IN PLACE UNTIL THE CODE ENFORCEMENT OFFICER DETERMINES CONSTRUCTION IS COMPLETED AND THERE IS NO DANGER OF DAMAGE TO AREAS THAT ARE, PER PLANNING BOARD APPROVAL, TO REMAIN UNDISTURBED.
- ALL NOTICES TO APPLICANT CONTAINED HEREIN (FINDINGS OF FACT, DATED \_\_\_\_\_).



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



N/F  
NATALIE R. & JAMIE G. GUZMAN  
TAX MAP 58 LOT 49  
Y.C.R.D. BOOK 15507 PAGE 669

FOR REVIEW

Kittery, Maine - Planning Board Approval

Date of Approval \_\_\_\_\_

Chairman \_\_\_\_\_ Date \_\_\_\_\_

REV.	DATE	STATUS	BY	CHKD	APPD.

**SHORELAND DEVELOPMENT PLAN**  
FOR PROPERTY AT  
**81 Tower Road**  
Kittery Point, York County, Maine  
OWNED BY  
**The Frederick (Maine) Nominee Trust**  
Albert R. Frederick, Jr., Trustee  
Suzanne M. Frederick, Trustee  
99 Florence Street - No. 10 PHW, Chestnut Hill, MA 02467

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. 12782 DATE: 4/21/15 SHEET: 1 OF 1 DRAWN BY: A.M.P. CHECKED BY: P.L.A.

DRAWING No: 12782\_SITE  
FIELD BOOK No: "Kittery Point #12"

**Tax Map 58 Lot 46**

**FREDRICK RESIDENCE ADDITION**  
 81 TOWER ROAD KITTERY POINT, MAINE

Revisions:

Date: JAN 12, 2015

Drawn By: DGR

Scale: as shown

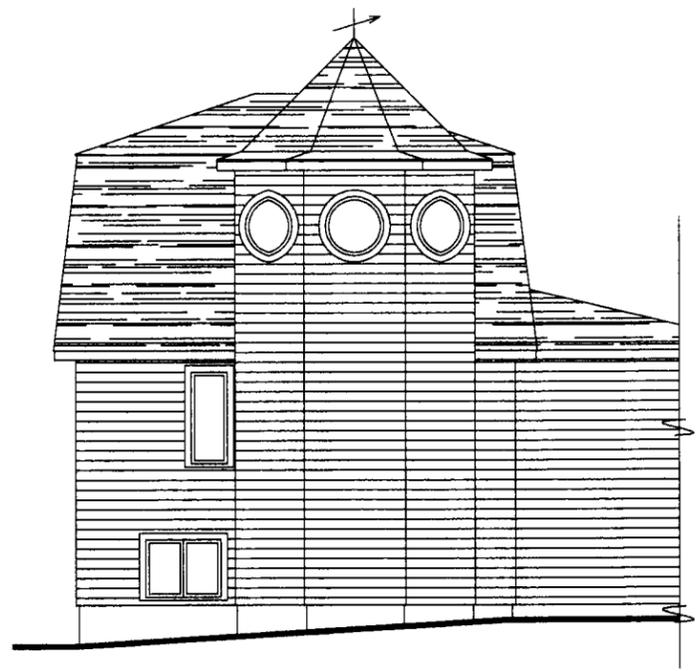
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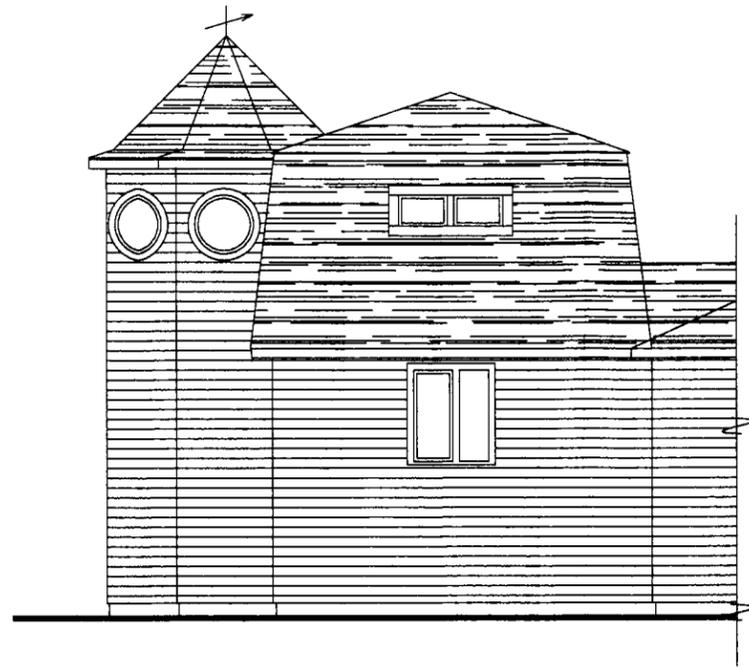
ELEVATIONS &  
 BUILDING  
 SECTIONS

Drawing Number:

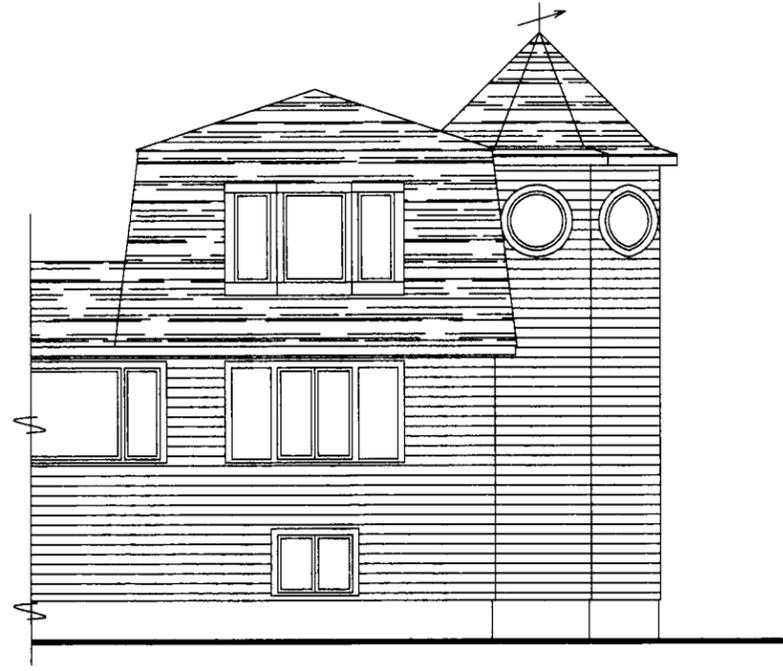
A2



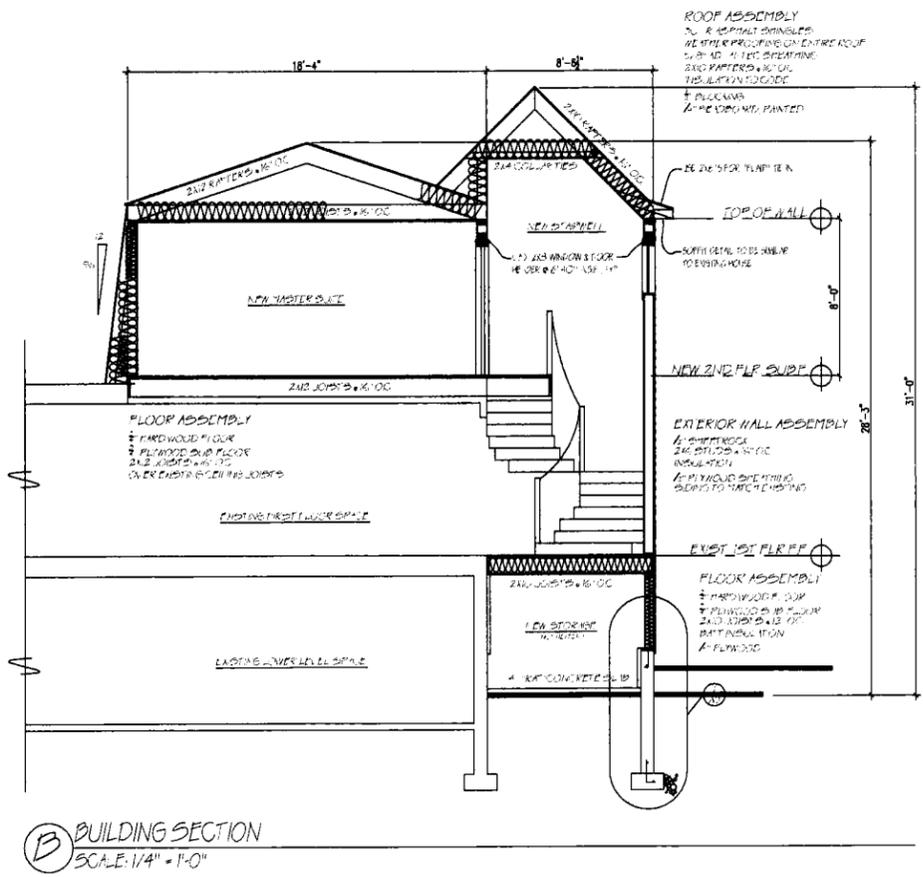
LEFT SIDE ELEVATION  
 SCALE: 1/4" = 1'-0"



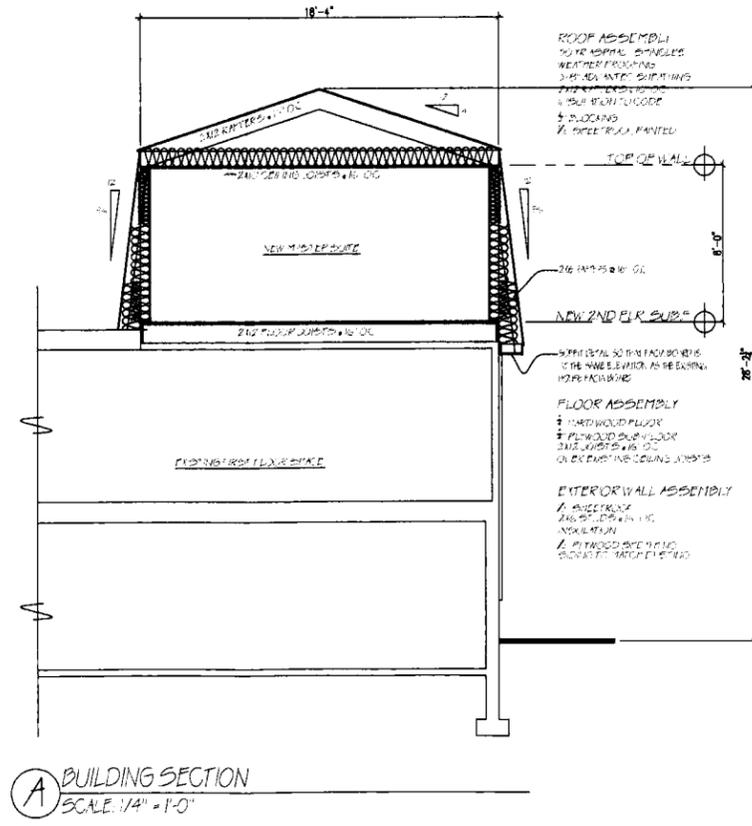
ROAD SIDE ELEVATION  
 SCALE: 1/4" = 1'-0"



OCEAN SIDE ELEVATION  
 SCALE: 1/4" = 1'-0"



B BUILDING SECTION  
 SCALE: 1/4" = 1'-0"



A BUILDING SECTION  
 SCALE: 1/4" = 1'-0"

**Town of Kittery  
Planning Board Meeting  
May 14, 2015**

**Hampton Inn – Sketch Plan Review**

Action: approve or deny sketch plan. Owner Kittery Trading Post Shops, LLC and applicant 275 US Route 1, LLC request consideration of a sketch plan for a commercial development consisting of an 83-room hotel located at 275 US Route 1, Tax Map 30, Lot 41 in the Commercial 1 (C-1) and Resource Protection Overlay (OZ-RP) Zones. Agent is Ryan Plummer, Two International Group.

