



KITTERY TOWN PLANNING BOARD MEETING

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

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

AGENDA for Thursday, October 22, 2015 6:00 P.M. to 10:00 P.M.

CALL TO ORDER–ROLL CALL–PLEDGE OF ALLEGIANCE–APPROVAL OF MINUTES–9/24 & 10/8/2015

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

PUBLIC INFORMATIONAL PRESENTATION

ITEM 1 –Memorial Circle and Related Improvement Plan.

Action: Hear presentation and public comment and make recommendations.

Maine Department of Transportation (MDOT) Locally Administered Project consultants will discuss preliminary designs for Memorial Circle and related improvements including pedestrian access along State Road (U.S. Route 1) to Adams Drive. Representatives from Wright Pierce Engineers, and Gorrill-Palmer traffic engineers will present-progress to date obtain feedback and answer questions.

NEW BUSINESS

ITEM 2 – 24 Williams Avenue – Shoreland Development Plan Review

Action: approve or deny plan. Owners/applicants Doug and Karen Beane request consideration of their plan to construct a new deck with pergola, garage and breezeway to an existing single family dwelling within the required 100-foot setback, and front and side yard setbacks (Tax Map 9, Lot 16) in the Residential – Urban (R-RU), Shoreland Overlay (OZ-SL-250'), Zones. Agent is Ken Markley, Easterly Survey.

ITEM 3– Board Member Items / Discussion

- A. Streets within the Foreside.
 - Review findings from site walk.
- B. Action List
- C. Committee Updates
- D. Other

ITEM 4 – Town Planner Items:

- A. Code Amendment 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**

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

6 Board members present: Chair Ann Grinnell, Vice chair Karen Kalmar, Mark Alesse, Secretary Debbie
7 Driscoll-Davis, David Lincoln, Deborah Lynch and Robert Harris
8 Staff present: Chris Di Matteo, Town Planner and Rebecca Spitko, Assistant Town Planner

9
10 Pledge of Allegiance

11
12 **Minutes: September 24, 2015**

13 Ms. Driscoll-Davis asked to have the wording altered on page 2, line 61.

14 Ms. Kalmar asked to include the full name of Tom Emerson on line 257.

15 Mr. Lincoln commented on the description of Stephen Kosacz's public comment (line 95), noting it was
16 not clear and may have omitted a statement made by Mr. Kosacz regarding the parking issues in Kittery
17 Foreside. Mr. Lincoln asked for a review of the meeting's audio to provide more detail. Ms. Driscoll-
18 Davis agreed to review audio.

19 Ms. Driscoll-Davis added she will also review lines 270 and 279 for accuracy.
20

21 **Ms. Grinnell stated she will abstain on a motion to approve minutes until a requested review and**
22 **update to the minutes have been completed.**

23
24 Public Comment: Ms. Grinnell opened the floor for public comment. Hearing none, Ms. Grinnell closed
25 public comment.
26

27 **ITEM 1 – York Hospital – Modification to an approved plan**

28 Action: grant or deny plan approval. York Hospital requests approval to amend a previously approved
29 site plan with the addition of a new second freestanding sign as a general information sign along State
30 Road. Property is located at 35 Walker Street at State Road in the Business Local 1 and Mixed Use Kittery
31 Foreside Zones; Tax Map 4 Lot 168. Agent is Ken wood with Attar Engineering.
32

33 Mr. Steve Pelletier, Chief Operating Officer of York Hospital, gave a presentation to the Board, which
34 included the following points:

- 35 • The use of primary care physicians is declining as citizens instead rely on episodic care.
- 36 • Episodic care is more efficient and cost effective at a walk-in community center than a hospital
37 emergency room.
- 38 • Kittery Walk-In Clinic serves approximately 50 patients a day.
- 39 • Approximately 50% of patients served are residents of Kittery, 25% residents of Elliot and the
40 remaining 25% a conglomerate of residents from Portsmouth, York and other surrounding
41 towns.
- 42 • The current signage on the building does not immediately identify it as a medical practice and
43 does not include a street number.

- 44 • The clinic's entrance is located on Walker St.
- 45 • Requesting a second freestanding sign to be placed on U.S. Route 1 so individuals traveling both
- 46 north and southbound on Route 1 can see it, while still remaining visible by way of Walker St.
- 47 • Mr. Pelletier noted this sign would be in a good position in the event the clinic expands in the
- 48 future to include ambulatory services.
- 49 • The proposed sign meets the town code requirement of a 20' setback from a state road.

50

51 Ms. Grinnell opened the floor to questions from board members.

52 Mr. Lincoln asked to clarify the purpose of the sign. Mr. Pelletier stated the purpose is to quickly identify
53 the clinic to travelers who bypassed the Walker St. entrance. Mr. Lincoln noted the sign does not include
54 a directional arrow directing prospective patients to the entrance so the sign does not meet Mr.
55 Pelletier's current objective. Mr. Lincoln asked if Mr. Pelletier was interested in identifying building
56 specifically as a walk-in facility. Mr. Pelletier affirmed. Mr. Lincoln asked if Mr. Pelletier considered
57 adding more signage on the actual building instead of seeking an additional freestanding sign. Mr.
58 Pelletier noted that, at this time, they had not considered that, as they do not want to clutter the
59 building to avoid overwhelming already compromised individuals with information. Mr. Pelletier noted
60 the proposed sign also has space on it where they could add information about any future specialties
61 that may be added to the practice. Mr. Lincoln noted that he feels there is too much information on the
62 proposed sign, which hinders its readability. He also stated he does not know if, in practice, it will
63 actually be visible to both north and southbound lanes of traffic.

64

65 Mr. Harris added he drove by the proposed site of the sign heading northbound. He recommended a
66 simpler sign would meet Mr. Pelletier's stated objectives better than the proposed sign. Mr. Harris
67 suggested a simple directional arrow without the website, street number and extra space for future
68 specialty services.

69

70 Ms. Driscoll-Davis added a question about code ordinances and asked to clarify how many businesses
71 occupy the building. Mr. Pelletier replied that, although affiliated, the EMT unit used by the clinic is
72 privately owned and not the same business. Ms. Driscoll-Davis mentioned code 16.8.10.6.2.B which has
73 different code standards for signs for single and multiple business facilities. Code states a multiple
74 occupied building is permitted two signs if the business fronts and has public access on multiple streets.
75 Mr. Pelletier stated the clinic has public access from Route 1 in the way of a paved path that leads to the
76 entrance. A discussion occurred as to whether a walking path meets the requirements of an approved
77 point of access for a business.

78

79 Ms. Grinnell asked the board for a consensus that the building holds more than one business. Mr. Harris
80 noted that he was unsure as the businesses operate together as one unit. A discussion incurred and
81 consensus was formed that this was two distinct businesses and therefore the request for the sign falls
82 under section 16.8.10.6.2.B.2 and does not require approval from the planning board. Ms. Grinnell
83 instructed Mr. Pelletier to apply for a sign permit and closed the item.

84

85 Board Member Items

86 Mr. Di Matteo passed around materials to board members detailing the status of all agenda items
87 presented to the board since March 2015, as requested by Mr. Lincoln. Ms. Kalmar requested continued

88 status reports of agenda items be presented to the board on a monthly basis. Ms. Grinnell stated board
89 members will review the status report and return with comments.

90

91 Ms. Kalmar welcomed and introduced the new Assistant Town Planner, Rebecca Spitko, to the town.

92

93 Mr. Lincoln commented on the recent newspaper article describing the conflict between the town code
94 enforcer and a property owner who placed a mural on her house. Mr. Lincoln wanted to have on record
95 that the code enforcer is doing a good job by questioning code definitions and implementation.

96

97 Ms. Driscoll-Davis updated the board on the status of the comprehensive plan hiring process:

98 • A consulting firm has been selected and are currently in the process of working out contract
99 details

100 • A tour of the town to familiarize consultants with areas of interest is planned for October
101 29, 2015. including, for example:

102 ○ Notable businesses

103 ○ Rural areas

104 ○ Affordable housing areas

105 ○ Mobile home parks

106 ○ The village area

107 Ms. Driscoll-Davis added that if any of the board members had specific areas they felt important for the
108 comprehensive plan team to visit to email them to herself or Mr. Di Matteo. The tour is scheduled for
109 Thursday, October 29, 2015.

110

111 Town Planner Updates

112 Mr. Di Matteo provided an update on the Bypass stating they are behind schedule due to some back and
113 forth with the state. Mr. Di Matteo proposed having a second Planning Board meeting in November
114 since the consultant contract expires at the end of the year.

115

116 **Ms. Grinnell moved to schedule a second meeting in November**

117 **Ms. Driscoll-Davis Seconded**

118 **Motion carried: 7-0-0**

119

120 Additional PB meeting scheduled for 6pm on Thursday, November 19, 2015.

121

122 Mr. Di Matteo also updated the board on the status of the code amendments. 5 out of the 8
123 amendments passed at the council public hearing held on Monday, September 28, 2015. The
124 amendment item involving the sewer project is scheduled for Wednesday October 14th and the final two
125 amendment items will be at the October 26th council meeting. Ms. Kalmar stated she will attend both
126 council meetings. Ms. Grinnell will attend on the 26th.

127

128 Mr. Di Matteo informed the board of new FEMA maps which are in for review. The maps will have a
129 scheduled appeal period during the spring/summer season of 2016 and a final draft is planned for
130 January 2017. It is expected the maps will be effective summer 2017.

131

132 Mr. Di Matteo stated he will have an update on the Kittery Foreside parking issue discussed during the
133 last board meeting on the meeting scheduled for October 22nd. Ms. Kalmer suggested a group to
134 physically walk the Foreside streets in order to determine potential appropriate parking solutions. Ms.
135 Driscoll-Davis and Ms. Grinnell suggested inviting public works and/or the Fire Chief. The planning board
136 agreed to meet at The Main Squeeze at 1pm on Thursday, October 22, 2015. No rain date for walk was
137 chosen.

138
139 Mr. Di Matteo invited board members to the Maine Municipal Association's Local Planning Boards and
140 boards of Appeal workshop to be held on Thursday, October 29, 2015; 4:30 – 8:30. Ms. Lynch and Ms.
141 Grinnell stated they might attend. Ms. Spitko will attend.

142
143 Ms. Grinnell asked if there were any additional updates. None presented.

144
145 **Mr. Alesse moved to adjourn.**

146 **Ms. Driscoll-Davis seconded.**

147 **Motion carried: 7-0-0**

148
149 The Kittery Planning Board meeting of October 8, 2015 was adjourned at 6:50 p.m.

150
151 Submitted by Rebecca Spitko, Assistant Town Planner, on October 14, 2015.

**Town of Kittery Maine
Town Planning Board Meeting
October 22, 2015**

ITEM 1 – Memorial circle and Related Improvement Plan

Action: Hear presentation and public comment and make recommendations.

Maine Department of Transportation (MDOT) Locally Administered Project consultants will discuss preliminary designs for Memorial circle and related improvements including pedestrian access along State Road (U.S. Route 1) to Adams Drive. Representatives from Wright Pierce Engineers and Gorrill-Palmer traffic engineers will present progress to date, obtain feedback and answer questions.

Background

The scope of the proposed improvements, actually two separate state funded LAP (Locally Administered Projects) projects, is to construct: 1) a shared use path along State Road (U.S. Rt. 1 {not the Bypass as stated on the plans}) with granite curb that extends from Memorial Circle and ends at the Kittery Estates entrance, and may continue, dependent on available funding, to Adams Drive; and 2) Realignment of Memorial Circle, including granite curb, guardrail and multi-use paths and sidewalks to address overall traffic safety and accommodate pedestrian and bicycle traffic.

The goal of the shared multi-use path in these projects is to connect residential neighborhoods to the south and east of Route 236 with the Kittery outlet district, providing a space for foot and non-motor vehicle traffic among outlet patrons and employees.

Planning for this proposal began in 2012. Several updates have been made since the last meeting with the Planning Board. A summary of the updates are as follows:

- The layout of Memorial Circle will be significantly altered than originally plan, including splitter islands with cross walks and granite curbing installed so that it may accommodate the addition of a multi-lane option in the future
- Rogers Rd extension will not be aligned to create a T-intersection with State Road
- Sidewalks will not be designed along Route 236 & Adams Drive
- Due to budgetary restrictions, no trees or shrubs will be planted as part of the project
- Lighting will be installed along Memorial Circle and crosswalks installed associated with the circle improvements.

Staff Comments

Staff, including the Commissioner of Public Works and Town Manager, plan to meet with representatives from the Maine DOT and the consultant on Wednesday, October 21st to discuss the Preliminary Design Reports (PDR). Attached the PDRs for both projects that include plans for your review.

Board Action

No formal board action is required. The projects require an opportunity for public input and it was determined that the planning board meeting would be an appropriate venue. After listening to the consultant's presentation and hearing from the public, the Board may want to share any comments they may have on the planned improvements.

October 6, 2015

MaineDOT WIN 18184.00/W-P Project Nos. 12532A and 12533A

Mr. Chris DiMatteo
Town Planner
Kittery Town Offices
200 Rogers Road
Kittery, Maine 03904

Subject: Town of Kittery, Maine – Memorial Circle Improvements and Route 1 Shared Use Path – Materials for October 22, 2015 Planning Board Meeting

Dear Mr. DiMatteo:

Materials for inclusion in the Planning Board packet for Kittery's October 22nd Planning Board meeting are attached for your use and distribution to Planning Board members. Since the Planning Board last saw the project in November of 2012, there have been some changes to the project that are worth noting:

- Upon the conclusion of DOT's peer review process, it was determined that the circle layout would be more significantly altered as part of this project, requiring that curbing and striping be re-defined. The Circle's curbing will be set to accommodate a future, multi-lane option, but the project will initially be striped to reflect single lane approaches.
- Rogers Road Extension will not be aligned to create a T intersection at both ends, based on direction from Town staff
- Sidewalks will not be designed along Route 236 and Adams Drive
- The planting of trees and shrubs will not be performed in conjunction with this project, due to budgetary constraints
- Lighting will be provided on the circle and at crosswalks associated with the circle

Please be in touch if you have any questions.