**PROJECT TRACKING**

REQ'D	ACTION	COMMENTS	STATUS
NO	Sketch Plan	Scheduled for May 14, 2015	PENDING
NO	Site Visit		TBD
YES	Preliminary Plan Review Completeness/Acceptance		
NO	Public Hearing		
YES	Final Plan Review and Decision		

Applicant: Prior to the signing of the approved Plan any **Conditions of Approval related to the Findings of Fact along with waivers and variances (by the BOA) must be placed on the Final Plan and, when applicable, recorded at the York County Registry of Deeds. PLACE THE MAP AND LOT NUMBER IN 1/4" HIGH LETTERS AT LOWER RIGHT BORDER OF ALL PLAN SHEETS.** As per Section 16.4.4.13 - Grading/Construction Final Plan Required. - Grading or construction of roads, grading of land or lots, or construction of buildings is prohibited until the original copy of the approved final plan endorsed has been duly recorded in the York County registry of deeds when applicable.

**Background**

Two International Group contacted the Town in March 2015 to discuss their plans of developing 275 US Route One, the former Dansk site, with a four story hotel with 83 rooms. Considering the significance of the development staff, including the Town Manager and Department heads for Public Works, Fire, Police and Wastewater Treatment, met with the applicant and reviewed their plans and provided input. The applicant was encouraged to start the regulatory process with a Sketch Plan application at a Planning Board meeting.

**Staff Review**

The development proposal seems to be in general conformance to the land use code. A hotel is a permitted use in the zone and plan demonstrates the proposed building conforms to setbacks. The following are some general comments:

- 1) absent of a narrative it is not definitive but appears that the proposed building height conforms to the definition per 16.2.2 *Height of a building* and at 40 feet to the top of the roof (not the parapet) meets what is allowed in the C-1 Commercial Zone.

*Height of a building means the vertical measurement from the average grade between the highest and lowest elevation of the original ground level to the highest point of the roof beams in flat roofs; to the highest point on the deck of mansard roofs; to a level midway between the level of the eaves and highest point of pitched roofs or hip roofs; or to a level two-thirds of the distance from the level of the eaves to the highest point of gambrel roofs. For this purpose, the level of the eaves is taken to mean the highest level where the plane of the roof intersects the plane of the outside wall on a side containing the eaves...*

The existing topography reflects the location of the proposed building is essential flat, and this is consistent with the colored elevation showing the proposed height of the building. The Applicant should elaborate and confirm their methodology in determine the proposed building height.

2) The project architect should prepare a narrative for the preliminary plan submittal that elaborates how the building conforms to the design standards required in the C-1 Zone.

3) The project engineer should prepare not only specific stormwater analysis, plans and management report for the hotel but should include information on the reserved area for future development in order to demonstrate the entire site will function in this regard. In addition, the preliminary plan will be reviewed both as a site and subdivision plan review.

### **Recommendation**

The Planning Board, after review of the plans and hearing the presentation from the applicant can continue the application in order to hold a site walk or encourage the applicant to proceed with preparing and submitting a preliminary plan application and approve the concept plan with consideration of staff and other comments the Board may have.

### **Action**

*Move to approve the Sketch Plan dated April 8, 2015 from Owner Kittery Trading Post Shops LLC, and applicant Two International Group for a commercial development consisting of an 83-room hotel located at 275 US Route 1, Tax Map 30, Lot 41 in the Commercial 1 (C-1) and Resource Protection Overlay (OZ-RP) Zones*

Elena



# 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](http://www.kittery.org)

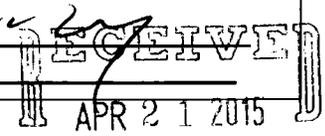
### APPLICATION: SITE OR SUBDIVISION-SKETCH PLAN REVIEW

<b>Application Fee:</b>		<input checked="" type="checkbox"/> \$300.00	<b>Amount Paid:\$</b>		<b>Date:</b> 4/8/2015	
<b>PROPERTY DESCRIPTION</b>	<b>Parcel ID</b>	<b>Map</b> 30	<b>Zone(s)-Base:</b>	C-1	<b>Total Land Area</b>	4.12 acres
		<b>Lot</b> 41	<b>Overlay:</b>	Resource Protection	<b>MS4</b>	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
	<b>Physical Address</b>	275 US Route 1, Kittery, ME				
<b>PROPERTY OWNER'S INFORMATION</b>	<b>Name</b>	KITTERY TRADING POST SHOPS LLC		<b>Mailing Address</b>	PO BOX 904 KITTERY, ME 03904-0904	
	<b>Phone</b>					
	<b>Fax</b>					
	<b>Email</b>					
<b>APPLICANT'S AGENT INFORMATION</b>	<b>Name</b>	Ryan Plummer		<b>Name of Business</b>	275 US Rte. 1, LLC	
	<b>Phone</b>	603-988-9732		<b>Mailing Address</b>	Two International Group 200 International Dr., Suite 180 Portsmouth, NH 03801	
	<b>Fax</b>					
	<b>Email</b>	ryan@twointernationalgroup.com				

<b>PROJECT DESCRIPTION</b>	<i>See reverse side regarding information to be provided.</i>	
	<b>Existing Land Use(s):</b>	
	Retail Mall	
	<b>Proposed Land Use(s) and Development:</b>	
	83 unit Hotel	
	<b>Please describe any construction constraints (wetlands, shoreland overlay zone, flood plain, non-conformance, etc.)</b>	
	Resource Protection Zone is within property, but not within development.	

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

<b>Applicant's Signature:</b>		<b>Owner's Signature:</b>	
<b>Date:</b>	4/8/2015	<b>Date:</b>	4/8/2015



## MINIMUM PLAN SUBMITTAL REQUIREMENTS

- 15 Copies of this Application, Vicinity Map, and the Sketch Plan - 5 of which must be 24" X 36"

### Sketch 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

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

**Vicinity Map – map or aerial photo showing 1,000 feet around the site.**

### Sketch Plan must include the following existing and proposed information:

#### Existing:

- Land Use Zone and boundary
- Topographic map (optional)
- Wetlands and flood plains
- Water bodies and water courses
- Parcel area
- Lot dimensions
- Utilities (Sewer/septic, water, electric, phone)
- Streets, driveways and rights-of-way
- Structures

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

- Recreation areas and open space
- Number of lots and lot areas
- Setback lines and building envelopes
- Lot dimensions
- Utilities (Sewer/septic, water, electric, phone)
- Streets, driveways and rights-of-way
- Structures

Distance to:

- Nearest driveways and intersections
- Nearest fire hydrant
- Nearest significant water body

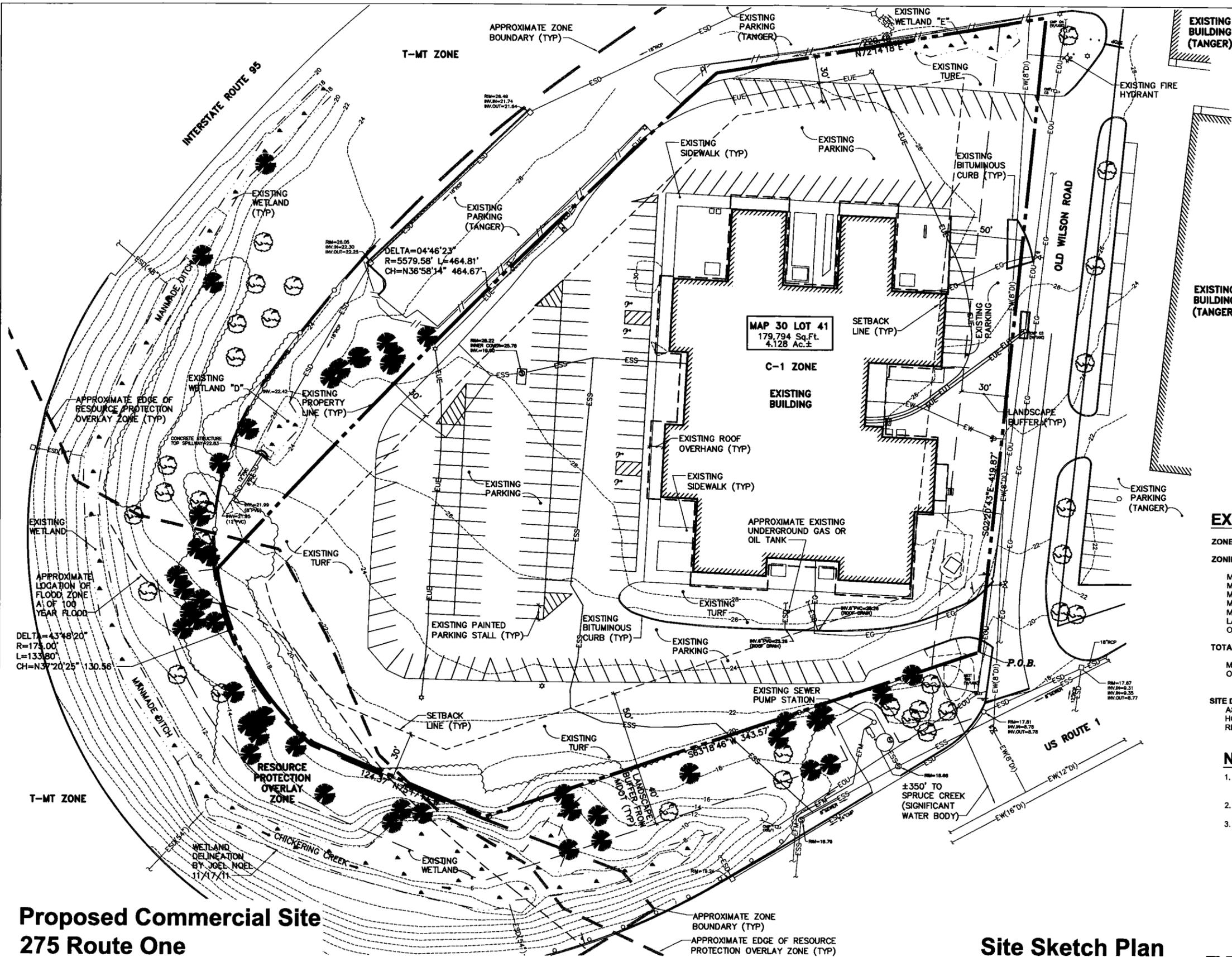
**AN APPLICATION THE TOWN PLANNER DEEMS SUFFICIENTLY LACKING IN CONTENT WILL NOT BE SCHEDULED FOR PLANNING BOARD REVIEW.**