Very truly yours,

WRIGHT-PIERCE



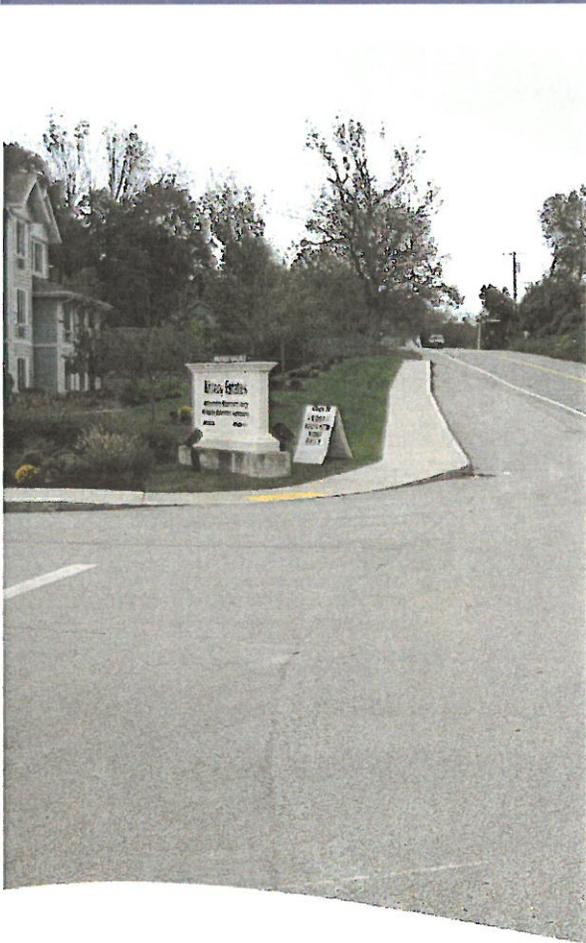
Cc: Norman Albert, Town of Kittery Public Works
Don Ettinger, Gorrill-Palmer

October 2015

Town of Kittery, Maine

MaineDOT WIN 18184.00

DRAFT Route 1 Bypass Shared Use Path Preliminary Design Report



WRIGHT-PIERCE 
Engineering a Better Environment

Land Use
Planning and
Development

September 30, 2015
MaineDOT WIN 18184.00/W-P Project No. 12533A

Mr. Brian Keezer
Maine Department of Transportation
Multimodal Program
16 State House Station
Augusta, Maine 04333-0016

Subject: Town of Kittery, Maine –Route 1 Bypass Shared Use Path, DRAFT PDR

Dear Mr. Keezer:

Enclosed is a draft Preliminary Design Report for the Route 1 Bypass Shared Use Path Project in Kittery, Maine. Small adjustments to the design are anticipated as the project moves through design development, however, no substantial changes are expected, pending approval of the DE application we submitted this week. The PDR focuses on the base bid LAP portion of the project, though the bid alternate plans to be paid for separately by the Town are also included. Costs are higher than they were during our scoping exercise of last year because they include portions of the pathway in front of the shopping plaza and on the traffic island that had previously fallen into Gorrill-Palmer's estimate for Memorial Circle.

Please do not hesitate to call or e-mail me in the event you have any questions or require additional information.

Very truly yours,

WRIGHT-PIERCE



Cc: Norman Albert, Town of Kittery Public Works
Don Ettinger, Gorrill-Palmer
Tom Reinauer, KACTS

TOWN OF KITTERY, MAINE

Route 1 Bypass Shared Use Path
MaineDOT WIN 18184.00, W-P Project #12533
Preliminary Design Report

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Preliminary Design Report

Attachment 1 - Preliminary Plans and Details

Attachment 2 - Documentation of Public Process

Attachment 3 - Detailed Cost Estimate

Attachment 4 - Utility Contacts and Responses Received to Date from
Letters 1 and 2

Attachment 5 – Design Exception Application

Route 1 Bypass Shared Use Path

DRAFT Preliminary Design Report

Kittery, ME

18184.00

Date: October 1, 2015

Municipality: Kittery

WIN: 18184.00

Route: 1

Federal Project Number: STP-1818(400)X

General Information

- **Project Type:** Construction of a shared use path
- **Project Location**(See Attached Plans): The proposed sidewalk will follow the east side of State Road/Route 1 from the match line with the Memorial Circle project at STA 107+81 to Adams Drive, creating a bicycle and pedestrian connection from the planned improvements at Memorial Circle to Adams Drive, a low volume road that extends toward the Kittery Outlets. Only the portion of the project from STA 107+81 to STA 115+45 on State Road/Route 1 is considered part of the LAP project.
- **Project Length:** 0.14 Mile (764 LF) in the LAP portion of the project (STA 107+81 to STA 115+45), and 0.16 Mile (858 LF) in the Town/Bid Alternate portion of the project (STA 115+45 to STA 115+68 and STA 120+00 to STA 128+59)
- **BRLM: ERLM: RLM Date:**
- **Program:** Multimodal
- **Program Manager:**
- **Project Manager:** Brian Keezer, MaineDOT Multimodal Project Manager
- **Engineer of Record:** Jan Wiegman - Wright-Pierce
- **Designer:** Jennifer Claster - Wright-Pierce
- **Town Contact:** Norman Albert, Commissioner of Public Works
- **Beginning Point of LAP Project Discussed in this PDR:** STA 107+81 on State Road/Route 1
- **End Point of LAP Project Discussed in this PDR:** STA 115+45 on State Road/Route 1
- **FHWA Oversight:**

Planning

- **Project History:** Planning and initial design of this project began prior to 2012. The project scope has changed to incorporate public input and budgetary considerations. The current project scope is the result of meetings that occurred between May and November of 2014 involving KACTS, the consultant team, the Town, and MaineDOT.
- **Purpose & Need:**

The Town of Kittery intends to construct an asphalt shared use path with a grassed esplanade and granite curb along State Road/Route 1 from Memorial Circle to Adams Drive. Only the portion of the project from Memorial Circle to the driveway of Kittery Estates is considered part of the LAP project, for budgetary reasons. The shared use path will help to connect residential neighborhoods to the south and east of Route 236 with the Kittery outlet district on Route 1 – an observed desire line for workers traveling on foot or by bicycle to jobs in the outlet district – and

will provide an extension of the shared use path being provided around the circumference of Memorial Circle.

- **Brief Summary of Proposed Scope of Work:** The overall guiding design principles for the shared use path improvements consider the MaineDOT Highway Design Guide - Volume II and the 2012 AASHTO Guide for the Development of Bicycle Facilities. The following additional design considerations were incorporated into the project to date:
 - Minimize impacts to private property;
 - Minimum shared use path width of 8'-0" feet, and minimum esplanade width of 3'-0" including the curbing – wider where right-of-way permits; and
 - Signage will be incorporated for bicyclists using the path

MaineDOT will undertake the right-of-way process for any temporary construction or grading rights that are needed.

- **Scope Changes:** The sidewalk on Adams Drive and the sidewalk on Rte 236 to Frisbee Commons have been eliminated. Rogers Road will not T into Route 1. The sidewalk in front of Kittery Estates will be replaced. Instead of a sidewalk on Route 1, a shared use path will be installed.

Traffic

- **Corridor Priority:** 1
- **Functional Class:** Minor Arterial
- **NHS:** Yes?
- **Posted Speed:** 25 mph
- **Design Speed:** 25 mph
- **2015 AADT:** 6336
- **20XX (Design) AADT:** ?
- **DHV:** ?
- **CRF:** ?
- **High Crash Locations:** None in the project area

Design (See Attached Plans)

- **Travel Lane Width:** 11'-0" Travel Lane (if Design Exception is granted)
- **Shoulder Width:** 3'-0" Shoulder (if Design Exception is granted)
- **Front and Back Slopes:** See plans – 4:1 side slopes required
- **Guardrail Slope:** N/A
- **Clear Zone:** 12 feet

Existing Pavement Structure

- **HMA Pavement:** ?
- **Recycled Layer:** ?
- **Base Course Gravel:** ?

- **Subbase Course Gravel:** ?
- **Shoulder Pavement:** ?

Pavement Structure Design on Path (See Attached Plans)

- **HMA Pavement:** 2" 12.5 MM HMA
- **Recycled Layer:** N/A
- **Base Course Gravel:** 12" Type B called Type D, but matching Type B sieve analysis
- **Subbase Course Gravel:** N/A
- **Shoulder Pavement on Rte 1:** 1.5" surface course of 12.5 MM HMA, 2" binder course of 12.5 MM HMA, match existing slope

Pedestrian/Bicycle Accommodations:

The DE is being requested to provide a bicycle facility in the form of a shared use path. The proposed 11 foot travel lane and 3 foot shoulder are being requested to allow some room on the shoulder for more experienced cyclists who prefer to ride on-road.

ADA Compliance:

- **Sidewalk:** 8'-0" minimum on path, 5'-0" wide concrete sidewalk connecting to existing 5'-0" wide concrete sidewalk. Both are compliant. 2% cross slope.
- **Ramps (Crosswalk):** 8'-0" min. width. 12:1 max. slope for a max. run of 15 feet. Cast iron detectable warnings provided at commercial driveways and road intersections, full width of ramp.
- **Ramps (Entrance):** 8'-0" min. width. 12:1 max. slope. Provided at residential driveways.

Design Exceptions:

- The project applied for a Design Exception from MaineDOT for SW - Shoulder Width, with an explanation for the path and esplanade widths as part of the application. The application form is included as an attachment to this report.
- **ADA Exceptions:** No
- **Driveway Exceptions:** No

Environmental Permits/Issues

- **NEPA:** There was no substantial opposition to the project raised at the public meetings held to date. The Town received a NRPA Tier1 permit in 2012 for an area adjacent to Memorial Circle (also part of WIN 18184.00), which is being considered together with this project for environmental review purposes. We anticipate the project will fall under a Categorical Exclusion for NEPA requirements.
- **MHPC Signoff:** ?
- **MHPC Mitigation:** ?
- **DEP:** Based on our review of the project area, and the location of the proposed work, we do not expect to work within wetland or vernal pool areas, or within protected wildlife habitat areas,

and therefore we do not expect permitting under the Maine Department of Environmental Protection Natural Resources Protection Act and/or the Army Corps of Engineers (ACOE).

- **ACOE:** Based on our review of the project area, and the location of the proposed work, we do not expect to work within wetland or vernal pool areas, or within protected wildlife habitat areas, and therefore we do not expect permitting under the Maine Department of Environmental Protection Natural Resources Protection Act and/or the Army Corps of Engineers (ACOE).
- **Fish Passage:** N/A
- **Watershed:** Spruce Creek
- **In-Stream Work-Window:** N/A
- **Wetland Mitigation:** None anticipated. Based on the project being located largely within the road right-of-way and generally in previously disturbed area, a full wetland delineation was not completed as part of this project, however, the National Wetland Inventory was reviewed and the data incorporated into the overall design of the project.
- **Public Lands:** None
- **Ch 500 – Stormwater/MS4:** The overall Route 1 Bypass Path project construction will disturb more than one acre of area during construction and a significant portion of this disturbance will be located within the existing or proposed roadway right-of-way and on previously disturbed areas including existing roadway and shoulders. As a result the project will require a Stormwater Permit By Rule and Maine Construction General Permit for the construction. Overall, the work will create less than an acre of new impervious surfaces where there is now a vegetated surface. The project, as designed, does not require stormwater treatment as the disturbed area is less than five acres, and the additional impervious surfaces are less than one acre.
- **Endangered Species:** None
- **Soil Contamination:** ? Possibly at Gas Station
- **Other:** As noted above, the Town received a NRPA Tier1 permit in 2012 for an area adjacent to Memorial Circle (also part of WIN 18184.00). The path project considered in this PDR is not expected to affect the existing NRPA Tier 1 Permit.
- **Avoidance & Minimization:** It is not anticipated that the proposed work will affect significant natural resources. There are no natural resources mapped within the project area. As noted above, the project will be located largely within the road right-of-way and generally in areas previously disturbed, such as paved roadway and shoulders.

Right of Way Coordination (Estimated)

- **Total Existing Width:** 66'
- **Total Proposed Width:** 66'
- **# of Abutters:** 5
- **# of Acquisitions:** Potentially a few feet of right-of-way will need to be acquired from about STA 180+25 to STA 109+25 to allow for maintenance of the path. Also, a foot of right-of-way

may be needed to be acquired between STA 111+75 and STA 112+75 to allow for maintenance of the path.

- **# of Slope Easements Needed:** 4
- **# of Drainage Easements Needed:** None
- **# of Temporary Rights Needed (Does not Include Drainage and Slope Easements):** 2 total. 1 for curb installation at the M H Parsons and Sons Lumber Property and one for the removal and 1 for the reconfiguration of an existing concrete sidewalk and granite curbing at the Kittery Retirement Residence, LLC property.
- **# of Relocations:** None

Utility Impacts/Issues

To date, Letters 1,2 and 3 have been sent to the utilities, and some responses have been received from some of the utilities. An on-site utility coordination meeting will be held when the design has progressed and more responses are received from the utilities. Initial responses indicate that the existing conditions information will need to be updated for gas, sewer, and underground telecommunications.