**Project location: 275 US Route 1**

**Town of Kittery,  
Maine**

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



**EXISTING SITE INFORMATION**

**ZONE: COMMERCIAL C-1**

**ZONING DATA**

	REQUIRED
MIN STREET FRONTAGE	150 FT
MIN FRONT YARD	50 FT
MIN SIDE AND REAR YARD	30 FT
MAX BUILDING HEIGHT	40 FT
MAX BUILDING COVERAGE	40%
LANDSCAPE BUFFER STRIP	30 FT @ PUBLIC ROADS
OPEN SPACE	25%

**TOTAL INCLUDING OTHER DEVELOPMENT ZONING DATA**

	REQUIRED
MAX BUILDING COVERAGE	40%
OPEN SPACE	25%

**SITE DATA**  
 ASSESSORS MAP 30 - LOT 41: 179,794 SF / 4.12 ACRES  
 HOTEL DEVELOPMENT: 82,431.49 SF / 1.89 ACRES  
 REMAINING PARCEL: 98,155.39 SF / 2.23 ACRES

**NOTES**

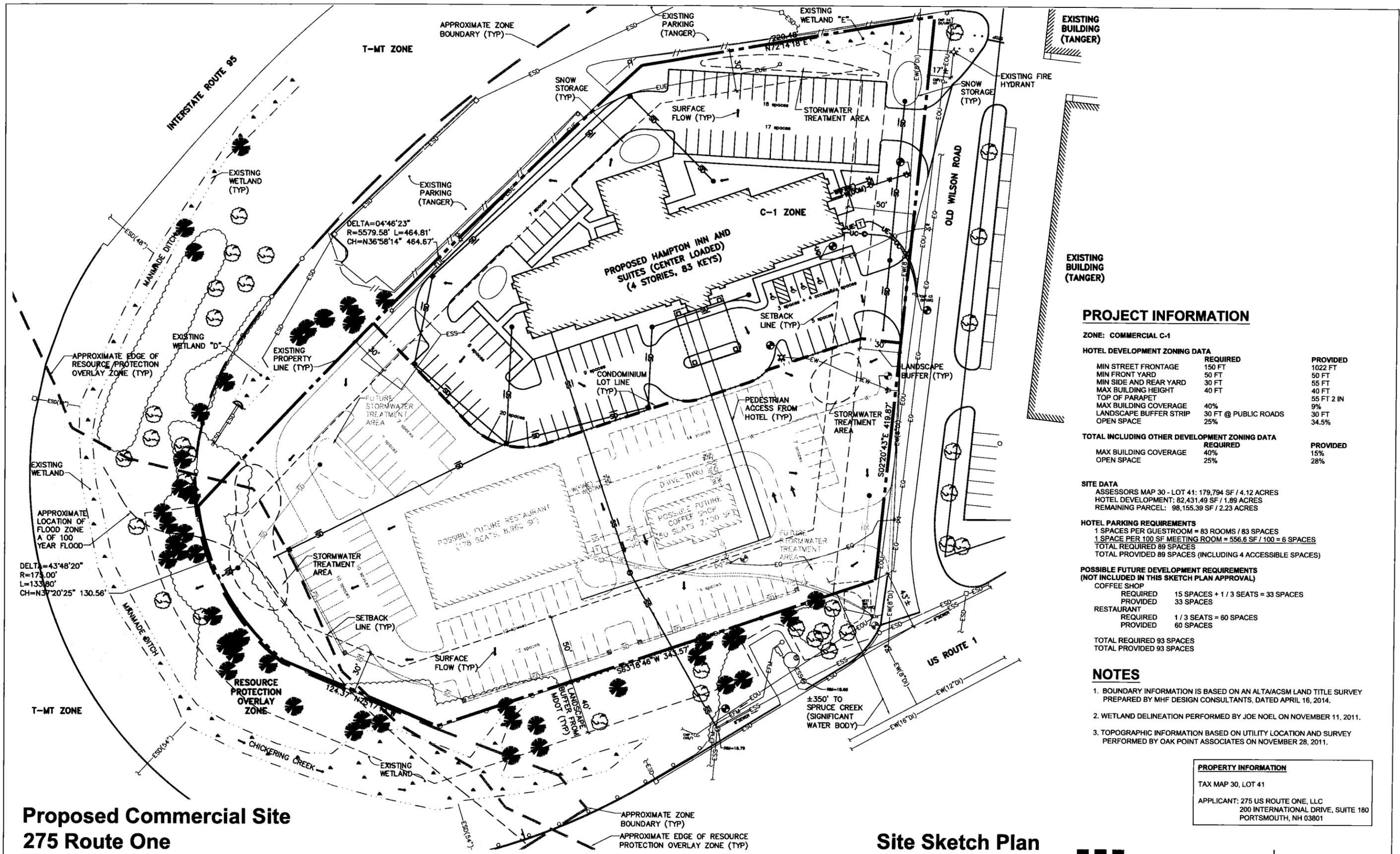
- BOUNDARY INFORMATION IS BASED ON AN ALTA/ACSM LAND TITLE SURVEY PREPARED BY MHF DESIGN CONSULTANTS, DATED APRIL 16, 2014.
- WETLAND DELINEATION PERFORMED BY JOE NOEL ON NOVEMBER 11, 2011.
- TOPOGRAPHIC INFORMATION BASED ON UTILITY LOCATION AND SURVEY PERFORMED BY OAK POINT ASSOCIATES ON NOVEMBER 28, 2011.

**PROPERTY INFORMATION**  
 TAX MAP 30, LOT 41  
 APPLICANT: 275 US ROUTE ONE, LLC  
 200 INTERNATIONAL DRIVE, SUITE 180  
 PORTSMOUTH, NH 03801

**Proposed Commercial Site**  
**275 Route One**  
**Kittery, Maine**  
 April 8, 2015

**Site Sketch Plan**  
**Existing Conditions**





**PROJECT INFORMATION**

**ZONE: COMMERCIAL C-1**

**HOTEL DEVELOPMENT ZONING DATA**

	REQUIRED	PROVIDED
MIN STREET FRONTAGE	150 FT	1022 FT
MIN FRONT YARD	50 FT	50 FT
MIN SIDE AND REAR YARD	30 FT	55 FT
MAX BUILDING HEIGHT	40 FT	40 FT
TOP OF PARAPET		55 FT 2 IN
MAX BUILDING COVERAGE	40%	9%
LANDSCAPE BUFFER STRIP	30 FT @ PUBLIC ROADS	30 FT
OPEN SPACE	25%	34.5%

**TOTAL INCLUDING OTHER DEVELOPMENT ZONING DATA**

	REQUIRED	PROVIDED
MAX BUILDING COVERAGE	40%	15%
OPEN SPACE	25%	28%

**SITE DATA**

ASSESSORS MAP 30 - LOT 41: 179,794 SF / 4.12 ACRES  
HOTEL DEVELOPMENT: 82,431.49 SF / 1.89 ACRES  
REMAINING PARCEL: 98,155.39 SF / 2.23 ACRES

**HOTEL PARKING REQUIREMENTS**

1 SPACES PER GUESTROOM = 83 ROOMS / 83 SPACES  
1 SPACE PER 100 SF MEETING ROOM = 556.6 SF / 100 = 6 SPACES  
TOTAL REQUIRED 89 SPACES  
TOTAL PROVIDED 89 SPACES (INCLUDING 4 ACCESSIBLE SPACES)

**POSSIBLE FUTURE DEVELOPMENT REQUIREMENTS (NOT INCLUDED IN THIS SKETCH PLAN APPROVAL)**

	REQUIRED	PROVIDED
COFFEE SHOP	15 SPACES + 1 / 3 SEATS = 33 SPACES	33 SPACES
RESTAURANT	1 / 3 SEATS = 60 SPACES	60 SPACES

TOTAL REQUIRED 93 SPACES  
TOTAL PROVIDED 93 SPACES

- NOTES**
- BOUNDARY INFORMATION IS BASED ON AN ALTA/ACSM LAND TITLE SURVEY PREPARED BY MHF DESIGN CONSULTANTS, DATED APRIL 16, 2014.
  - WETLAND DELINEATION PERFORMED BY JOE NOEL ON NOVEMBER 11, 2011.
  - TOPOGRAPHIC INFORMATION BASED ON UTILITY LOCATION AND SURVEY PERFORMED BY OAK POINT ASSOCIATES ON NOVEMBER 28, 2011.

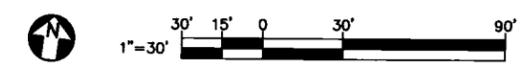
**PROPERTY INFORMATION**

TAX MAP 30, LOT 41

APPLICANT: 275 US ROUTE ONE, LLC  
200 INTERNATIONAL DRIVE, SUITE 180  
PORTSMOUTH, NH 03801

**Proposed Commercial Site**  
**275 Route One**  
**Kittery, Maine**  
**April 8, 2015**

**Site Sketch Plan**  
**Site Plan**





**South Elevation**

3/32" = 1'-0"



**CEMENTITIOUS SIDING**

PRE-DESIGN  
23 MARCH 2015



**Town of Kittery Maine  
 Town Planning Board Meeting  
 May 14, 2015**

**ITEM 7 – 9 Mill Pond Road – Shoreland Development Plan Review**

Action: accept or deny plan application; ~~approve or deny plan.~~ Owners/applicants Eric Stites and Katherine Peternell request consideration of a shoreland development plan for an addition to and second story expansion of an existing, nonconforming structure located at 9 Mill Pond Road, Tax Map 23, Lot 6A in the Residential – Urban (R-U), Shoreland Overlay (OZ-SL-250’), and Resource Protection Overlay (OZ-RP) Zones. Agent is Tom Emerson, Studio B-E.

**PROJECT TRACKING**

REQ'D	ACTION	COMMENTS	STATUS
NO	Sketch Plan Review		NA
NO	Site Visit		NA
YES	Determination of Completeness/Acceptance		Scheduled for 5/14
NO	Public Hearing		NA
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 project is required by 16.10.3.2 Other Development Review because it is located in the Shoreland Overlay Zone. The existing use is a nonconforming single family dwelling on a nonconforming lot. The entire house is located within the 100-foot setback from the water (Spruce Creek). Expansion is limited to 30% in floor area or volume by 16.7.3.6.1 Nonconforming Structure Expansion. Development on the lot as a whole is also limited to 20% devegetated coverage by Shoreland Zoning Law. The existing condition is 32.7%. Building coverage also is limited to 20% in the Residential – Urban Zone. We were not provided with an existing condition figure.

The proposal is to add a second story and enclose the existing front porch area. The proposed expansions constitute a 28.47% increase in area and 29.54% increase in volume. Devegetated area will be decreased to 31.8%.

**Staff Review**

The percentages of expansion fall within allowable maximums. Building coverage is not clear but appears to be in the neighborhood of 15%, also allowable. Devegetated area is nonconforming at well over the 20% maximum, but will come a little closer to conforming with the proposed changes.

Tabular data on the site plan should be corrected. The maximum building coverage and impervious surface coverage are not 50%. A building coverage figure should be added, and the existing building volume figure should indicate whether the basement is included.

A check of Town records confirms that there was no previous expansion after 1989. Please add a note to the plan stating this.

The Maine DEP has issued a new document for Highest Annual Tide in 2015 (<http://www.maine.gov/dep/land/slz/predictions.pdf>) which uses a different datum. This is the result of a shift across North America from NGVD29 to the more accurate, modern datum NAVD88. Applicants will be asked to include the new datum on their plans. Note 8 should refer to NAVD88 so that the current DEP document can be referenced.

We also need an full-size proposed conditions plan.

**Recommendations**

Staff suggestion is that without a proposed conditions plan, granting or denying approval is not yet an option. The Board should accept the plan and, if desired, schedule a public hearing.

***Move to accept the Shoreland Development Plan application dated April 23, 2015 from Eric Stites & Katherine Peternell for 9 Mill Pond Road (Tax Map 23, Lot 6A) in the Residential – Urban, Shoreland Overlay, and Resource Protection Overlay Zones...***

***...and schedule a public hearing for...***

**From:** [Eric Stites](#)  
**To:** [Elena Piekut](#)  
**Cc:** [Tom Emerson](#)  
**Subject:** Fwd: 9 Mill Pond  
**Date:** Thursday, May 07, 2015 11:54:59 AM  
**Attachments:** [winmail.dat](#)

---

Good morning Elena - Tom Emerson forwarded me your email. I authorize Tom Emerson to represent my wife, Katie Peternell, and myself, Eric Stites, to the planning board on all matters related to our proposed 9 Mill Pond Road home addition project.

Thank you,

Eric Stites  
9 Mill Pond Road  
Kittery, ME 03904  
207-450-7678

----- Forwarded message -----

**From:** Tom <[b-e@comcast.net](mailto:b-e@comcast.net)>  
**Date:** Thu, May 7, 2015 at 11:44 AM  
**Subject:** Fwd: 9 Mill Pond  
**To:** Stites Eric <[ericwstites@gmail.com](mailto:ericwstites@gmail.com)>

**From:** Elena Piekut <[EPiekut@kitteryme.org](mailto:EPiekut@kitteryme.org)>  
**Date:** May 7, 2015 at 8:24:17 AM EDT  
**To:** Tom Emerson <[b-e@comcast.net](mailto:b-e@comcast.net)>  
**Subject:** 9 Mill Pond

Hi Tom,  
I noticed the application form is signed only by you. Could you provide a letter of authorization from the applicant? Today would be ideal.  
Thanks,  
Elena  
Elena Piekut  
Assistant Town Planner  
Town of Kittery  
200 Rogers Road  
Kittery, ME 03904  
Direct Line: [\(207\) 475-1323](tel:(207)475-1323)  
Fax: [\(207\) 439-6806](tel:(207)439-6806)  
[www.kittery.org](http://www.kittery.org)<<http://www.kittery.org>>



**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](http://www.kittery.org)

**APPLICATION: SHORELAND OVERLAY ZONE**  
**PROJECT PLAN REVIEW**

**RECEIVED**  
 APR 23 2015

BY: \_\_\_\_\_

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

<b>PROPERTY DESCRIPTION</b>	Parcel ID	Map	23	Base Zone	RESIDENTIAL/URBAN	Total Land Area	12,370.
		Lot	6A	Overlay Zone	SHORELAND-WATER BODY/WETLAND PROTECTION AREA		
	Physical Address	9 MILL POND ROAD					
<b>PROPERTY OWNER'S INFORMATION</b>	Name	ERIC STITES			Mailing Address	9 MILL POND ROAD KITTEERY, ME 03904	
	Phone						
	Fax						
	Email						
<b>APPLICANT'S AGENT INFORMATION</b>	Name	TOM EMERSON			Name of Business	STUDIO B-E	
	Phone	207.752.1371			Mailing Address	10 OX POINT DRIVE KITTEERY, ME 03904	
	Fax						
	Email	STUDIOBEE@COMCAST.NET					

*See reverse side regarding information to be provided.*

Existing Land Use:

SINGLE FAMILY RESIDENTIAL

Proposed Land Use and Development:

SINGLE FAMILY RESIDENTIAL - REMOVE ROOF & ADD SECOND FLOOR. RECONFIGURE PORTION OF EXISTING FIRST FLOOR. REMOVE FRONT PORCH & ADD (NET) 96 SF. OF LIVING SPACE FOR TV ROOM, PANTRY & ENTRY.

PROJECT DESCRIPTION

<b>PROJECT DESCRIPTION</b>	Please describe any construction constraints (wetlands, shoreland overlay zone, flood plain, non-conformance, etc.)
	- SHORELAND - HOUSE SITS WITHIN 100' SETBACK
	- FLOOD PLANE - 9' ELEVATION FALLS WITHIN THE STONE RETAINING WALL
	- IMPERVIOUS SOFFACE - 32.7% (WILL BE DECREASED TO 31.8%)

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: _____		Owner's Signature: _____ Date: _____	_____
---	---	---	-------

**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

**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.**

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

**Project Plan must include the following existing and proposed information:**

- Existing:**
- Land Use Zone and boundary
  - Topographic map (optional)
  - Wetlands and flood plains
  - Water bodies and water courses
  - Parcel area
  - Lot dimensions
  - Utilities (Sewer/septic, water, electric, phone)
  - Streets, driveways and rights-of-way
  - Structures

- Proposed:** (Plan must show the lightened existing topography under the proposed project plan for comparison.)
- Recreation areas and open space
  - Setback lines and building envelopes
  - Lot dimensions
  - Utilities (Sewer/septic, water, electric, phone)
  - Streets, driveways and rights-of-way
  - Structures
  - Shoreland Project Expansion Analysis (see attached)
- Distance to:
- Nearest driveways and intersections
  - Nearest fire hydrant
  - Nearest significant water body; ocean, wetland, stream.

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

# EXPANSION ANALYSIS OF CONSTRUCTION ONLY WITHIN THE SHORELAND OVERLAY ZONE

	AREA - SQUARE FEET	VOLUME - CUBIC FEET	CONSTRUCTION TYPE *  (DR or MR)	VALUE \$
<b>PROPOSED ADDITION</b>				
CHANGE – TOTAL	<u>966.75</u> SF	<u>8340</u> CF	<u>DR</u>	NA
CHANGE – PERCENT	<u>28.47</u> %	<u>29.54</u> %	NA	NA
CONSTRUCTION VALUE	NA	NA		\$ <u>124,500.</u>
<b>EXISTING –</b>				
PRIOR TO SHORELAND LAW – 1987	<u>3395</u> SF	<u>20230</u> CF	NA	NA
<b>ADDITION(S) –AFTER INITIAL SHORELAND LAW ADOPTION – NONE</b>				
CHANGE - TOTAL	<u>-</u> SF	<u>-</u> CF	NA	NA
CHANGE – PERCENT	<u>-</u> %	<u>-</u> CF	NA	NA
VALUE OF CONSTRUCTION	NA	NA	NA	\$ <u>-</u>
VALUE OF INCREASE – PERCENT	NA	NA	NA	<u>-</u> %
<b>TOTAL – EXISTING PLUS PROPOSED</b>				
CHANGE – AMOUNT	<u>966.75</u> SF	<u>8340</u> CF	NA	NA
CHANGE – PERCENT	<u>28.47</u> % **	<u>29.54</u> CF**	NA	NA
**(Note: May not exceed 30%)				
VALUE OF CONSTRUCTION - \$	NA	NA	NA	\$ <u>124,500.</u>
VALUE OF INCREASE – PERCENT	NA	NA	BA	<u>30</u> %

\* KEY - TYPE OF ADDTION

-DEMOLITION AND RE-BUILD - DR

-MAINTENCE OR REPAIR - MR

END

Issued March 18, 2013



**ZONING DATA:** (See Note 6)  
 BASE ZONE: Residential-Urban (R-U)  
 REQUIREMENTS:  
 MINIMUM LAND AREA: 20,000 Sq Ft\*  
 PER UNIT DWELLING: 20,000 Sq Ft\*  
 MINIMUM STREET FRONTAGE: 100 Ft  
 MINIMUM FRONT YARD: 30 Ft  
 MINIMUM REAR AND SIDE YARDS: 15 Ft\*  
 MAXIMUM BUILDING HEIGHT: 35 Ft\*  
 MAXIMUM BUILDING COVERAGE: 50%\*\*  
 MINIMUM SETBACK FROM WATER BODY AND WETLAND WATER DEPENDENT USES: 0 Ft  
 MINIMUM SETBACK FROM STREAMS, WATER BODIES AND WETLANDS: 100 Ft