- **Aboveground Utilities:** There are three existing CMP poles in the Town/Bid Alternate portion of the project that have highway lights mounted on them and are not anticipated to be affected by the proposed work. The path is expected to maintain a 2' horizontal clearance from them. There is one CMP pole (37.12) that has nothing mounted on it that should be removed for the Town/Bid Alternate portion of the path.
- **Underground Utilities:** Within the LAP project area, one catch basin will be converted to a drain manhole, and a connection will be made to a new 4' diameter catch basin that will be placed at the new flowline. This project will require coordination of the proposed 15" storm drain line and 4' diameter catch basin with existing water and gas lines. Gate valves and curb stops will need to be adjusted to meet new finish grades by the Water District to accommodate the project. Where these adjustments will be made in areas to be paved, the Water District will adjust the valves and curb stops and the contractor will pave around them. Unutil will field locate some service lines missing from the plans later in October, in the vicinity of the former weigh station. Gas runs along Sate Road and Route 1 past the proposed improvements.
- **Pole List:** Not needed. No poles are in the LAP project area and none are expected to be affected. Coordination needed for removal of one pole with nothing attached to it.
- **Utility Agreements:** Not needed. Coordination still needed. Modifications to the Town's storm drain system are the only issues that are expected to require coordination, but no formal agreements with the Town will be necessary. No other agreements are anticipated. The Town/Bid Alternate portion of the project will require a connection to be made to an existing catch basin on Route 1.
- **RR PRTS:** N/A
- **Railroad Agreement:** N/A
- **ROW Issues Related to Utilities:** None expected.

- **Field Analysis:** Borings and probes have not been conducted for this project.
- **Preliminary Recommendations:** N/A

Public Process

- **Proposed Public Contact Method and Date:** Public Planning Board meetings were held in Kittery on October 25, 2012 and November 29, 2012 to provide an opportunity for the public to comment on the design. Comments from the meeting were reviewed with town officials, and the project scope was modified considerably in response to comments received. Notes from the Planning Board meetings have been included as an attachment to this PDR.

A presentation of the revised plan set, including the path bid alternate and Memorial Circle, is scheduled for the Planning Board meeting on October 22, 2015, and a final public presentation is planned for the week of January 4, 2016.

- **Concerns Raised at Preliminary Public Meeting:** Concerns resulted in the Rte 236 and Adams Drive sidewalks being eliminated from the project scope.
- **Municipal Agreement:** ?

Construction Schedule

- **PS&E Date:** July 19, 2016
- **Advertise:** August 9, 2016
- **Bid Opening:** August 30, 2016
- **Construction Begin:** September 14, 2016
- **Construction Complete:** November 13, 2016

TAME Results

- **Maintenance of Traffic Issues/Concerns:** Maintenance of Traffic will be per MUTCD standards. It is anticipated that a full road closure will not occur, however, temporary one lane alternating of traffic may be necessary to conduct the work.

Budget

- **Summary:** The current probable cost estimate for the base bid, LAP portion of the shared use path project is approximately **\$244, 100**, a figure that will change as the plans are refined, based on the outcome of the design review process. See the table below for a breakdown of general costs. A detailed schedule item construction cost estimate and right-of-way cost estimate are provided as Attachment 5. The MaineDOT workplan has identified \$2,280,000 for total project funds for Memorial Circle and the shared use path (Construction, PE, CE, and ROW).The Town's share of the cost after PE and right-of-way mapping will be 10%, which results in a Town contribution of approximately **\$24,410** for the base bid portion of the path including r-o-w acquisition, r-o-w negotiation & administration, construction, and CE.

	Programmed	Available	PDR Estimate
PE	\$47,500	\$47,500	\$47,500
Right of Way Mapping	?	?	?

By DOT			
Right of Way Acquisition	?	?	\$1000
Right of Way Negotiation/Administrative by DOT	?	?	\$10,000
Construction	?	?	\$170,607.41
CE	?	?	\$12,000
TOTAL	\$	\$	\$244,107.41
TOTAL Cost /Mi.			\$1,743,624.36
Funding Strategy (Sources)			

Summary of Preliminary Engineering

- **Existing Conditions:**

- Geometrics: Variable. Ranges from 17' travel lane, 4' paved shoulder and asphalt curb to 17' travel lane, no shoulder and no curb in the project area
- Pavement Structure: Not sure
- Drainage/Hydrology: The roadway is currently curbed in places, with one catch basin intercepting runoff on the east side of the roadway near the Kittery Estates driveway toward the end of the LAP portion of the project. Where the roadway is uncurbed, drainage appears to run along the edge of the shoulder.
- Right-of-Way/Utilities: See above.

- **Proposed Design:**

- Hz. Alignment: Follows road centerline
- Vertical Alignment: Follows existing roadway
- Typical Section: 11'-0" travel lane/3'-0" shoulder/granite curb with 7" reveal/3'-0" or 5'-0" esplanade (from face of curb)/8'-0" asphalt shared use path
- Pavement Structure: 2" 12.5 mm HMA, hand placed on path
- Drainage/Hydrology: The existing catch basin near the Kittery Estates driveway will be converted to a manhole top, since it will be located within a new sidewalk area. A new catch basin will be installed at the flowline, with a storm drain connection to the existing catch basin.
- Guardrail: N/A
- Intersection Geometry: N/A
- Right-of-Way: See above.
- Utilities: See above.
- Specific Design Issues: See summary of design considerations, below

- **Path Section:**

- Path width: 8'-0" (Concrete sidewalk will be 5'-0")
- Esplanade width: 3'-0" or 5'-0" grassed esplanade (from face of curb)
- Type 1 Granite curb (7" reveal)

- Surface: 2 inch depth 12.5 MM Hot Mix Asphalt
- Base Material: 12 inch depth of aggregate base type "B" called "D", but spec'd with B aggregate sizes.
- Cross Slope: 2% Max.
- **Shoulder Section:**
 - Width: 3 feet, defined by painted fog line
 - Surface: 2 inch depth 12.5 MM Hot Mix Asphalt binder course and 1 1/2 inch depth 12.5 MM Hot Mix Asphalt surface course.
 - Base Material: Existing gravel shoulder base material will be reconstructed in accordance with MaineDOT specification section 205.
 - Cross Slope: Matches existing

Draft PDR Distribution Team Comments and Response

Deadline: _____

Preliminary Approval

	Date	Approved by:
Approved for Public Meeting:	_____	_____

Public Participation Comments and Response

Additional Team Comments and Response

Deadline: _____

Final Approvals

Public Participation Complete:	_____	_____
Approved for Final Design:	_____	_____

ATTACHMENT 1
Preliminary Plans and Details (Sent Separately)

ATTACHMENT 2
Documentation of Public Process

Meeting called to order at 6:07 p.m.

Board Members Present: Deborah Driscoll, Tom Emerson, Susan Tuveson, Bob Melanson, Rich Balano

Members absent: Ann Grinnell

Staff: Gerry Mylroie, Town Planner; Chris Di Matteo, Assistant Planner

Pledge to the Flag

Minutes: November 8, 2012

Ms. Tuveson moved to accept the minutes of November 8, 2012 as amended

Ms. Driscoll seconded

Motion carried unanimously by all members present

Public Comment:

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.

PUBLIC HEARING

ITEM 1 – Kittery Center/ Municipal Center / Circle of Honor – Modifications to an Approved Plan. Action: Hold a Public Hearing, review plan and grant or deny preliminary/final approval. The Town of Kittery in conjunction with the Thresher Memorial Project Group proposes to create a Circle of Honor memorial area on the east side of Town Hall. The purpose is to enable the recognition of all men and women from Kittery that have given their lives in service to the Nation. The area is located at 200 Rogers Road in the Business Local (B-L) Zone and identified as Map 22 Lot 20A and 20. Town representative is Gerald Mylroie, AICP, Town Planner.

Mr. Mylroie summarized the Thresher Memorial Project Group proposal:

1. 129-foot flagpole in the center of Memorial Circle, with related landscaping and improvements. The pole would be centered on a 30-foot diameter circle, with a black stone base and cobblestones leading up to the pole. The location could also accommodate other memorials in the future. He noted Council has approved the flag pole installation.
2. A memorial courtyard (Circle of Honor) adjacent to the Town Hall with memorial plaques, memorial bell, and embossed bricks to honor veterans. Others have suggested the inclusion of sculptures, fountains, etc. that may be considered pending fundraising efforts.

The Public Hearing opened at 6:23 p.m.

Martha Peterson, read a letter to the Planning Board (attached) from a group of concerned citizens.

Susan Emery, School Lane, concurred with the letter's concerns and thought more effort to solicit public input should have been made. The proposed plan is too reminiscent of Washington, DC and does not reflect Kittery's more rural character.

Peter Bowman, applauded the efforts put into the Thresher Memorial project to date. As a supporter of the letter, he would like to see additional public input in the project. The symbolism of the 129-foot flag pole would be lost at the proposed location due to traffic patterns around Memorial Circle. He strongly urged the Board to adopt the recommendations presented in the letter.

D. Allan Kerr, Colonial Road, presented a photo board of the men lost on the Thresher. He asked why the opposition to the design is so late in the process. There will be no need for people to cross to the circle, as the memorial with the names of those lost will be located in the memorial park. Four markers noting the name and date will be placed along the perimeter of the circle. The flagpole will be viewed from the memorial park via the rain garden. The project is a fitting memorial to the lives lost and their families.

Gary Beers, Thresher Memorial Group, noted the numerous meetings held in the design process were open to the public for input. The proposal has been viewed and endorsed by Submarine Veterans Inc., Thresher Based Chapter. There is a \$93,000 budget with \$74,000 raised to date from donations based on the proposed design. The Council has endorsed the placement of the 129-foot flagpole, and has received a building permit. The MDOT is reviewing as well, for safety considerations, and a permit is expected. The Thresher Memorial Project Group has sought public input and has issued regular press releases regarding the project.

William McDonough, the existing trees in the circle were to be re-located in rain garden. He recommended the trees in the circle should stay and the flagpole be placed in the front center of the circle, where the existing set of flags are located.

David Lincoln, Shepards Cove, presented photos of the traffic circle as it currently exists to each Board member. He asked if the flagpole placement went through the Planning Board process; and did the rain garden project go through the Planning Board process? The proposed Circle of Honor cannot be seen from the traffic circle area through the rain garden. He recommended the Board review the plans for the rain garden, specifically as it abuts the shopping plaza. Couldn't the Thresher memorial be located in the park area rather than in three separate areas, where it is more accessible?

Wendy Pomeroy noted she approached the committee with her concerns. Though this is privately funded, the memorial is for the entire community and those impacted by the tragedy.

Melissa Paley, Kittery Point, this project is on public land and asks why a RFP process has not been pursued for public land development. She was not aware of any request for public input and discussion.

Mr. Emerson stated he believes the Town Council would need to approve any projects on public land.

Peter McLeod, Norton Road, spoke of his recollection of the tragedy as a young child. He felt the noisy and busy location is not suitable for this memorial. It is important to memorialize the loss, but this will not be a destination memorial.

Ray Yarnell, Shepards Cove, asked for a summation of the approval process.

Mr. Emerson explained the process began as an application with a sketch plan, which the Board reviewed and accepted. The project is still before the Board and under review. The location of the flagpole was granted through a Land Use Code amendment in 2011 that also went through the review process. The rain garden was not brought before the Board prior to construction, and the memorial park area has not been approved. It is possible to have approval of some parts of the proposal, but not others, as the Board wishes.

There was no further public testimony.

The Public Hearing closed at 7:05 p.m.

Mr. Mylroie responded to the letter read to the audience and Board. He explained his role in designing the memorial began with the 129-foot flag pole approved by the Planning Board and adopted by Council through a change in the Land Use Code. He explained how the memorial park, Memorial Circle, and development of the rain garden evolved to link the proposal from one location to another. He addressed the types of materials for the flag pole base, memorial markers, Thresher signage, etc.

Mr. Emerson noted his concerns of the proposal, specifically:

- Parking in Town Hall employee lot for access to the memorial park,
- Navy Museum memorials,
- There is no specific plan, sketches only,

- Potential of pedestrians crossing Rogers Road to access the memorials,
- Impact on the rain garden, as it is an engineered design,
- Methods to prevent pedestrian's crossing traffic to the Memorial Circle,
- Other than the flagpole itself, a full landscape and design plan is needed, including proposed materials, and it needs to be tied in with the existing site and engineered plans.

Mr. Melanson noted the objective is to have the flagpole in place for a dedication ceremony.

Mr. Beers stated they hope to have a hole dug prior to freezing, with pole installation and lighting installed approximately two weeks prior to the dedication ceremony on April 7, 2013.

Mr. Emerson reminded the Board an ordinance change is needed to address LED lighting.

Ms. Tuveson suggested the groups work together to address landscaping and design. **Mr. Beers** stated the group had been invited to participate in the planning process and should they wish to participate in further discussion they are welcomed. As this is privately funded, any changes would have to be funded, as well.

Mr. Melanson moved to continue this review to include a landscape plan, ornamentation and pedestrian movement plan for the Memorial Circle, to include engineered plans for the rain garden and a landscape, ornamentation, and design plan for the memorial park.

Ms. Tuveson seconded

Ms. Driscoll suggested continuing discussion on all designs except the flag pole, and to remove the sidewalks in the rain garden, and to re-plant and shade/buffer the existing plaza.

Mr. Melanson withdrew his motion

Mr. Melanson moved to continue review of the Kittery Center/ Municipal Center / Circle of Honor – Modifications to an Approved Plan, subject to submittal of:

1. A landscape plan, including tree removal and transplants, appropriate pedestrian cautions, and ornamentation plans for the Memorial Circle;
2. A grading, ornamentation, and landscape plan for the rain garden;
3. A landscape, design and grading plan, including proposed ornamentation, for the memorial park area.

Ms. Tuveson seconded

Mr. Mylroie noted the flagpole base and removal of trees from the center has been submitted, and asked if the Board is accepting this. **Mr. Melanson** stated the proposal for landscaping needs to be re-submitted, in addition to ornamentation. **Ms. Tuveson** noted the flagpole installation has been approved.