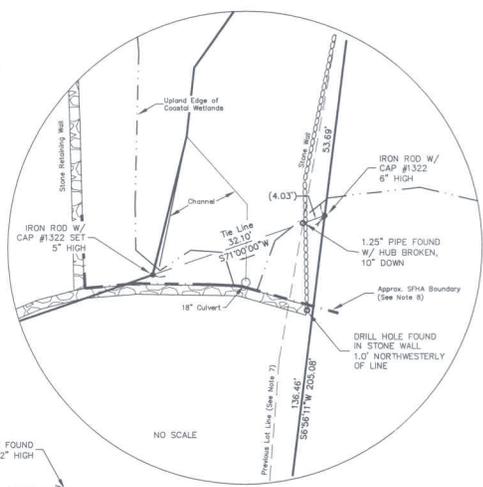
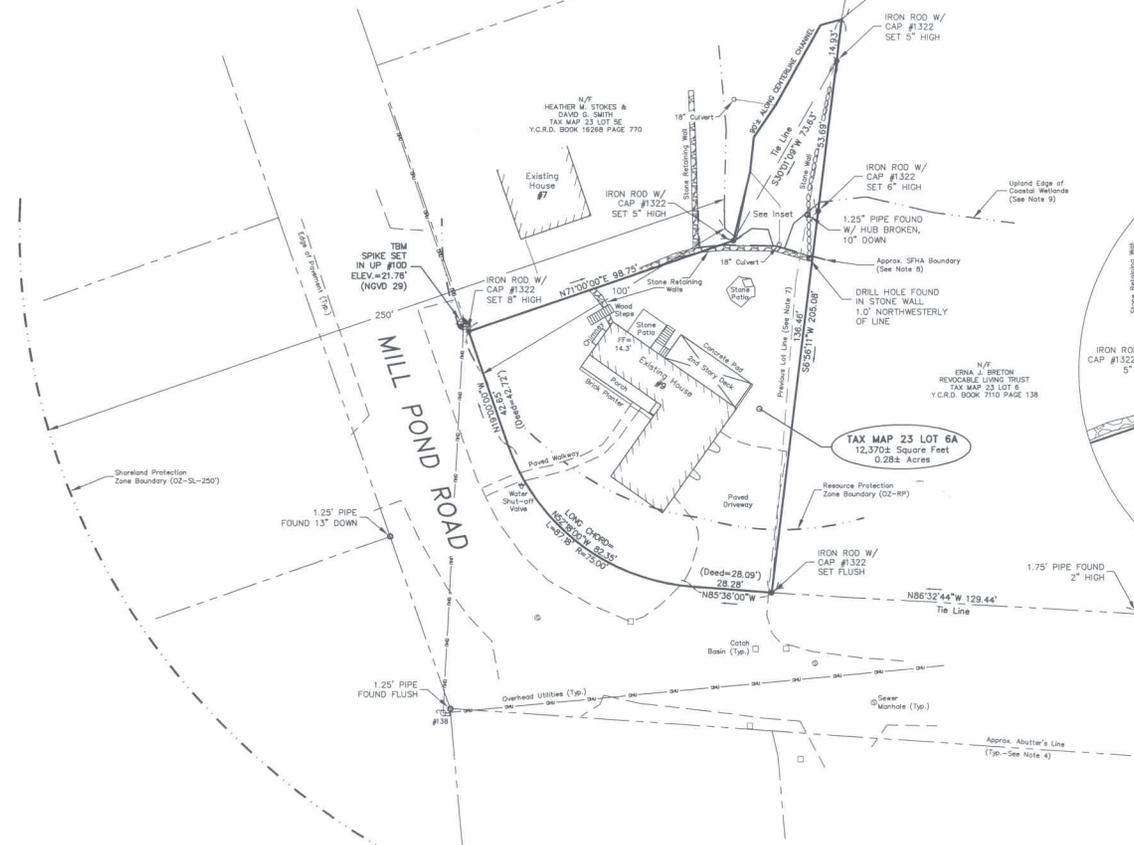
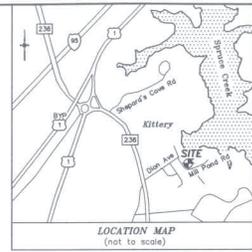
\*See Town Code Title 16, Section 16.3.2.4  
 \*\*See Town Code Title 16, Section 16.3.2.17.d.iii  
 Per Town of Kittery Town Code Title 16, Sections 16.3.2.4, 16.3.2.17 and Table 16.9

**ZONING DATA CONT:**  
 OVERLAY ZONE: SHORELAND-WATER BODY/WETLAND PROTECTION AREA (OZ-SL-250)  
 RESOURCE PROTECTION (OZ-RP)  
 REQUIREMENTS:  
 MINIMUM LAND AREA: 20,000 Sq Ft  
 PER UNIT DWELLING: 20,000 Sq Ft  
 MINIMUM LOT SIZE: 20,000 Sq Ft  
 MINIMUM SHORE FRONTAGE: 50 Ft  
 IMPERVIOUS SURFACE COVERAGE: 50%\*

\*See Town Code Title 16, Section 16.3.2.17.d.iii  
 Per Town of Kittery Town Code Title 16, Section 16.3.2.17

SPRUCE CREEK

**IMPERVIOUS SURFACE COVERAGE:**  
 EXISTING LOT AREA: 12,370 Sq Ft  
 IMPERVIOUS SURFACE AREA: 4,045 Sq Ft  
 IMPERVIOUS SURFACE COVERAGE: 32.7%  
**VOLUME:**  
 EXISTING BUILDING VOLUME: 28,230 CFT  
 (Not including Porch or Deck)  
**FLOOR AREA:**  
 EXISTING FLOOR AREA: 3,395 Sq Ft  
 (Includes Porch and Deck)



**PLAN REFERENCES:**  
 1. "PORTION OF PROPERTY OF JOSEPH DION, KITTERY, YORK COUNTY, MAINE," PREPARED BY ALBERT MOUTON C.E. AND DATED FEB. 5, 1964 AND RECORDED AT THE Y.C.R.D. IN PLAN BOOK 41 PAGE 48.

- NOTES:**
- OWNERS OF RECORD: TAX MAP 23 LOT 6A ERIC W. STITES & KATHERINE A. PETERNELL Y.C.R.D. BOOK 15730 PAGE 365 DATED SEPTEMBER 25, 2009
  - TOTAL EXISTING PARCEL AREA: TAX MAP 23 LOT 6A 12,370± Sq Ft (0.28± Acres)
  - BASIS OF BEARING IS PER PLAN REFERENCE #1.
  - APPROXIMATE ADJUTER'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.
  - ZONING INFORMATION SHOWN HEREON IS FOR REFERENCE PURPOSES ONLY. CONFIRM CURRENT REQUIREMENTS PRIOR TO DESIGN OR CONSTRUCTION.
  - REFERENCE IS MADE TO AN INDENTURE RECORDED AT THE Y.C.R.D. IN BOOK 5174 PAGE 173 (BOUNDARY LINE AGREEMENT).
  - A PORTION OF THIS PROPERTY IS LOCATED WITHIN SPECIAL FLOOD HAZARD AREA (SFHA) ZONE A2 PER NATIONAL FLOOD INSURANCE PROGRAM (NFIP) FLOOD INSURANCE RATE MAP (FIRM) TOWN OF KITTERY, MAINE, YORK COUNTY, PANEL 5 OF 10, COMMUNITY-PANEL NUMBER 230171 0005 D, MAP REVISED: JULY 3, 1986. BASE FLOOD ELEVATION (BFE) = 9' NGVD 29. ELEVATION 9' FALLS WITHIN THE STONE RETAINING WALL.
  - WETLANDS WERE DELINEATED BY MAINE CERTIFIED SOIL SCIENTIST, JOE NOEL APRIL 8, 2015.
  - BASE ZONE SETBACKS FALL WITHIN THE RESOURCE PROTECTION ZONE SETBACK AND THEREFORE ARE NOT SHOWN HEREON.

**RECEIVED**  
 APR 23 2015  
 BY: \_\_\_\_\_

**CERTIFICATION**

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

Kenneth D. Markley, R.L.S. #1322 Dated \_\_\_\_\_

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

REV.	DATE	STATUS	BY	CHKD	APPD.

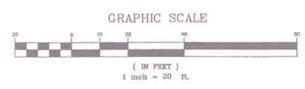
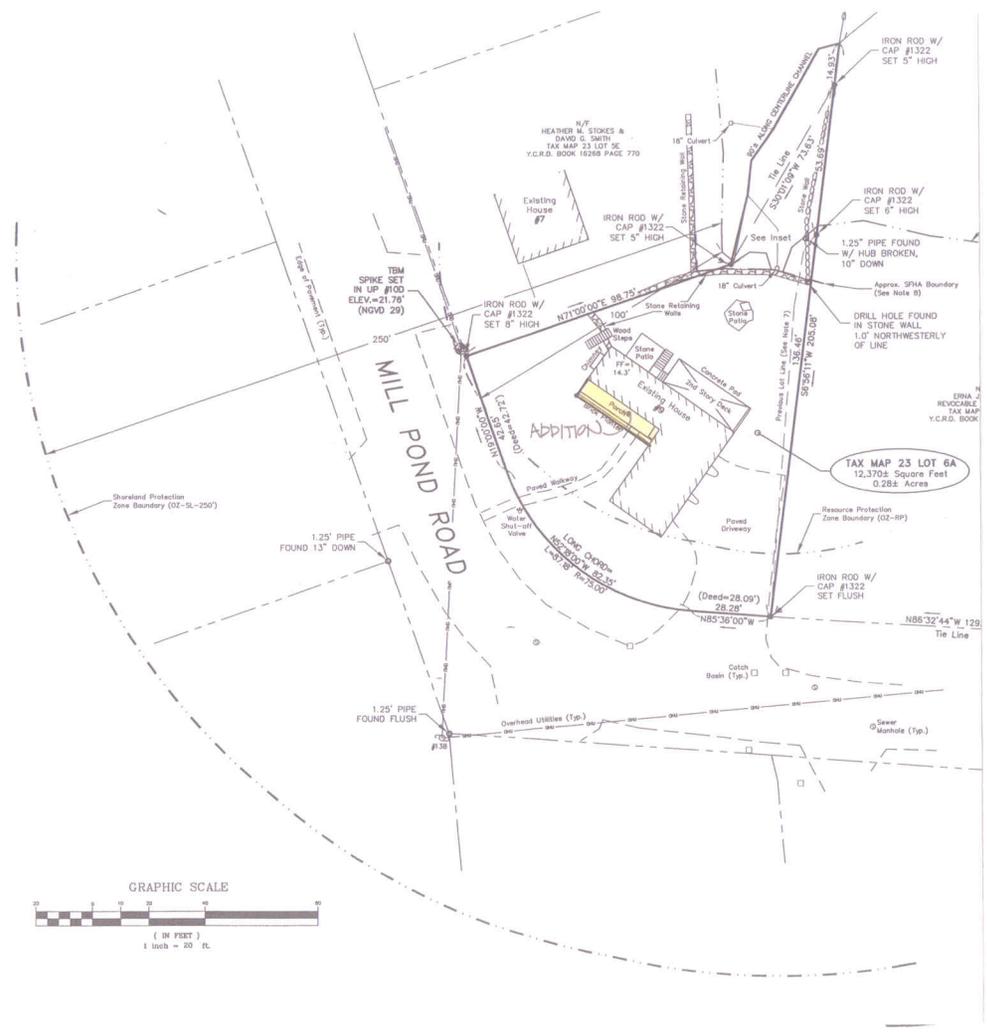
**SITE PLAN**  
 FOR PROPERTY AT  
 9 Mill Pond Road  
 Kittery, York County, Maine  
 OWNED BY  
**Eric W. Stites & Katherine A. Peternell**  
 9 Mill Pond Road, Kittery, ME 03904

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

SCALE:	PROJECT NO.:	DATE:	SHEET:	DRAWN BY:	CHECKED BY:
1" = 20'	14650	4/22/15	1 OF 1	B.M.K.	K.D.M.

DRAWING No: 14650 SITE FIELD BOOK No: "Kittery 63"

Tax Map 23 Lot 6-A



**Stites Peternell  
 Residence**

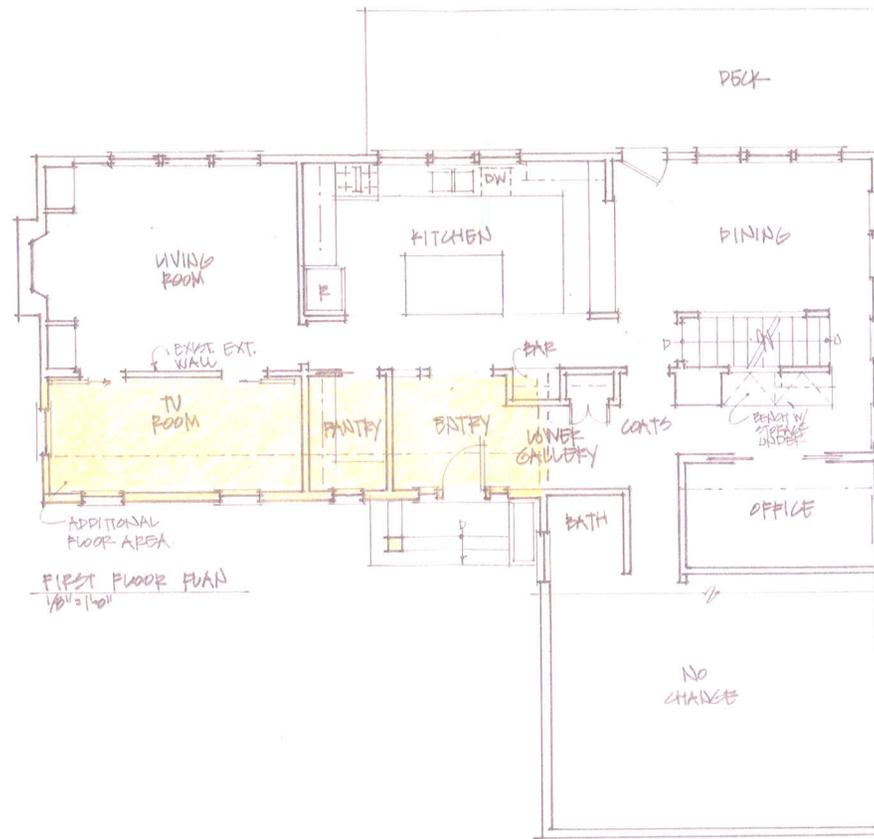
Mill Pond Road  
 Kittery, ME

ARCHITECTURAL  
 SITE  
 PLAN



studioB-E  
ARCHITECTURE

10 Ox Point Drive  
Kittery, ME 03904  
207.752.1371  
studioB-E.com



**Stites Peternell  
Residence**

Mill Pond Road  
Kittery, ME

FIRST  
FLOOR  
PLAN

**Town of Kittery  
 Planning Board Meeting  
 May 14, 2015**

**Lewis Farm II – Major Modification to an Approved Subdivision Plan**

Action: approve or deny plan modification. Owner/applicant Lewis Farm, LLC requests consideration of a major modification to an approved subdivision plan located off Haley Road and Lewis Road, Tax Map 61, Lots 25 and 29, in the Residential – Rural (R-RL) Zone. The modifications consist of revised lot lines and revised Maine Department of Environmental Protection wooded buffers. Agent is Jeffrey Clifford, P.E., Altus Engineering.

**PROJECT TRACKING**

REQ'D	ACTION	COMMENTS	STATUS
--	Final Plan Approval	March 14, 2013	GRANTED
NO	Site Visit		NA
YES	Preliminary Plan Review Completeness/Acceptance	Scheduled for May 14, 2015	Vote needed
NO	Public Hearing		NA
YES	Final Plan Review and Decision	Feasible for May 14, 2015	

Applicant: Prior to the signing of the approved Plan any **Conditions of Approval related to the Findings of Fact along with waivers and variances (by the BOA) must be placed on the Final Plan and, when applicable, recorded at the York County Registry of Deeds. PLACE THE MAP AND LOT NUMBER IN 1/4" HIGH LETTERS AT LOWER RIGHT BORDER OF ALL PLAN SHEETS.** As per Section 16.4.4.13 - Grading/Construction Final Plan Required. - Grading or construction of roads, grading of land or lots, or construction of buildings is prohibited until the original copy of the approved final plan endorsed has been duly recorded in the York County registry of deeds when applicable.

**Background**

The Lewis Farm II cluster subdivision was approved March 14, 2013. In order to preserve viable trees encountered at some of the approved driveway locations, the applicant request approval of slightly modified property lines and the related “wooded buffers” required by the DEP for for stormwater management. The modification is classified as “major” per 16.10.9.3.2 because it involves a change to the property lines and buffer easements.

**Staff Comments**

Although classified as a major modification, the proposed changes are relatively minor and differ only slightly from the approved plan. They preserve desirable trees and increase the area included in wooded buffer easements by 11,426 square feet. The applicant has also submitted the necessary revision application to the DEP.

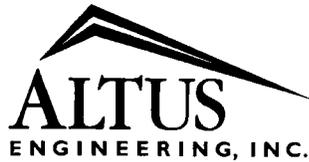
**Board’s Action**

Staff recommends that the Board accept the application and grant approval of the plan modification.

***Move to accept the plan application of Lewis Farm, LLC for a major modification to a cluster subdivision plan approved March 14, 2013.***

After review:

***Move to approve the application of Lewis Farm, LLC for a major modification to a cluster subdivision plan approved March 14, 2013, consisting of revised lot lines and Maine DEP wooded buffer easements, located off Haley Road and Lewis Road, Tax Map 61, Lots 25 and 29, in the Residential – Rural Zone.***



Civil  
Site Planning  
Environmental  
Engineering

133 Court Street  
Portsmouth, NH  
03801-4413

April 23, 2015

Christopher Di Matteo, Town Planner  
Town of Kittery  
200 Rogers Road  
Kittery, Maine 03904

RECEIVED  
APR 23 2015

Re: **Lewis Farm - Phase II**  
**Lewis Road**  
**Kittery, Maine**

BY:-----

Lewis Farm II clustered subdivision was approved by the Kittery Planning Board on March 14, 2013 and the mylars plats were recorded at the Registry of Deeds on June 24, 2013. A pre-construction conference was held August 29, 2013. The site has been cleared for the roadways as well as the driveways into the lots. The project was approved with Maine DEP "wooded buffers" for stormwater management and specific "gaps" were provided in the easements for driveways. The applicant chose to save viable trees found at several of the proposed driveway locations, so he relocated the driveways. To address the field change, an amendment of the approved subdivision plans is being requested from the Planning Board to modify the "wooded buffers" and for minor property lines revisions associated with locating the driveways. An application is also being submitted concurrently to Maine DEP for approval of a Minor Revision of the project's Site Location of Development License. The following items are provided for review and approval:

- Application: Major Modification to an Approved Plan (15 copies)
- Application fee check in the amount of \$300.00
- Approved Subdivision Plans, dated May 10, 2013 (15 copies: 12 reduced & 3 full size)
- Amended Subdivision Plans, dated April 23, 2015 (15 copies: 12 reduced & 3 full size)
- *Summary of Modifications to Individual Lots* (15 copies)
- Abutter's List and Labels

The modifications will be limited to 10 of the 17 lots. None of the lots have been sold at this time. These revisions will have a positive impact on the stormwater by the preservation of viable trees where possible and by increasing the net area of the "wooded buffer" within the lots by 11,426 square feet. No changes are proposed within the Common Open Spaces.

Please call if you have any questions or require additional information.

Sincerely,

Jeffrey K. Clifford, P.E.  
Vice President

RMB/jkc/3779.074.CDM.ltr.doc  
Enclosures

e-copy: Richard D. Johnson, Lewis Farm, LLC, w/encl.

# 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](http://www.kittery.org)



### APPLICATION: MAJOR MODIFICATION TO AN APPROVED PLAN- ~~SITE PLAN~~ SUBDIVISION PLAN

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

<b>PROPERTY DESCRIPTION</b>	Parcel ID	Map	61	Lot	25 & 29	Zone(s):	R-RL	Total Land Area (Square Feet)	78.49 s.f.
	Physical Address	Haley Road				Base:	_____		

<b>PROPERTY OWNER'S INFORMATION</b>	Name	Lewis Farm, LLC	<b>Mailing Address</b>	c/o Richard D. Johnson 37 Route 236, Suite 105 Kittery, ME 03904
	Phone	207-439-3186		
	Fax			
	Email	rdj@pinebrookcorp.com		

<b>APPLICANT'S AGENT INFORMATION</b>	Name	Jeffrey K. Clifford, PE	<b>Name of Business</b>	Altus Engineering, Inc.
	Phone	603-433-2335	<b>Mailing Address</b>	133 Court Street Portsmouth, NH 03801
	Fax			
	Email	jclifford@altus-eng.com		

<b>PROJECT DESCRIPTION</b>	Project Name: Lewis Farm - Phase II
	Existing Use: Vacant woodlands and meadow
	Proposed Amendment Please describe how the approved plan is proposed to be amended. State any known areas of non-compliance to the Town Code and how this amendment will decrease or remove non-compliance, if applicable.
	Phase II has been logged for the roadway as well as the driveways into the lots. In the field, the applicant wanted to save viable trees that were at driveway locations, and therefore relocated several driveway cuts. This amended plan shows the revised lot lines for lots 46, 47, 51, 52, 60 & 61 and the revised M.D.E.P "wooded" buffers for lots 46-53, 60 & 61.

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

Applicant's Signature: _____	Owner's Signature:
Date: _____	Date: 4.22.15

## Minimum Plan Submittal Requirements

- 15 COPIES OF THIS APPLICATION
- 15 COPIES OF THE APPROVED SITE PLAN – 12 REDUCED SIZE AT 11"X17"AND 3 FULL SIZE AT 24"X 36"
- 15 COPIES OF THE PROPOSED AMENDED SITE PLAN– 12 REDUCED SIZE AT 11"X17"AND 3 FULL SIZE AT 24"X 36"
- 1 PDF OF THE SITE PLAN SHOWING GPS COORDINATES

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

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

- A) Paper size:  
 No less than 11" X 17" (reduced) or greater than 24" X 36" (full)
- B) Scale size:  
 Under 10 acres: no greater than 1" = 30'  
 10 + acres: 1" = 50'
- C) Title block:  
 Applicant's name and address  
 Name of preparer of plans with professional information and professional seal  
 Date of plan preparation  
 PARCEL'S TAX MAP ID (MAP/LOT) 1/4" TALL IN LOWER RIGHT  
 'SITE PLAN AMENDMENT' CLEARLY PART OF TITLE
- D) Clearly show how the approved plan will be amended.
- E) Provide signature blocks for amended approval.
- F) Provide all associated reference material and or documentation that clarifies and or supports the purpose of the proposed amendment.
- G) Revisions to the boundary, internal lots and or parcels must be signed and sealed by a surveyor licensed in the State of Maine.
- H) Revisions to the proposed site must be signed and sealed by a professional engineer licensed in the State of Maine.