Ms. Tuveson proposed to amend the motion to exclude the installation of the flag pole from the motion as it has received prior approval.

Ms. Driscoll seconded

Ms. Driscoll asked about the existing landscaping where the flagpole will be installed. **Mr. Emerson** stated if the amendment is approved, the center tree and four surrounding trees would be removed to allow for the installation.

The amendment carried unanimously

The original motion carried unanimously

End of Item 1

Break

ITEM 2 – Kittery Center / Memorial Circle and Related Improvement Plan.

The Maine Department of Transportation (MDOT) Locally Administered Project consultants will discuss the planning process for the re-design of Memorial Circle and related improvements including pedestrian access along State Route 236 (Rogers Road) from Frisbee Commons to Adams Drive and U.S. Route One. Representatives from Wright Pierce Engineers, and Gorrill-Palmer traffic engineers, will present progress to date, obtain feedback and answer questions.

John Edgerton, Wright-Pierce introduced Jennifer Claster, Wright-Pierce and Tom Gorrill, Gorrill-Palmer. He noted since the October meeting, they have met with MDOT regarding the community's interests. They hope to move from preliminary to conceptual design following the input from this meeting. Items of interest from the prior meeting included:

1. Adams Drive/Ox Point Drive – ROW access is still unresolved to encourage bicycle and pedestrian access to this area from Rogers Road and Route 1.
2. Rogers Road Extension and the impact on historical society – Following additional review, it has been determined there will be no impact on parking in the front of the museum, while still providing safe pedestrian passage.
3. Combination of Old Post Road and by-pass off ramp
4. General discussion seemed to prefer a sidewalk along the south side of Rogers Road. Crosswalk locations and site visibility need further review.

Ms. Driscoll asked why there is a need for state and federal input on the Adams Drive portion of review.

Mr. Edgerton explained their review is needed because of controlled access issues pertaining to highways. It is possible the ROW could be shifted, allowing for a sidewalk along Route 1 rather than Adams Drive.

Mr. Melanson asked about the possibility of shifting Rogers Road to allow for a sidewalk. **Mr. Edgerton** explained this would be a significant alteration to the roadway, including shifting the crown of the road and creating other maintenance issues. While not impossible, it is not an encouraging approach.

Ms. Claster identified changes to the plan:

1. Adams Drive – further discussion is needed.
2. Proposed shared use path along the weigh station area could include a reduction in commercial driveway accesses.
3. ROW information indicated parking and a sidewalk could be installed in front of the Historical Society. This design has not been finalized.
4. Shared use paths proposed around the south and west side of Memorial Circle connecting to Old Post Road, State Road and Rogers Road.
5. MDOT was not receptive to shifting the center line of Rogers Road, and the water tower side of the road was the preferred sidewalk location. Crosswalks were proposed at Goodsoe Road and north of the Shepards Cove entrance. There remain concerns about relocating telephone poles and historical structures.

[unidentified] Shepards Cove, requested a left turn lane be established at the Shepards Cove entrance.

[unidentified] Shepards Cove, concurs with the request for a left turn lane, noting there have been accidents at that location. Mr. Edgerton stated MDOT has data regarding high-crash areas and this could be reviewed, though widening that area is not part of the current review.

David Lincoln, challenged the need for a sidewalk on Rogers Road.

[unidentified] disagreed, stating walkers use Rogers Road all the time, and believes there is a need for a sidewalk.

[unidentified] asked for re-consideration of a sidewalk along the north side, rather than trying to place crosswalks across the Rogers Road to access a sidewalk, even if the road needs to be shifted.

Mr. Edgerton stated MDOT is not supportive of this alternative, though it may be preferred. **Ms. Claster** noted the location of the cemetery on the north side is too close to Rogers Road to allow for a sidewalk that meets design standards.

[unidentified] discussion regarding utility and gas lines along Rogers Road.

Peter McLeod suggested shifting the road in front of the cemetery to provide room for a sidewalk. He noted the use of traffic circle is limited with placement of a memorial in the circle.

Bill McCarthy stated he is not in favor of a sidewalk on Adams Drive; and the speed limit around and access to the traffic circle should be lowered.

Ms. Driscoll asked if there could be a tip down and up on either side of the cemetery so a sidewalk will not impact it. **Mr. Edgerton** explained this would impact the continuity of the sidewalk.

Mr. Emerson stated the location of the sidewalk at Adams Drive on the Route 1 side is preferred. He noted the location of the "Welcome to Maine" sign encourages parking for photographs and could be a safety hazard. The area is maintained by residents but trash accumulates and is an unsightly welcome. He asked about sidewalks on Old Post Road. **Mr. Edgerton** explained if Old Post Road and by-pass were reconstructed, a sidewalk could be part of that reconstruction, but this is not yet confirmed.

Peter McLeod stated he was not in favor of a sidewalk on Adams Drive.

Tom Gorrill summarized the October meeting appeared to support leaving the circle the way it is now. The proposed changes would include re-design of islands on each approach to the circle in an attempt to slow traffic. The ramp from the Route 1 by-pass could be removed from accessing the circle and combine with Old Post Road at some location. Another possibility to handle Rogers Road traffic to the circle would be to create a slip lane to the circle for this traffic heading to Route 236. **Ms. Driscoll** stated this could make the traffic worse as it impacts traffic exiting the circle to Route 1 north.

Discussion followed regarding

1. Combining the Old Post Road and by-pass ramp, including feasibility and ROW negotiations ruled by federal and state projects.
2. The time-line for improvements to the Route 236 overpass improvements were discussed, though no definitive completion date was identified.
3. Signage at the circle, utilizing yield signs instead of stop signs.
4. Removal of the traffic circle altogether, or removal of as many of the access roads as possible.

Ms. Tuveson asked about narrowing Rogers Road. This would lower traffic speed and allow for sidewalk room.

Mr. Edgerton asked for Board direction.

Mr. Emerson stated where there are crossings, there should be stop signs. In summary, people seemed to prefer placing sidewalks along the Goodsoe Road side; a sidewalk on the green space along Adams Road; there did not appear to be a consensus in utilizing a slip lane at the circle; limited interest in the Rogers Road extension; interest in coming off the by-pass to Old Post Road, with consideration given to emergency vehicle access; support of access changes to the circle; retain circle as it is. **Ms. Driscoll** stated a crosswalk at Meeting House Village should be considered if the sidewalk is constructed on the north side of Rogers Road. **Mr. McLeod** stated he is against crosswalks. **Ms. Claster** asked about the proposed shared-use path to the circle, around the south and west side of the circle. **Mr. Emerson** stated the concern is traffic around the circle. **Ms. Tuveson** noted shared use doesn't work in her opinion. **Mr. Mylroie** stated sidewalks should connect around the entire circle. Graphics and signage need to be improved and limited to avoid confusion. Pedestrian tables could be installed at crosswalks to calm traffic.

Donald Gray noted Council voted to not construct sidewalks on Adams Drive.

End of Item 2

ITEM 3 – Town Planner Items:

- A. Selected Commercial Recreation definition and LED lighting amendments to the code (pending)
- B. Proposed Overlay Zone (pending)
- C. Kittery Foreside outdoor seating evaluation (pending)
- D. Foreside Quality Improvement meeting to be held Wednesday, December 12 at 6:00 p.m.

Mr. Emerson re-iterated the need for the Planning Board to see projects proposed by the DPW and noted communications to the Town Manager in that regard. The DEP has granted an after-the-fact permit for the work conducted in the rain garden, but local approval has not been granted.

Mr. Melanson. moved to adjourn

Ms. Tuveson seconded

Motion carries unanimously by all members present.

The Kittery Planning Board meeting of November 29, 2012 adjourned at 9:50 p.m.

Submitted by Jan Fisk, Recorder – December 4, 2012

Attachment

November 29th, 2012

Dear members of the Kittery Planning Board:

We have been following the press about plans to build a memorial to the USS Thresher that sank in 1963, claiming the lives of 129 officers, crewmen, and military and civilian technicians. We are grateful to the group of citizens and elected officials who have taken the initiative to commemorate this tragic event that so deeply impacted the lives of many in Kittery. The group has worked tirelessly for years to conceptualize and fundraise for a memorial that will both honor the lives lost, and bring an important piece of history to the forefront of our community.

With all due respect to the Thresher Memorial Committee, we are concerned that the design being discussed has fundamental flaws, and, if realized, will result in a memorial that is poorly suited to its location and challenging to maintain going forward. We also feel that a more imaginative, less literal and derivative design would be more appropriate for this commemoration. We are a group of professional landscape designers and architects, senior Shipyard officials, and concerned citizens of Kittery who would like to work with the Thresher Memorial group to come up with a more suitable design to commemorate this important piece of Kittery's history

Memorials to great heroes, wars and significant events are an art form that date back many centuries. They come in many forms, from very literal depictions of generals on horses to more complex installations combining landscaping, sculpture and plaques. Large installations vary widely also, from the grand, cathedral-like World War II memorial to the more introspective, subtle and deeply-emotional Vietnam Memorial in Washington DC. There is no one right way to design a memorial – what makes a memorial work well is that

- it has a coherent vision and expresses clearly the intent of the memorial
- it is original
- its symbolism is readily understandable
- it is well-suited for its location.

With these criteria in mind, we have several concerns about the current design of the Thresher Memorial.

1. The multi-part design of the current Memorial, with a section adjacent the Town Office, another in the triangle undergoing conversion to a water garden, and the flagpole in the Traffic Circle, needs to be a coherent and related visual piece, purposefully linked together, in order to be understood.

2. The centerpiece of the current Thresher Memorial, a 129-foot flagpole, is likely to seem grossly out of place in the Traffic Circle. This flagpole will be nearly as tall as Boon Island Light. Seen from miles away, the flag will resemble a truck stop beacon off the highway. Seen from anywhere close, it will simply be a large diameter pole. People driving around the traffic circle would have to crane their necks to see the flag atop the giant spire. The rationale that its height represents one foot per life lost is a bit of symbolism likely to be entirely lost on most viewers.
3. The fact that the flagpole will need to be illuminated seems like a poor choice at this time of soaring energy costs. While LED lights would be highly efficient, why design a memorial at this point in time that depends on electricity to function?
4. The current design calls for planting 129 cherry trees all around the traffic circle. Cherry trees are beautiful trees of course, and their springtime bloom is a sensation in places like New York City and Washington DC. However, cherry trees are not well suited to the colder winters in Maine, and they are likely to need replacing every few years. Using plants that are tough, beautiful, and thrive in this environment, will not only look appropriate, but also be a cost savings to Kittery both in their longevity, and in their need for maintenance.
5. The black granite base around the large diameter pole will be lost in the middle of the vast rotary circle and may be used to better advantage in one of the two other sites where viewers can see it, touch it, and admire it at closer range. It could be inscribed with easy to read and accessible information about the Thresher, including the list of every person lost in this tragedy.
6. The spread-out nature of this design raises other concerns about safety. People who are inclined to get out of their vehicles to appreciate the Memorial may want to go from section to section. This would mean crossing Rogers Ave from the Town Office toward the Bagel Caboose, and then again across the very chaotic Traffic Circle.
7. The Traffic Circle currently has other war memorials. We suggest that there are ways to enhance these other memorials rather than overshadow or replace them.
8. With so many parts of the traffic circle in play due to the State DOT's improvement of Route 1, it would seem prudent to be sure the Thresher memorial is designed so that it complements and integrates with other aspects of the traffic flow and pedestrian sidewalks. If the State determines, for example, that Rogers Road Extension could be discontinued, this would open a range of other options for the design of the memorial.

Just as the group of citizens who want to illuminate the new Memorial Bridge has enlisted the assistance of a professional lighting specialist, we would hope that a group planning something as significant and permanent as a new memorial would seek input from people who have a deep understanding of landscape design. It is typical for organizations contemplating memorials to put out a Request for Proposal notice in order to keep the design process transparent, and allow for the best options to be considered.

We are eager to offer our assistance *pro bono* to work with the Thresher Memorial Committee to see the best possible project take shape that will be an effective, moving, integrated and durable commemoration of an important piece of Kittery's history.

Sincerely,

David Batchelder

Martha Petersen, Masters in Landscape Design

Peter Bowman, Former Shipyard Commander

Melissa Paly, Communications Consultant, CrossCurrent Communications

Wendy Pomeroy, Landscape Designer/Artist

Russell White, Attorney

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Meeting called to order at 6:05 p.m.

Board Members Present: Deborah Driscoll, Ann Grinnell, Tom Emerson, David Kelly, Susan Tuveson,
Bob Melanson

Members absent: Rich Balano

Staff: Gerry Mylroie, Town Planner

Pledge to the Flag

Minutes: October 11, 2012

Mr. Kelly moved to accept the minutes of October 11, 2012 as amended

Ms. Grinnell seconded

Motion carried unanimously by all members present

Public Comment:

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.

There was no public comment.

PUBLIC HEARING:

ITEM 1 – Proposed roof-top deck for Higgins Residence, Shoreland Development Review.

James Higgins, owner and applicant, requests approval for a new deck at their property located at 2 Bridgeview Terrace, Tax Map 2, Lot 42D Residential – Suburban Zone and Shoreland Overlay Zone.

Rui Monteiro-Claro, representing James Higgins, reviewed and summarized the application before the Board.

The public hearing opened and closed at 6:15 p.m. as there was no public comment. Mr. Monteiro-Claro noted a neighbor has reviewed the application and has no objections to the project.

There was no board discussion.

Mr. Kelly read the Findings of Fact:

Owner and Applicant, James D. Higgins, proposes to construct a new roof top deck at an existing three-dwelling apartment, located at 2 Bridgeview Terrace in the Residential Suburban and Shoreland Overlay Zones, Tax Map 2, Lot 42D.

Hereinafter the “Development”.

Now therefore, based on the entire record before the Planning Board as and pursuant to the applicable standards in the Land Use and Development Code, the Planning Board makes the following factual findings:

I. Standards in the Shoreland Overlay Zone

16.3.2.17. D Shoreland Overlay Zone – Standards are met

Vote: 6 in favor 0 against 0 abstaining

Chapter 16.7 General Development Requirements are met

Vote: 6 in favor 0 against 0 abstaining

II. Procedures for Administering Permits For Shoreland Development Review

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

1. *maintain safe and healthful conditions;*

Vote: 6 in favor 0 against 0 abstaining

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

Not applicable.

3. *adequately provide for the disposal of all wastewater;*

Not applicable.

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

Not applicable.

5. *conserve shore cover and visual, as well as actual, points of access to inland and coastal waters;*

Vote: 6 in favor 0 against 0 abstaining

6. *protect archaeological and historic resources;*

Not applicable.

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

Not applicable.

8. *avoid problems associated with floodplain development and use*

Vote: 6 in favor 0 against 0 abstaining

9. *is in conformance with the provisions of this Code; and*

Vote: 6 in favor 0 against 0 abstaining

10. *Recorded with the York County Registry of Deeds.*

Vote: 6 in favor 0 against 0 abstaining

NOW THEREFORE the Kittery Town Planning Board adopts each of the foregoing Findings of Fact and based on these Findings determines the proposed development will have no significant detrimental impact, contingent upon the following condition(s):

Application Waivers: 16.10.5.2.B.1 (plan size); 16.10.5.2.B.1 (Boundary Survey); 16.10.5.2.B.10. a thru o; 16.10.5.2.C.2. a thru c; and 16.10.5.2.C.3 thru 12.

Conditions of Approval:

1. Prior to the release of the signed plans, the applicant must pay all outstanding fees associated with the permitting, including, but not limited to, Town Attorney fees, peer review, newspaper advertisements and abutter notification.
2. Incorporate architectural and site information on a plan suitable for recording that includes the calculations for the existing and proposed volume, floor area and impervious area for the property. Provide said plan to Town Planner for review prior to recording at the York County Registry of Deeds.
3. Prior to issuance of a building permit and any earth moving or soil disturbance, one (1) mylar copy and two (2) paper copies of the recorded Plan and any and all related state/federal permits or legal documents that may be required, must be submitted to the Town Planning Department.

Therefore, move to accept the above *Findings of Fact* as read, *Application Waivers* and *Conditions of Approval* and approve the proposed *Development* in the Shoreland Overlay Zone on the property located at 2 Bridgeview Terrace, Tax Map 2, Lot 42D and authorize the Planning Board Chairman to sign the Final Plan and Findings of Fact.

Vote: 6 in favor 0 against 0 abstaining

Approved by the Kittery Planning Board on the 25th day of October, 2012.

Per Town Code Section 16.6.2 Appeal of Planning Board, Board of Appeals, or Port Authority Decision.

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.

NEW BUSINESS:

ITEM 2– 20 Bayview Lane Renovations, Shoreland Development Review.

Action: Accept or deny preliminary plan application and schedule a public hearing. Robert and Rosa Marsilia, applicant, requests approval for repairs and additions at the property located at 20 Bayview Terrace, Tax Map 2, Lot 80 Residential – Suburban Zone and Shoreland Overlay Zone.

Robert Marsilia, applicant, summarized the application before the Board. Mr. Marsilia noted the project will retain the foundation and walls, not a tear down, and garage will be on same footprint. The expansion is within the 30% volume increase allowance.

Mr. Kelly noted his appreciated for the completeness of the calculations on the plan.

Earldean Wells, Conservation Commission, requested that notes on the plan indicate what parts of the existing house/garage will be torn down and rebuilt.

Mr. Emerson stated the garage extends over the foundation, so the replacement will be on the same footprint, not foundation.

Mr. Kelly moved to find plan substantially complete, accept for preliminary plan review, and schedule a public hearing.

Ms. Tuveson seconded

Motion carries unanimously by all members present

A Public Hearing for this item was scheduled for November 8, 2012. In lieu of a site walk, the Board requested the Planner, Mr. Mylroie, confirm existing site conditions on behalf of the Planning Board.

PUBLIC INFORMATIONAL PRESENTATION:

ITEM 3 – Kittery Center / Memorial Circle and Related Improvement Plan.

The Maine Department of Transportation (MDOT) Locally Administered Project consultants will discuss the planning process for the re-design of Memorial Circle and related improvements including pedestrian access along State Route 236 (Rogers Road) from Frisbee Commons to Adams Drive and U.S. Route One. Representatives from Wright Pierce Engineers, and Gorrill-Palmer traffic engineers, will present progress to date, obtain feedback and answer questions.

John Edgerton, Wright-Pierce, introduced Jennifer Claster and Tom Gorrill. He then presented a description via Power Point (attached), outlining proposed sidewalk connections between the existing sidewalk on Route 236 near Frisbee Commons and the existing sidewalk at the outlets on Route 1 north near its intersection with Adams Drive, and re-design of the Memorial Circle area.

Jennifer Claster, Wright-Pierce, presented a map illustrating areas where sidewalks would be constructed along Rogers Road and Route 1, noting ROW and pedestrian safety concerns, existing utilities, and a small cemetery. However, which side of Rogers Road to place sidewalks has not been determined.

Tom Gorrill, Gorrill Palmer, summarized the findings regarding collisions and congestion at Memorial Circle. He explained the difference between a roundabout and a rotary, noting it was determined a rotary is still the best

method to handle traffic in this the area. The problem is the approaches to the Circle, but by utilizing some roundabout design on these approaches, the cost to improve the area would be reduced while improving safety. Possible combining of the off-ramp with Old Post Road was considered, and this could be incorporated in the future.

Mr. Emerson asked that the public hearing consist of two parts, sidewalks and then Memorial Circle.

Sidewalks

Bill St. Laurent, Rogers Road, believes a north side sidewalk would be difficult with the location of people's homes, utilities and the cemetery. A south side sidewalk could be done very nicely, and allow room for bicycles. The north side could be improved even if no sidewalk installed.

William McDonough, 132 Rogers Road, stated a water line was just completed on the north side and the cemetery needs to be considered.

Larry Estes, Brave Boat Harbor Road, noted the addition of sidewalks will impede the ability for autos to pull aside for emergency vehicles.

Susan Emery asked that scenic resources and character be preserved, and that a sidewalk on the south side appears more feasible.

Bob Collins, 17 Adams Drive, noted sidewalks should be on the north side of Adams Drive, otherwise they will be too close to existing homes, taking away front lawns. Further, who will shovel and maintain those sidewalks? Very few people use this road now, except for summer employees of the Outlets.

Donald Gray, 19 Adams Drive, stated there should be no sidewalk on either side of Adams Drive as they would disturb existing drainage, remove front property or existing trees. Adams Drive is hardly used. He referred to Adams Drive as a country road and sidewalks are not needed

Bill McCarthy, 27 Adams Drive, concurred that there should be no sidewalk on either side of Adams Drive. However, consideration could be given to a sidewalk and bike land on the guardrail side of Rt. 1.

Bruce Lakin, 5 Ox Point Drive, stated there is no need for sidewalks, and they will reduce property values.

Bob Young, Kittery Historical and Naval Society, noted the Rogers Road extension and proposed sidewalks may involve taking the Museum's front yard, impacting existing veteran displays. He noted the Museum has submitted other proposals to the Department of Public Works, Council and Planning Board and hopes they will be included during further discussions and planning.

Norm Leon, Haley Road, noted his concern of the Rogers Road extension in front of the Museum. There is no need for a sidewalk in front of the Museum, impacting the monument flag and memorial for Vietnam and Korean veterans.

Dave Durling, 29 Adams Drive, agrees there are few users for a proposed sidewalk on Adams Drive. There are only six families along Adams Drive and everyone appears comfortable walking along the roadway.

Gay Lakin, 5 Ox Point Drive, concurs with others who believe new sidewalks are not necessary on Adams Drive. She said Mr. Mylroie told her a new traffic light would direct traffic one-way down Adams Road, to Kittery Estates, thus preventing those on Adams drive from driving north, and stated this is a terrible idea. All this talk of connecting the Memorial Bridge to the Foreside with sidewalks doesn't make sense as people want to build a multi-million dollar parking garage in the Foreside so they won't have to walk.

Nancy Roy, 2 Ox Point Drive, noted there are so few numbers of people who walk along Adams Drive that sidewalks should not be built. The expense to build sidewalks should be used elsewhere. Outlet employees use Adams Drive through the summer, but are then gone. A sidewalk would impact the natural drainage area to Spruce Creek. Adams Drive is a quiet residential area, a country lane, with little traffic and no need for sidewalks and the expense of installation. She asked who would maintain sidewalks in front of people's homes, where porches and front steps would be lost. The proposed street light idea to re-route traffic down Adams Road is a bad idea. She asked who initiated this sidewalk idea, as she and the residents are opposed to it.

Mr. Emerson stated this is a MDOT project. **Ms. Roy** asked if it 'we have to have it'. This is a waste of funds where there are other more important priorities.

Tracy Durgin, 130 Rogers Road, noted the trees lining Rogers Road may be old, but they should be considered before removal. He supports sidewalks, but believes the impact on utilities and traffic patterns need to be considered as well.

Norm Leon, stated that, no matter who suggested these sidewalks, they don't want them and they don't want to pay for them.

Gay Lakin stated a sidewalk to nowhere invites walkers from the outlet area that don't belong in the residential neighborhood.

Tom Emerson, Planning Board Chairman, Ox Point Drive, noted his concern regarding people backing out from the Museum parking onto the Rogers Road extension. If sidewalks are located on the south side of Rogers Road, pedestrians must cross the street a couple of times to reach the Community Center, and stop signs for crossing

John Edgerton, Wright-Pierce, clarified that traffic signals previously referred to are not part of this proposal.

Deborah Driscoll, if no sidewalk, would there be opposition to opening up the guardrail area for pedestrians and bicyclists to use Adams Drive, with striping along Adams Drive for such?

John Edgerton, if using federal funds, their standards must be met. However, this does not preclude the Town from doing something less costly and less invasive with their own funds.

Dave Durling noted there is a paved section at the end of Adams Drive that could be included.

Bill McCarthy stated he believed it would be a hazard to open up the area behind the guardrail where bikes could access Adams Drive, but rather install sidewalks and bike lanes along Route 1.

Ann Grinnell asked who the Town's decision making and review authority. There is no Council member or DPW representative present at this hearing. She also noted her concern about crossing Rogers Road from Town Hall to Frisbee Commons if there is a sidewalk on south side. Additionally, the Museum wants to participate in the discussions regarding impact on their site.

John Edgerton stated review by the Board is part of the process, but the Council would have final approval authority to expend funds. This public input is exactly what they need to proceed with further discussions with DPW. Nothing specific has been proposed in the Museum area, and their concerns need to be incorporated into future plans.

Ann Grinnell summarized that Adams Drive residents seem to not want sidewalks in their neighborhood that would invite shoppers from the outlets. She also noted that discussions regarding a parking garage located at the water district would not be used because people would not walk from there to the Foreside.

Memorial Circle

Larry Estes, Brave Boat Harbor Road, asked what are the planned changes to the circle.

Tom Gorrill explained there are no planned changes to the traffic circle. The proposed changes will be to the approaches to the traffic circle.

Norm Leon stated the Blue Star monument to World War 2 veterans is at the circle so there should be no changes to the circle. If there are any improvements, it should be to the sightline from Rt. 1 by-pass and the Route 236 overpass, which should help reduce accidents.

Susan Emery said she has heard the circle will be 'denuded' and is pleased to hear there are no proposed changes to the circle.

Oscar Boyth, 179-181 State Road, the "Dog House", noted he has never seen accidents at the traffic circle in 8 ½ years and there does not appear to be heavy congestion accessing or using the traffic circle. This appears to be a solution in search of a problem, and asked why money is being spent on an unnecessary project. Some of the proposed changes, including granite curbs and trees, will negatively impact business around the circle and he is opposed to these changes.

George Riley asked if the changes would impact the Central Fire Station's access to the circle if the ramp and/or Old Post Road access is eliminated.

John Edgerton stated there has been consideration of combining the ramp and Old Post access into one access, rather than retaining the existing two accesses to the circle.

Bob Collins suggested the only part of the traffic circle with a stop sign has resulted in all the traffic accidents.

Mr. Emerson closed the public portion of this hearing.

Susan Tuveson appreciates the idea of altering the circle approaches and incorporating pedestrian use in an effort to achieve traffic calming. She also noted any changes to the interior of the circle will honor all veterans.

Tom Gorrill concurred, that the proposals are for primarily for safety not volume.

Ann Grinnell asked about sidewalks around the circle.

John Edgerton responded this has not been determined. Is there is a need to link and provide connectivity with sidewalks and bike lanes feeding to or from the circle or from one side to another? It appears there may be more need for connectivity from the north/south. There is a cost/benefit consideration, but if it cannot be justified, and is rejected by the community, money will go elsewhere. He noted the Town is contributing 10% to the total costs for these improvements.

Deborah Driscoll is the Route 236 overpass part of this project, and how this will impact the changes currently under consideration?

John Edgerton stated the Route 1 north ramp will be addressed and be considered in the overpass project.

Susan Tuveson commented the interchange to return from the outlet area is a nightmare.

Tom Emerson commented the number of signs need to be reduced as they are confusing to the average driver/visitor. The yellow bollards at the State Road access needs to be cleaned up as well.