**SEE TITLE 16.10.5.2 FOR COMPLETE LIST OF SUBMITTAL INFORMATION**

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

### Waiver Request

	Ordinance Section	Describe why this request is being made.
<b>DESCRIPTION</b>	***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.

**16.10.8.2.5 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.

**16.7.4.1 Objectives Met.** 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.

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

COMPLETED BY OFFICE STAFF

ASA CHARGE	AMOUNT	ASA CHARGE	AMOUNT
<b>REVIEW</b>		<b>SERVICES</b>	
LEGAL FEES (TBD)		RECORDER	\$35
ENGINEERS REVIEW (TBD)		FACT FINDING (TBD)	
ABUTTER NOTICES		3 <sup>RD</sup> PARTY INSPECTIONS (TBD)	
POSTAGE	\$20	OTHER PROFESSIONAL SERVICES	\$50
<b>LEGAL NOTICES</b>		<b>PERSONNEL</b>	
ADVERTISING	\$300	SALARY CHARGES IN EXCESS OF 20 HOURS	
<b>SUPPLIES</b>			
OFFICE	\$5		
SUB TOTAL		SUB TOTAL	
		<b>TOTAL ASA REVIEW FEES</b>	

**SUMMARY OF MODIFICATIONS TO INDIVIDUAL  
LOT AREAS AND M.D.E.P. "WOODED" BUFFERS  
Amended Lewis Farm Subdivision – Phase II  
Map 61 Lots 25 & 29  
Lewis Road, Kittery, Maine**

Lot Number	Lot Area (s.f.)			"Wooded" Buffer Area (s.f.)		
	2013 Recorded Subdivision Plan	2015 Amended Subdivision Plan	Change in Area	2013 Recorded Subdivision Plan	2015 Amended Subdivision Plan	Change in Area
46	24,109	23,994	-115	9,408	11,542	2,134
47	24,875	24,710	-165	12,045	12,510	465
48	28,695	28,695	No change	16,096	16,989	893
Smokey Hollow Drive	12,869	13,149	280	n/a	n/a	
49	30,945	30,945	No change	16,694	18,941	2,247
50	36,273	36,273	No change	21,147	22,913	1,766
51	37,512	37,131	-381	21,729	22,886	1,157
52	31,753	32,134	381	19,571	19,720	149
53	30,865	30,865	No change	18,282	18,462	180
60	46,571	47,004	-433	20,349	19,688	-681
61	45,631	45,198	433	16,861	19,947	3,116

Net Increase of M.D.E.P. "wooded" buffer area

11,426 s.f.

**ZONING SUMMARY**

Applicant/Owner: Lewis Farm, LLC  
 37 Route 236, Suite 115  
 Kittery, Maine 03904

Property Reference: Tax Map 61, Lot 29 & Lot 25 (Phase I reserve land)  
 Lot Size: Rural Residence - R2, Lot 25: 20.31 acres  
 Zoning: Vacant woodlands and meadows  
 Existing Use: Clustered Residential Development  
 Proposed Use: Residential - Rural (R-2)

Zone: Residential - Rural (R-2)  
 R-2 District Requirements (Clustered Residential Development):  
 Cluster Lots Allowed = 1.5 Lots x Standard Subdivision Plan \*  
 = 1.5 x 22 Lots = 33 Lots  
 or  
 = 1.5 Dwelling Units x Net Residential Acre (Upwards)  
 = 1.5 x 36 Acres = 54 Dwelling Units  
 Lots Proposed = 18 Single Family Lots

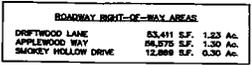
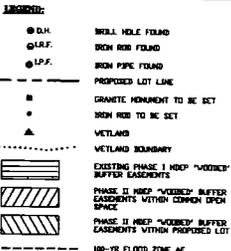
Conventional Subdivision Standard	Clustered Subdivision Standard	Provided
Minimum Lot Area	10.0 ac.	>10 acres
Minimum Open Space	N/A	8.52 ac.
Usable Open Space	N/A	2.48 ac.

Minimum Lot Size	40,000 sq/ft	30,000 sq/ft	>30,000 sq/ft
Street Frontage	150 feet	=	20 feet, min
Building Setbacks			
Road (Front)	40 feet, min	=	50 feet, min
Side / Rear	10 feet, min	=	25 feet, min
Wetland	100 feet, min	=	100 feet, min
Building Height	35 feet, max	=	35 feet, max

\* Standard Subdivision Concept Plan with 22 lots presented and approved for lot yield at January 12, 2006 Planning Board Meeting.  
 \*\* Modifications allowed under provisions for Clustered Residential Development, Article II, Sec. 16.3.2.10(X) and Article II, Sec. 16.3.1.11 through 16.3.1.13.

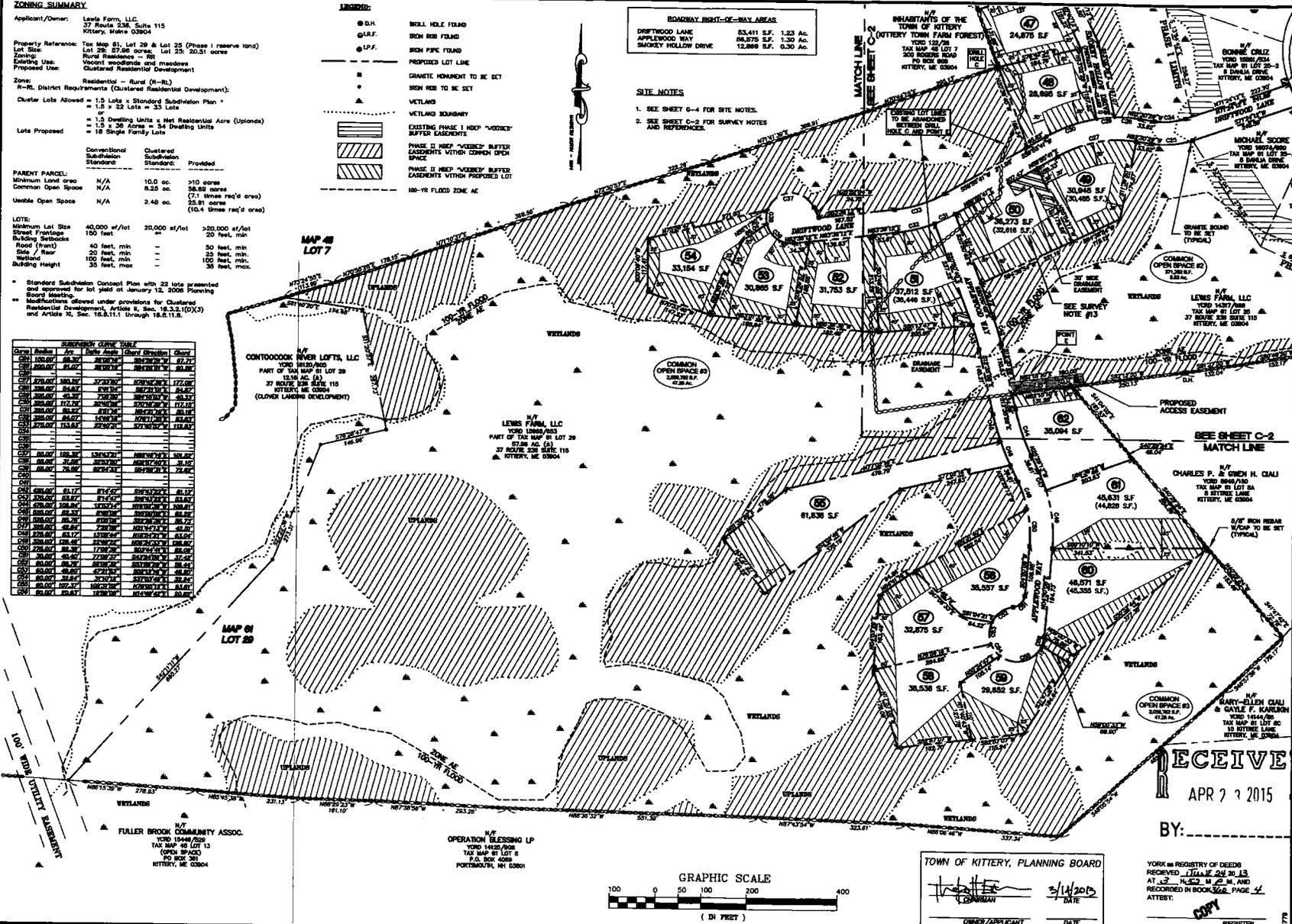
**SUBDIVISION CLUSTER TABLE**

Order	Area	Ac	Subdiv	Order	Area	Ac
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002	0.0000	0.0000	00000000	002	0.0000	0.0000
003	0.0000	0.0000	00000000	003	0.0000	0.0000
004	0.0000	0.0000	00000000	004	0.0000	0.0000
005	0.0000	0.0000	00000000	005	0.0000	0.0000
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013	0.0000	0.0000	00000000	013	0.0000	0.0000
014	0.0000	0.0000	00000000	014	0.0000	0.0000
015	0.0000	0.0000	00000000	015	0.0000	0.0000
016	0.0000	0.0000	00000000	016	0.0000	0.0000
017	0.0000	0.0000	00000000	017	0.0000	0.0000
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043	0.0000	0.0000	00000000	043	0.0000	0.0000
044	0.0000	0.0000	00000000	044	0.0000	0.0000
045	0.0000	0.0000	00000000	045	0.0000	0.0000
046	0.0000	0.0000	00000000	046	0.0000	0.0000
047	0.0000	0.0000	00000000	047	0.0000	0.0000
048	0.0000	0.0000	00000000	048	0.0000	0.0000
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099	0.0000	0.0000	00000000	099	0.0000	0.0000
100	0.0000	0.0000	00000000	100	0.0000	0.0000



**SITE NOTES**

- SEE SHEET G-4 FOR SITE NOTES.
- SEE SHEET C-2 FOR SURVEY NOTES AND REFERENCES.