Gerry Mylroie explained the DPW Director had a conflict and could not attend. Though the speed limit on Rogers Road is 25 mph, he suggested by narrowing Rogers Road to include sidewalks and separations will reduce the speed of motorists. The center line could be moved depending upon which side of the road sidewalks would be installed. The land use zone along Adams Drive is zoned Commercial. Do the residents wish to consider a zone change from Commercial to Residential in the Adams Drive area? The Rt. 236 bridge project will be brought before the Board.

Dave Durling stated he would be in favor of a zone change to residential.

Donald Gray stated he is against changing the zoning, and to bring this up at this time is inappropriate as it causes confusion. He also asked that notice be sent three weeks in advance of a meeting.

Bill McCarthy concurred with Mr. Gray.

There was no further discussion.

End of Item 3

NEW BUSINESS:

ITEM 4 – Kittery Center/ Municipal Center / Circle of Honor – Site Plan Minor Amendment –

Action: Review and Comment. The Town of Kittery in conjunction with the Thresher Memorial Project Group proposes to create a Circle of Honor memorial area on the eastside of Town Hall. The purpose is to enable the recognition of all men and women from Kittery that have given their lives in service to the Nation. The area is located at 200 Rogers Road in the Business Local (B-L) Zone and identified as Map 22 Lot 20A and 20. Town representative is Gerald Mylroie, AICP, Town Planner.

Mr. Mylroie presented the proposed plan for the Circle of Honor (Attachment 2).

Mr. Melanson moved to review this item as a major amendment to an approved site plan

Ms. Grinnell seconded

Ms. Tuveson stated she agrees, noting it appears that the Department of Public Works needs oversight

Motion carries unanimously by all members present

It was agreed a public hearing will need to be scheduled, but Mr. Emerson noted no site plan was included in the application, and wetland mapping is needed given the recent issues, so it can be addressed and taken 'off the table'. Parking is also an issue that needs to be addressed, and this amendment needs to be seen in its totality.

No further action was taken on this item

ITEM 5– Town Planner Items:

A. Selected Commercial Recreation definition.
Deferred

B. Lewis Farms II Subdivision final plan submittal extension

Jeff Clifford, Altus Engineering, presented the request for extension, explaining the developer had submitted a LOMR (map revision) to FEMA and the final approval is expected November 23, 2012. The ordinance allows for Board review deferral while awaiting decisions from other review authorities.

Ms. Tuveson moved to approve the Lewis Farm II subdivision final plan submittal extension for 6 months, from November 23, 2012 to May 23, 2013

Mr. Melanson seconded

Motion carries unanimously by all members present

C. Debrief: October 20, 2012 Planning Board Workshop
This will be discussed at the next meeting.

D. Upcoming Town Council Workshops

i. Monday, October 29, 2012 –6pm - Sidewalks

ii. Wednesday, November 14, 2012 – 6pm – Memorial Circle and Kittery Foreside/Kittery Crossing Projects

E. Sustain Southern Maine (Partnering to strengthen our economy, environment and community) – Centers of Opportunity Project in Kittery
This will be discussed at a future meeting.

F. Other updates

Mr. Emerson noted 50 State Road will be returning to the Planning Board for a change in the approved site plan, as what was built. He asked the Board combine the public hearing requirement and review at the same time due to tenant needs.

DPW Project Schedule – A schedule has been shared with the Board, and the review process for DPW projects needs to be discussed.

Ms. Tuveson moved to adjourn

Mr. Melanson seconded

Motion carries unanimously by all members present.

The Kittery Planning Board meeting of October 25, 2012 adjourned at 9:00 p.m.

Submitted by Jan Fisk, Recorder – October 30, 2012

ATTACHMENT 1

(please click on this page to open up the entire document for review)

ATTACHMENT 2

ATTACHMENT 3
Detailed Cost Estimate

ATTACHMENT 5
Design Exception Application

Design Exception Review Team Meeting Worksheet

Date: September 29, 2015

Submitted by: B. Keezer

Project Name:	Memorial Circle Improvements & Sidewalks	WIN : 18184.00
Project Scope:	Reconstruction	Route: US Route 1 Bypass/State Road
Program:	Multimodal (LAP)	

Note: One form per DE Location. Please fill in all fields that are applicable. A complete and accurate form is required for Design Exception Review Team consideration. Also, attach a map or other details necessary to describe the issue and recommended action.

What is the Design Exception(s): The proposed right shoulder width on the Route 1 Bypass is less than the 4 foot required standard from STA 107+50 to STA 115+50 for a minor arterial that is roadway Priority 1, with an AADT of 6336 and a posted speed limit of 25 mph. The total proposed distance from the centerline to right curb is 14 feet (which is proposed to be met with an 11 foot travel lane and 3 foot shoulder). To meet the standard, the distance from the centerline to right curb would need to be 16 feet (which could be met with an 11 foot travel lane with a 5 foot shoulder or a 12 foot travel lane with a 4 foot shoulder). The proposed shared use path is the minimum width of 8 feet from STA 107+00 to STA 115+50, and the proposed esplanade width adjacent to the shared use path is 3 feet including the curb from STA 107+00 to STA 110+25. The 3 foot esplanade width is narrower than the recommended minimum distance of 5 feet.

Previous Project Design Exception Activity (if any): None

Summary of overall Project Improvements: The scope of work will include renovating Memorial Circle with a new layout and striping plan, as well as building a shared use path around the circle and extending along one side of the Route 1 Bypass to where it meets Adams Drive. Where possible, the shared use path is 10'-0" wide, but it is proposed at 8'-0" from STA 107+00 to STA 115+50 due to right-of-way constraints.

Design Exception Considerations:

° **Reason(s) a Design Exception(s) is needed:**

The project proposes to create a continuous shared use path connecting Adams Drive to Memorial Circle to accommodate cyclists and pedestrians traveling to and from Kittery's outlet district. Requiring cyclists to use the existing roadway along the affected portion of US Route 1 Bypass/State Road is not a desirable alternative to providing a sidepath in this area. The required standard of 4 feet for the shoulder noted cannot be achieved while creating a continuous bicycle and pedestrian facility through this area without requiring acquisition of right-of-way and affecting abutting private property or reducing the esplanade width. A pathway wider than 8 feet cannot be created in this area without reducing the esplanade width or requiring right-of-way acquisition.

° **Are there other Alternatives:** Yes, but not preferred.

- The travel lane could be 12 feet and the shoulder could be widened to 4 feet. From STA 107+50 to STA 111+50, this would reduce the width of the esplanade to 1 foot, including the curb. From STA 111+50 to STA 115+50, this would reduce the width of the esplanade to 3 feet, including the curb.
- The travel lane could be 12 feet and the shoulder could be widened to 4 feet, the esplanade could be made a constant 5 foot width and the path could be widened to 10 feet from STA 107+50 to STA 115+50. This would result in a need to acquire additional right-of-way for the pathway, and associated property impacts.
- The travel lane could be 12 feet, the shoulder width could be 2 feet, and the path could be widened to 10 feet between STA 107+50 and STA 115+50. From STA 107+50 to STA 111+50, this would reduce the width of the esplanade to 1 foot, including the curb. From STA 111+50 to STA 115+50, this would reduce the width of the esplanade to 3 feet, including the curb.

◦ **What mitigation is proposed to minimize impact of the Design Exception:** The DE is being requested to provide a bicycle facility in the form of a shared use path. The proposed 11 foot travel lane and 3 foot shoulder are being requested to allow some room on the shoulder for more experienced cyclists who prefer to ride on-road. Between STA 107+50 to STA 111+00, cyclists on the 8 foot wide shared use path will be moving slowly, due to three crosswalks, and multiple tip-downs. The posted speed on this stretch of roadway is 25 mph, but the existing 17 foot travel lane and 4 foot shoulder may encourage drivers to exceed the posted limit. Reducing the lane and shoulder widths may help to reduce driving speeds and calm traffic, improving safety.

◦ **Attribute Description Label (see abbreviation list in the next section):** SW

Attachments (include crash data, PDR plan sheet, and any other items that help describe/show the DE need): Existing conditions plans and plans of the shared use path layout from Memorial Circle to Adams Drive

Provide additional narrative description, if needed:

Show Controlling Design Criteria below: BW; CS; DS; HA; HC; LW; MG; SC; SE; SSD; SW; VA; VC; BR; CZ; GR

Controlling Design Criteria:	Value:	BRLM:	ERLM:
SW	3'		

Regional Engineer Approval-Initials

DE TEAM REVIEW & COMMENTS

Program Policy Team Decision:

Alternatives or Mitigation Recommended:

Requires External Notification to Whom:

Approved by: _____ **Position:** _____ **Date:** _____

E-Mail this form to: duane.brunell@maine.gov



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Topsham, ME 04086
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BID SET No. _____

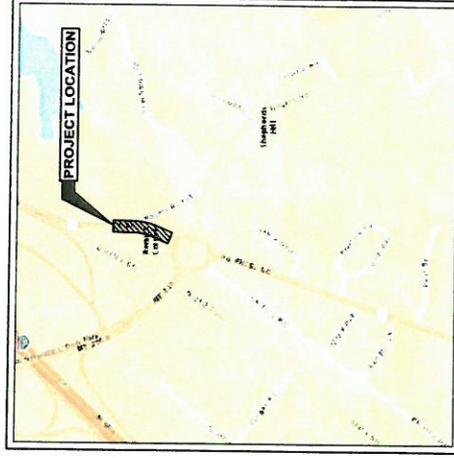
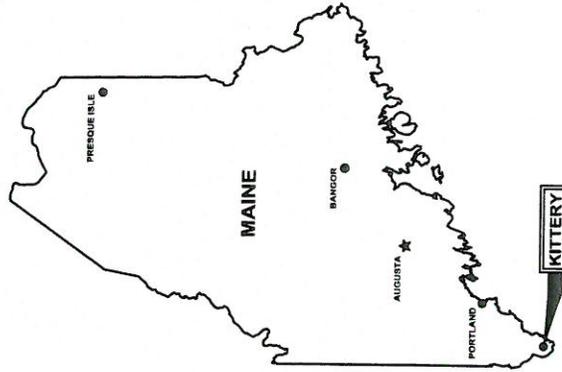
TOWN OF KITTERY, MAINE

DRAFT PDR DRAWINGS FOR ROUTE 1 BYPASS SHARED USE PATH KITTERY, ME

OCTOBER 2015

FEDERAL PROJECT NO. STP-1818 400(X)

MAINE D.O.T. WIN 18184.00



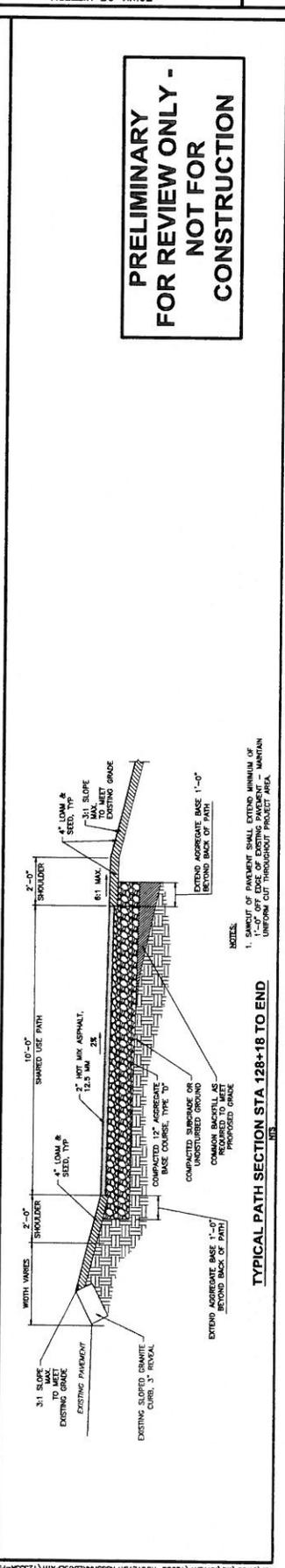
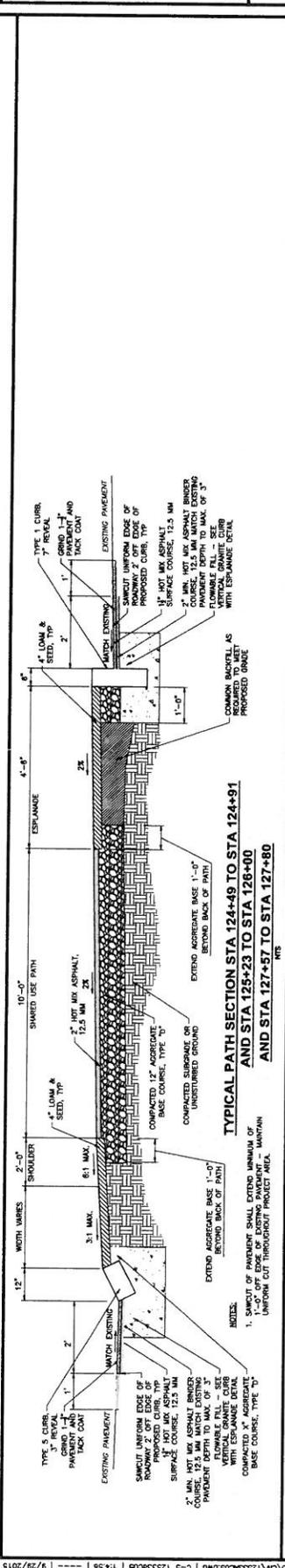
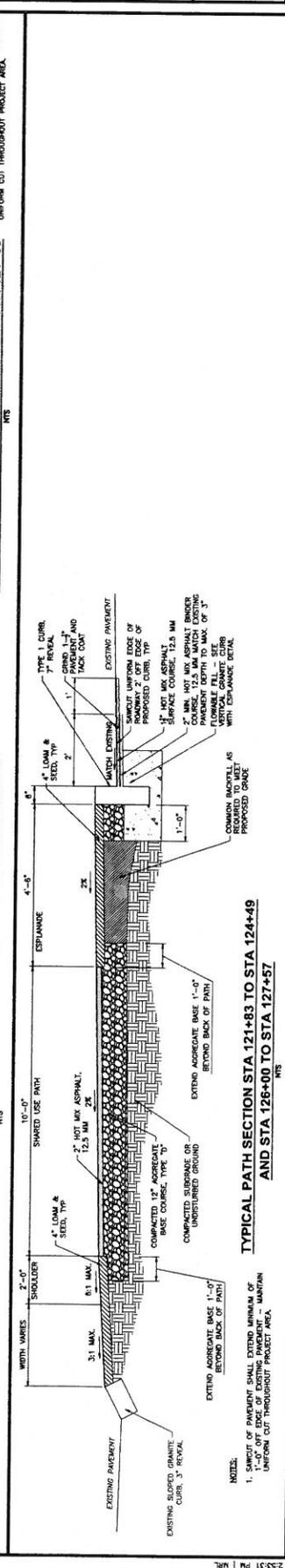
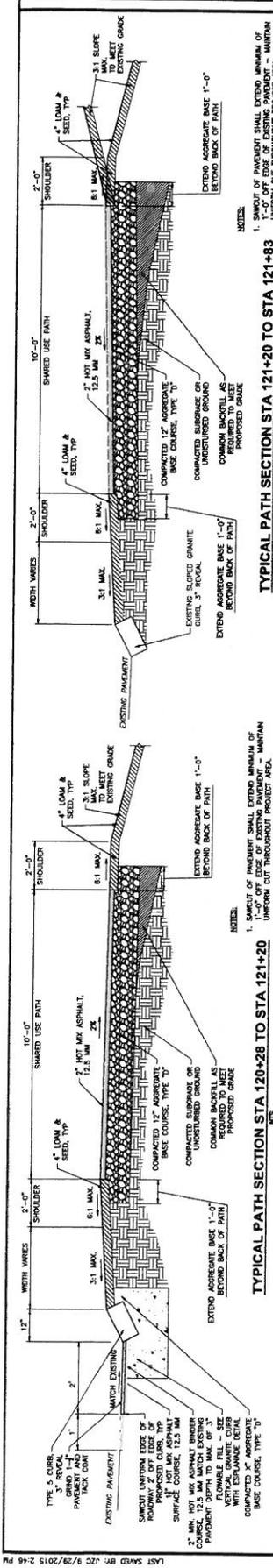
LOCATION PLAN
MS

NOTE: WORK COMPLETED UNDER THIS CONTRACT SHALL BE COVERED BY AND IN CONFORMITY WITH THE STANDARDS AND SPECIFICATIONS OF THE MAINE DEPARTMENT OF TRANSPORTATION AND CONSTRUCTION (DOT/CDC) AND THE STANDARD DETAILS FOR CONSTRUCTION, HERETO, EXCEPT AS INDICATED BY THE NOTES ON SPECIFICATION SPECIAL PROVISIONS.

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WP PROJECT No. 12533A



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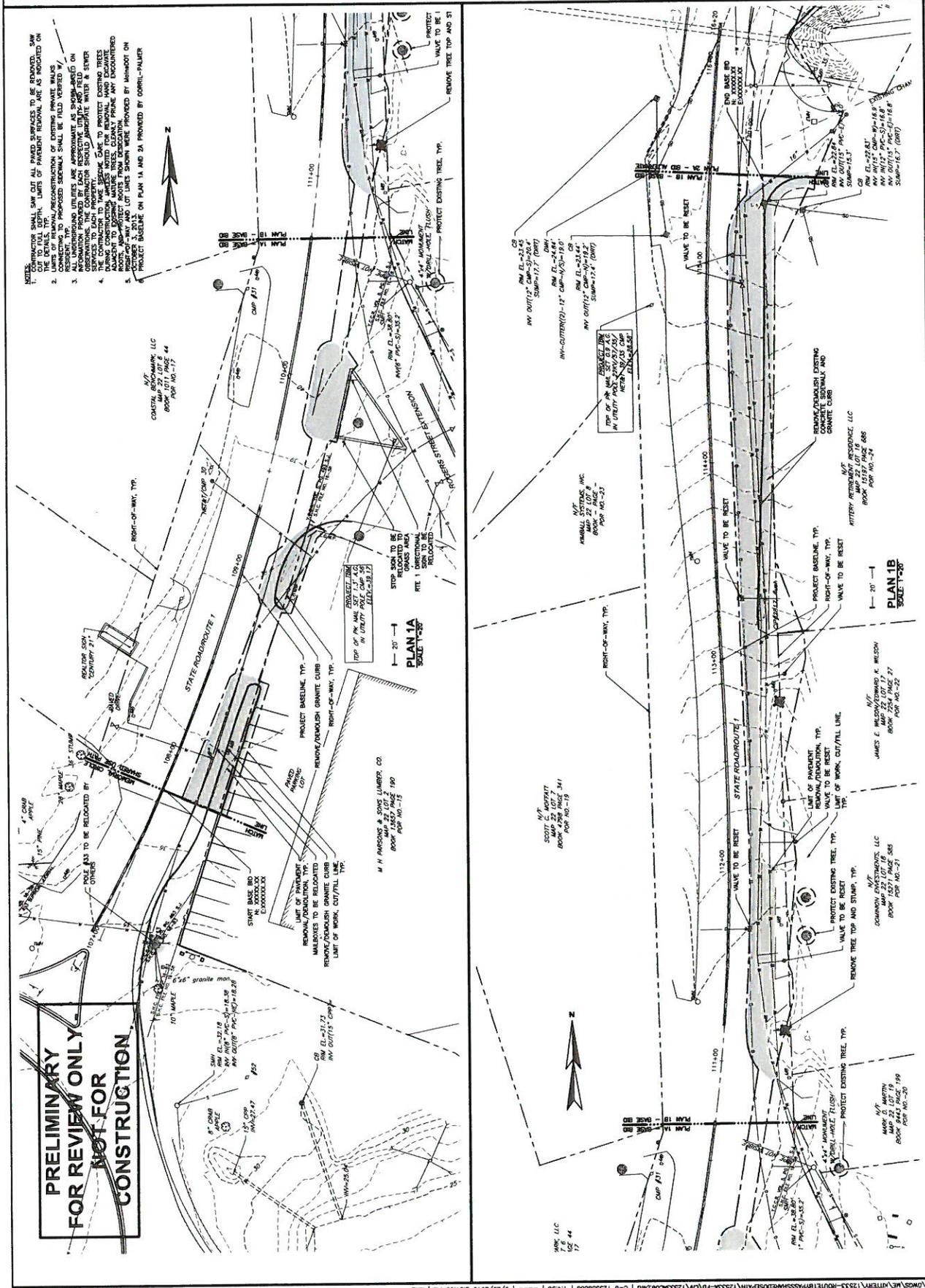
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9	10/15/15	ISSUE FOR SUBMISSION
10	10/15/15	ISSUE FOR SUBMISSION

PROJECT NO. 1233-01
 SHEET NO. 2-5
 DATE 10/15/15
 DRAWN BY JAC
 CHECKED BY JAC
 DESIGNED BY JAC
 SCALE 1"=10'-0"

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TYPICAL CROSS SECTIONS - BID ALTERNATE
 ROUTE 1 BYPASS SHARED USE PATH
 TOWN OF KITTERY
 KITTERY, ME

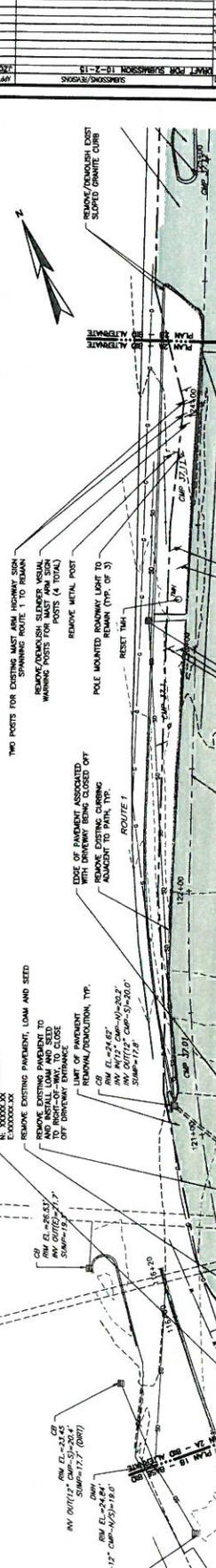
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- NOTES:**
1. CONTRACTOR SHALL CUT ALL PAVED SURFACES TO BE REMOVED. SAW CUTS SHALL BE MADE AT 1/2" INTERVALS. LIMITS OF PAVED REMOVAL ARE AS INDICATED ON THE DETAILS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES AND STRUCTURES TO REMAIN. ALL UTILITIES SHALL BE FIELD VERIFIED BY THE CONTRACTOR.
 2. CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM THE TOWN OF KITTERY AND THE STATE OF MAINE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES AND STRUCTURES TO REMAIN. ALL UTILITIES SHALL BE FIELD VERIFIED BY THE CONTRACTOR.
 3. INFORMATION PROVIDED BY EACH RESPECTIVE UTILITY AND FIELD SERVICE TO EACH PROPERTY.
 4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES AND STRUCTURES TO REMAIN. ALL UTILITIES SHALL BE FIELD VERIFIED BY THE CONTRACTOR.
 5. PROJECT BASELINE ON PLAN 1A AND 2A PROVIDED BY CORRELL-PALMER

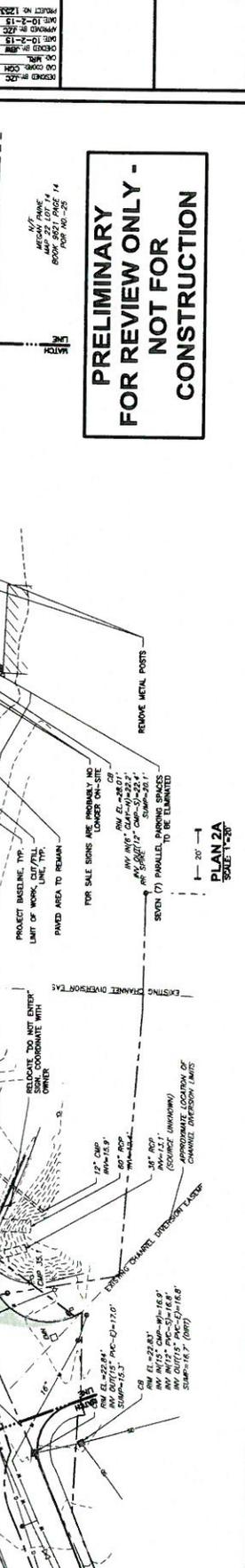
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3	REVISION	10/2/15
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5	REVISION	10/2/15
6	REVISION	10/2/15
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8	REVISION	10/2/15
9	REVISION	10/2/15
10	REVISION	10/2/15



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PLAN 2A
 SHEET 11-20



PLAN 2B
 SHEET 11-20

NOTES:
 1. CONTRACTOR SHALL SHOW ALL PAVED SURFACES TO BE REMOVED. SEE S&P TO FULL DEPTH. LIMITS OF PAVEMENT REMOVAL ARE AS INDICATED ON THE DETAILS TO THIS PLAN.
 2. LIMITS OF REMOVAL/RECONSTRUCTION OF EXISTING PRIVATE WALKS CONNECTING TO ROUTE 1 SHALL BE AS SHOWN ON THE DETAILS TO THIS PLAN.
 3. ALL UNDERGROUND UTILITIES ARE APPROXIMATE AS SHOWN BASED ON INFORMATION PROVIDED BY THE CONTRACTOR. CONTRACTOR SHALL VERIFY THE LOCATION AND DEPTH OF ALL UTILITIES. CONTRACTOR SHOULD ANTICIPATE WATER & SEWER SERVICES TO EXIST THROUGHOUT THE PROJECT AREA.
 4. CONTRACTOR SHALL TAKE SPECIAL CARE TO PROTECT EXISTING TREES DURING CONSTRUCTION. CONTRACTOR SHALL TAKE SPECIAL CARE TO PROTECT EXISTING MATURE TREES. CLEARLY PRUNE ANY ENCOUNTERED ROOTS, AND PROTECT ROOTS FROM DAMAGE.
 5. RIGHT-OF-WAY AND LOT LINES SHOWN WERE PROVIDED BY METRO-PLANETEK. CONTRACTOR SHALL VERIFY THE LOCATION AND DEPTH OF ALL UTILITIES.
 6. PROJECT BASELINE BEGINNING AT STA. 120+00 ESTABLISHED BY WRIGHT-PIERCE.
 7. PROJECT BASELINE ENDING AT STA. 120+00 ESTABLISHED BY WRIGHT-PIERCE.

MaineDOT - HIGHWAY PRELIMINARY DESIGN REPORT

Project Name: Kittery Memorial Circle
WIN: 18184.00

Draft Distribution Date: 10/05/15
Final Distribution Date:

Town(s): Kittery	Route(s): 1, 1A Ramp, 236, Old Post Road		
WIN: 018184.00	Federal Project No:		
Project Type: Traffic Circle Improvements			
Project Location: Kittery Memorial Traffic Circle, intersections of Route 1, 1A Ramp, 236, Old Post Rd			
Length: 0.15 +/- Miles	BRLM: 0.91	ERLM: 1.10	RLM Date:
Program: Multimodal - LAP		Program Manager: Jeff Tweedie	
Project Manager: Brian Keezer		Designer: Gorrill Palmer	
FHWA Oversight: Yes		Engineer of Record: Don Ettinger	

PLANNING

Project History:

The Project is located in York County in the Town of Kittery at the Kittery Memorial Circle. The Memorial Circle is a six (6) leg traffic circle located at the intersection of Route 1, 1A Ramp, Route 236 and Old Post Road. The project will implement operational, capacity and safety improvements to the Memorial Circle and will provide bicycle and pedestrian accommodations. Work will include modifications to approach roadway splitter islands, installation of sidewalks and side paths and provisions for truck turning aprons. Additionally, full depth reconstruction of the Route 1A Bypass Off-Ramp is proposed to improve geometry and traffic flow entering the traffic circle.