**ALTUS ENGINEERING, INC.**  
 125 COMB STREET PORTSMOUTH, NH 03801  
 PHONE: (603) 433-8300  
 FAX: (603) 433-4194

**CIVIL CONSULTANTS**  
 Engineers  
 Planners  
 Surveyors  
 P.O. Box 100  
 South Berwick  
 Maine  
 03906  
 207-864-2822  
 ccs@altuseng.com



ISSUED FOR: RECORDING  
 ISSUE DATE: MAY 10, 2013

**REVISIONS**

NO.	DESCRIPTION	BY	DATE
0	P.R. SUBMISSION	JJC	7/29/06
1	MEED SUBMISSION	JJC	11/15/06
2	MEP / A/C COMMENTS	JJC	5/18/07
3	P.R. SUBMISSION	JJC	8/16/11
4	ADD RESERVE AREA	JJC	10/11/11
5	TOWN COMMENTS	JJC	2/18/13
6	ROAD NAMES	JJC	5/10/13

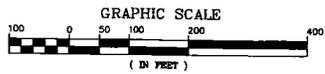
DRAWN BY: RMB  
 APPROVED BY: JJC  
 DRAWING FILE: 37793B-EAST.DWG  
 SCALE: 1" = 100'

OWNER/APPLICANT:  
**LEWIS FARM, LLC**  
 37 ROUTE 236, SUITE 115  
 KITTERY, MAINE 03904

PROJECT:  
**LEWIS FARM SUBDIVISION - PHASE II**  
**MAP 61**  
**LOTS 25 & 29**  
 LEWIS ROAD  
 KITTERY, MAINE

TITLE:  
**PHASE II SUBDIVISION PLAN - A**

SHEET NUMBER:  
**C-1**



**TOWN OF KITTERY, PLANNING BOARD**  
 RECEIVED: JUNE 28, 2013  
 AT 4:12 P.M. IN ROOM 101  
 RECORDED IN BOOK 662, PAGE 54  
 ATTEST:  
 [Signature]  
 DATE: 5/14/2013  
 OWNER/APPLICANT DATE

**RECEIVED**  
 APR 7 2015  
 BY: \_\_\_\_\_

WORK IN REGISTRY OF DEEDS  
 RECEIVED: JUNE 28, 2013  
 AT 4:12 P.M. IN ROOM 101  
 RECORDED IN BOOK 662, PAGE 54  
 ATTEST:  
 [Signature]  
 DATE: 5/14/2013  
 OWNER/APPLICANT DATE



**ZONING SUMMARY**

**Applicant/Owner:** Lewis Farm, LLC  
 37 Route 230, Suite 115  
 Kittery, Maine 03904

**Property Reference:** Tax Map 61, Lot 29 & Lot 25 (Phase I reserve land)  
 Lot 25: 57,980 acres, Lot 29: 20,510 acres

**Existing Use:** Rural Residential - RR  
 Vacant woodlands and meadows

**Proposed Use:** Clustered Residential Development

**Zone:** Residential - Rural (R-RL)  
 R-RL District Requirements (Clustered Residential Development):

**Quarter Lots Allowed:** 1.5 Lots x Standard Subdivision Plan +  
 1.0 x 22 Lots = 33 Lots

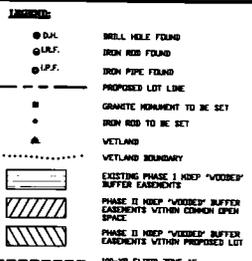
**Lots Proposed:**  
 - 1.0 Dwelling Units x Net Residential Acre (Uplands)  
 - 1.3 x 38 Acres = 54 Dwelling Units  
 - 18 Single Family Lots

	Conventional Subdivision Standard:	Clustered Subdivision Standard:	Provided:
<b>PARENT PARCEL:</b>			
Minimum Land Area	N/A	10.0 ac.	>10 acres
Common Open Space	N/A	8.25 ac.	28.86 acres (7.1 times req'd area)
Usable Open Space	N/A	2.48 ac.	25.81 acres (10.4 times req'd area)
<b>LOTS:</b>			
Minimum Lot Size	40,000 sq/ft	20,000 sq/ft	>20,000 sq/ft
Street Frontage	180 feet	30 feet	30 feet, min.
Building Setbacks			
Road (Year)	40 feet, min.		50 feet, min.
Side / Rear	30 feet, min.		25 feet, min.
Setback	100 feet, min.		100 feet, min.
Building Height	35 feet, max.		35 feet, max.

Standard Subdivision Concept Plan with 22 lots presented and approved for lot yield of January 12, 2008 Planning Board Meeting.

Modifications shown under provisions for Clustered Residential Development, Article II, Sec. 16.2.1(D)(3) and Article III, Sec. 16.5.1(1) through 16.5.1(5).

Serial	Area								
001	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
002	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
003	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
004	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
005	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
006	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
007	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
008	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
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012	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
013	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
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018	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
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025	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
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043	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
044	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
045	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
046	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
047	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
048	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
049	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
050	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
051	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
052	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
053	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
054	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
055	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
056	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
057	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
058	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
059	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
060	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
061	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
062	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
063	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
064	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
065	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
066	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
067	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
068	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
069	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
070	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
071	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
072	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
073	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
074	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
075	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
076	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
077	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
078	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
079	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
080	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
081	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
082	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
083	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
084	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
085	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
086	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
087	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
088	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
089	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
090	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
091	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
092	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
093	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
094	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
095	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
096	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
097	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
098	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
099	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
100	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

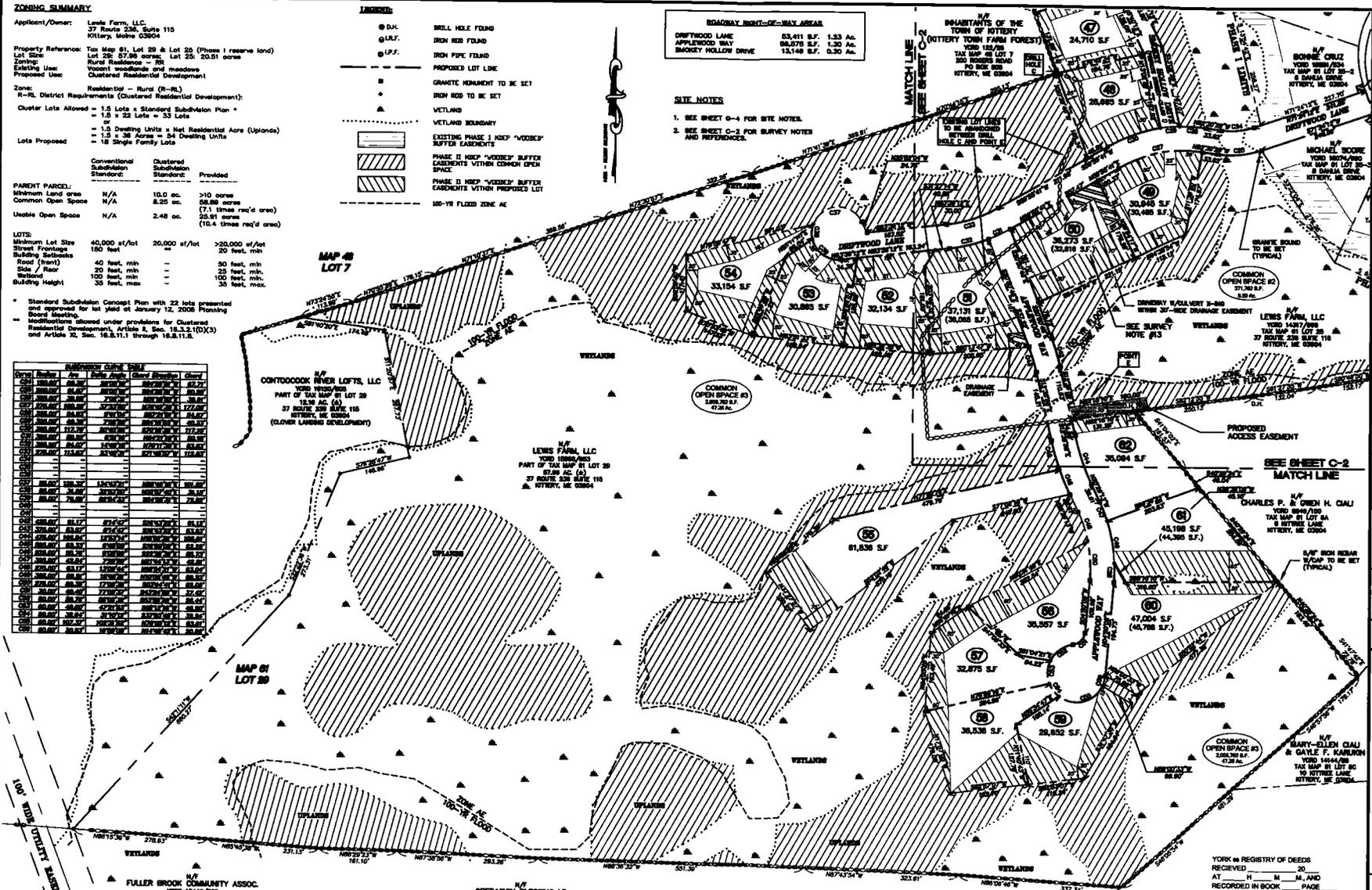


**ROADWAY RIGHT-OF-WAY AREAS**

DRIFTWOOD LANE	53,411 S.F.	1.23 Ac.
APPLEWOOD WAY	88,575 S.F.	1.30 Ac.
SHACKET HOLLOW DRIVE	13,148 S.F.	0.30 Ac.

**SITE NOTES**

1. SEE SHEET 0-4 FOR SITE NOTES.
2. SEE SHEET C-2 FOR SURVEY NOTES AND REFERENCES.



**TOWN OF KITTERY, PLANNING BOARD**

CHAIRMAN \_\_\_\_\_ DATE \_\_\_\_\_

OWNER/APPLICANT \_\_\_\_\_ DATE \_\_\_\_\_

THE INTENT OF THIS PLAN IS TO REVISE LOT LINES FOR LOTS 46, 47, 51, 52, 53, 54 & 61 AND TO REVISE THE M.D.E.P. BUFFER EASEMENTS FOR LOTS 46-53, 55 & 61. THIS PLAN SUPERCEDES THE PREVIOUSLY RECORDED SUBDIVISION PLAN, PLAN BOOK 382, PAGE 4, RECORDING DATE 6/24/13 AT YORK COUNTY REGISTRY OF DEEDS.

**ALTUS ENGINEERING, INC.**

133 COURT STREET PORTSMOUTH, NH 03801  
 PHONE: (603) 433-3333  
 FAX: (603) 433-4184

**CIVIL CONSULTANTS**

Engineers  
 Planners  
 Surveyors

P.O. Box 100  
 South Berwick  
 Maine  
 03906  
 207-364-2650  
 ccs@ccs.com

YORK COUNTY REGISTRY OF DEEDS  
 100 STATE STREET  
 KITTERY, ME 03904

RECORDED  
 6/24/13

ISSUED FOR: \_\_\_\_\_

APPROVAL: \_\_\_\_\_

ISSUE DATE: **APRIL 23, 2015**

**REVISIONS**

NO.	DESCRIPTION	BY	DATE
0	P.L. SUBMISSION	JCC	7/29/08
1	MEEP SUBMISSION	JCC	11/15/09
2	MEEP / AOC COMMENTS	JCC	5/18/07
3	P.L. SUBMISSION	JCC	6/16/11
4	ADD RESERVE AREA	JCC	10/11/11
5	TOWN COMMENTS	JCC	