Within the limits of approach work along Route 1, Route 236, Old Post Road and also within the Memorial Circle, the proposed design will include full depth reconstruction in the roadway widening and curbing areas and a 1 ½" pavement overlay along the existing pavement areas. The proposed reconfiguration of the Route 1A Bypass Off-Ramp includes full depth reconstruction of a 12' travel lane and 4' paved shoulders.

The project includes provisions for sidewalks and side paths around the entire circle with connections to a proposed path on State Road (Route 1).

The project has been designed for posted 25 MPH design speeds utilizing low speed urban and interchange ramp design criteria.

Purpose & Need:

This is a traffic safety improvement project. The geometry and location of existing traffic circle entries do not promote the most efficient traffic operations and do not provide accommodation for pedestrian and bicycle users. The improvements to the Kittery Memorial Circle are proposed to improve traffic circle operations, safety and provide accommodations for pedestrian and bicycle users. While a single lane circle is proposed as part of this project, the curbing width has been designed to allow for a partial two-lane circle in the future if additional capacity is needed.

Brief Summary of Proposed Scope of Work:

Scope of work includes modifications to the Kittery Memorial Circle to improve operations, capacity and safety of the circle and to provide for bicycle and pedestrian accommodations. Realignment of the Route 1A Bypass

MaineDOT - HIGHWAY PRELIMINARY DESIGN REPORT

Project Name: Kittery Memorial Circle
WIN: 18184.00

Draft Distribution Date: 10/05/15
Final Distribution Date:

Off-Ramp is also included in the scope to improve the safety and operations of the circle. Work also includes a 1 ½" pavement overlay within the project limits.

Scope Changes:

The original scope included the realignment of the Route 1A Bypass Off-Ramp away from the circle with a new connection on Old Post Road. Work also included development of the circle splitter islands consistent with a roundabout design.

GHD, serving as a peer review consultant for MaineDOT (Department) recommended that the Route 1A Bypass Off-Ramp be realigned slightly and still be connected to the circle. GHD also modified all of the splitter island layouts and developed a proposed curbing layout to accommodate both a signal lane circle and a future partial two-lane circle. The scope of this project is to construct the single lane circle layout only.

The original scope of work also included geometric improvements to the Rogers Road intersections with Route 236 and State Road (Route 1). Due to limited funding, improvements at Rogers Road were eliminated from the project.

TRAFFIC

	Section 1 – Route 1 N/O Traffic Circle	Section 2 – Route 1 S/O Traffic Circle	Section 3 – Route 1A Bypass Off Ramp
Corridor Priority	1	2	1
Functional Class	Minor Arterial	Principal Arterial	Principal Arterial
NHS/Non-NHS	Non-NHS	NHS	NHS
Posted Speed	25 MPH	25 MPH	35 MPH (1)
Design Speed	25 MPH	25 MPH	25 MPH (1)
2015 AADT (Current)	6336	9356	2329
20XX AADT (Design)			
DHV			
CRF (Critical Rate Factor) 201X – 201X:			
High Crash Locations:			

	Section 4 – Route 236 W/O Traffic Circle	Section 5 – Route 236 E/O Traffic Circle	Section 6 – Old Post Road
Corridor Priority	1	3	5
Functional Class	Principal Arterial	Minor Arterial	Major Urban Collector
NHS/Non-NHS	NHS	Non-NHS	Non-NHS
Posted Speed	25 MPH	25 MPH	25 MPH
Design Speed	25 MPH	25 MPH	25 MPH
2015 AADT (Current)	7648	11177	1383
20XX AADT (Design)			
DHV			
CRF (Critical Rate Factor) 201X – 201X:			
High Crash Locations:			

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- (1) The existing Route 1A Bypass is posted for a 35 MPH speed and there is no posted speed for the Route 1A Bypass Off-Ramp. The proposed ramp design is based on a 25 MPH design speed. Signage will be provided for a ramp posted speed of 25 MPH.

DESIGN (Attach Highway Design Requirements Form)

Typical Section

	Section 1 – Route 1 N/O Traffic Circle	Section 2 – Route 1 S/O Traffic Circle	Section 3 – Route 1A Bypass Off Ramp
Travel Lane Width	11'	12'	12'
Shoulder Width	3'	4'	4'
Front Slope	4:1	4:1	4:1
Back Slope	2:1 Typ.	2:1 Typ.	2:1 Typ.
Guardrail Slope	2:1 Max.	2:1 Max.	2:1 Max.
Clear Zone	12'	10'	12'

	Section 4 – Route 236 W/O Traffic Circle	Section 5 – Route 236 E/O Traffic Circle	Section 6 – Old Post Road
Travel Lane Width	12'	12'	12'
Shoulder Width	5'	5'	4'
Front Slope	4:1	4:1	4:1
Back Slope	2:1 Typ.	2:1 Typ.	2:1 Typ.
Guardrail Slope	2:1 Max.	2:1 Max.	2:1 Max.
Clear Zone	12'	10'	10'

Pavement Structure

A pavement structure analysis (DarWIN Design) will be coordinated with MaineDOT during final design to ensure adequate pavement structure is provided.

Pavement Structure Analysis Results

Layers	DarWIN Design		Pavement ME Design	
	Thickness	Type	Thickness	Type
Hot Mix Asphalt Pavement				
Recycled Layer				
Base Course Gravel				
Subbase Course Gravel				
Shoulder Pavement				

Pavement Design Coachpoint Date: None

Final Pavement Structure Design

Design Method	
Layers	

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	Thickness	Type
Hot Mix Asphalt Pavement	6"	19mm/12.5mm
Recycled Layer		
Base Course Gravel		
Subbase Course Gravel	24"	D
Shoulder Pavement	6"	19mm/12.5mm

Note: If the final pavement structure design is different from both the DarWIN and Pavement ME designs, provide comments below.

Comments:

Pavement design to be coordinated and finalized during final design.

Pedestrian/Bicycle Accommodations

Summary of Pedestrian & Bicycle Accommodations:

No pedestrian and bicycle accommodations currently exist at the Memorial Circle. The proposed scope of work includes construction of sidewalks and multi-use paths along roadway approaches and around the circle. Cross walks are proposed at the splitter island locations consistent with roundabout standards. These at grade crossings are of sufficient length and width to function as comfortable pedestrian and bicycle refuge islands. Bicycle accommodations are provided where bicycles can exit the roadway onto side paths prior to entering the circle and reenter the roadway upon exiting the circle, similar to roundabout standards.

Proposed sidewalk improvements on Route 1 will tie into an existing sidewalk south of the traffic circle and will tie into a proposed side path north of the circle that is planned for construction in conjunction with this project.

Improvements to Route 236 west of the traffic circle include construction of a bicycle path which ties into the existing shoulder at the limit of work. East of the traffic circle pedestrian accommodation will be available from a future pathway that has been partially constructed and passes through adjacent property to connect with Rogers Road.

Proposed outside shoulders with widths varying from 4' to 5' will provide additional accommodations for bicyclists.

ADA Compliance

Existing and Proposed Facilities

	Existing Conditions	Compliant (Y/N)	Upgrades Proposed (Y/N)	Proposed (Route 1, Route 236 & Old Post Road)	Compliant (Y/N)
Sidewalks	None Exist	N/A	N/A	Yes	Yes
Width	N/A	N/A	N/A	5' to 10'	Yes
Cross-slope	N/A	N/A	N/A	2.0%	Yes
Ramps (Crosswalk)	None Exist	N/A	N/A	Yes	Yes
Width	N/A	N/A	N/A	10' Typ.	Yes

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Slope	N/A	N/A	N/A	<8.33%	Yes
Detectable Warnings	N/A	N/A	N/A	Yes	Yes
Ramps (Entrance)	None Exist	N/A	N/A	None	N/A
Width	N/A	N/A	N/A	N/A	N/A
Slope	N/A	N/A	N/A	N/A	N/A
Pedestrian Signals	None Exist	N/A	N/A	None	N/A
(Y/N)	N/A	N/A	N/A	N/A	N/A

Non-Compliant facilities shall be upgraded according to the guidelines set forth in the most recent MaineDOT ADA Compliance Policy. If a facility cannot be upgraded to full compliance due to technical infeasibility, the facility shall be upgraded to the maximum extent feasible. Technical infeasibility refers to physical or structural limitations. Upgrades cannot be considered technically infeasible solely on the basis of cost. If facilities cannot be upgraded to full compliance according to the Policy, a Design Exception must be requested.

Summary of measures taken to upgrade non-compliant facilities:

Design Exceptions

Shoulder Width

Controlling Element	Required Standard	Proposed Design	Date Approved
Shoulder Width	4'	3'	TBD (1)
ADA Exceptions (Yes or No): No			
Driveway Exceptions (Yes or No): No			

(1) Work connects to side path project where Wright-Pierce has requested a DE for shoulder width.

ENVIRONMENTAL PERMITS / ISSUES

Team Member: Wright Pierce

The Town of Kittery received a NRPA Tier1 permit in 2012 for impacts to a wetland area adjacent to Memorial Circle between Route 1 and Route 236 in the northeastern corner of the project. The proposed traffic circle improvements are generally contained within the existing circle footprint and no additional wetland impacts are anticipated.

NEPA (4F, 6F, sect. 106):	CE	In-Stream Work-Window:	TBD
MHPC Signoff:	TBD	Wetland Mitigation:	TBD
MHPC Mitigation:	TBD	Public Lands:	TBD
DEP:	PBR	Ch. 500 – Stormwater/MS4:	NA
ACOE:	NA	Endangered Species:	TBD
Fish Passage:	TBD	Soil Contamination:	TBD
Watershed:	TBD	Other:	

Avoidance & Minimization:

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It is not anticipated that the proposed work will affect significant natural resources. There are no natural resources mapped within the project area. The overall Memorial Circle project construction will disturb more than one acre of area, including the roadway, during construction and a significant portion of this disturbance will be located within the existing or proposed roadway right-of-way and on previously disturbed areas including existing roadway and shoulders. As a result the project will require a Stormwater Permit By Rule and Maine Construction General Permit. Overall, the work will create less than an acre of new impervious surfaces where there is now a vegetated surface. The project, as designed, does not require stormwater treatment as the disturbed area is less than five acres, and the additional impervious surfaces are less than one acre.

As noted above, the project will be located largely within the road right-of-way and generally in areas previously disturbed, such as paved roadway and shoulders. Based on this, a full wetland delineation was not completed as part of this project, however, the National Wetland Inventory was reviewed and the data incorporated into the overall design of the project. Based on our review of the project area, and the location of the proposed work, we do not expect to work within wetland or vernal pool areas, or within protected wildlife habitat areas, and therefore we do not anticipate the need for permitting under the Maine Department of Environmental Protection Natural Resources Protection Act and/or the Army Corps of Engineers (ACOE).

As noted above, the Town received a NRPA Tier1 permit in 2012 for impacts to a wetland area adjacent to Memorial Circle (also part of WIN 18184.00).

We anticipate the project will fall under a Categorical Exclusion for NEPA requirements.

RIGHT-OF-WAY COORDINATION

Team Member: MaineDOT

Most of the proposed work will stay inside the existing right of way however temporary grading rights will be needed in isolated areas.

	Section 1 – Route 1	Section 2 – Route 236	Section 3 – Old Post Road	Section 4 –
Total Existing Width:	66'	Varies	66'	
Total Proposed Width:	66'	Varies	66'	
# of Abutters: 7				
# of Acquisitions: 0. No acquisitions are expected however temporary grading easements may be required.				
# of Relocations: 0				
Reserved Areas: TBD				
Building Availability: TBD				

UTILITY IMPACTS/ISSUES

Team Member: Wright Pierce

Above Ground Utilities: Overhead utilities present around the perimeter of the circle. Utilities include power, cable and telephone. Overhead lighting on utility poles is present in isolated areas of the circle.

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Below Ground Utilities: Underground utilities include sewer, water, gas, electrical and telecommunications. Water infrastructure is shown on the plans. Other underground utilities have partial information shown on the plans and Wright Pierce is coordinating with the Utilities to provide better clarity on the plans.

	Necessary for this Project? (Yes or No)	Coordination Still Needed? (Yes or No)
Pole List:	Yes	Yes
Utility Agreements:	TBD	Yes
RR PRTS:	No	No
Railroad Agreement:	No	No

ROW issues related to utilities: Existing poles are located within or near the existing ROW line. Relocations of poles may require additional ROW. Adjustments to the sidewalk and side path layouts will be considered to minimize overhead utility impacts and adjustments to the proposed drainage design will be considered to minimize underground utility impacts. Further coordination between the utilities and the proposed design will occur during final design.

GEOTECHNICAL COORDINATION – Geotechnical explorations are not expected to be necessary for this project.

Team Member: NA

Field Analysis: NA

Preliminary Recommendations: NA

PUBLIC PROCESS

Proposed Public Contact Method and Date(s):

Preliminary public meetings were held on October 25, 2012 and November 29, 2012. The formal public meeting is scheduled for October 22, 2015.

Concerns Identified at Preliminary Public Meetings: Comments presented at the public meetings were primarily related to the necessity of incorporating sidewalks at several locations and discussing impacts to the World War II veterans monument located at the circle.

Municipal Agreement: TBD

M&O ISSUES /CONCERNS

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CONSTRUCTION SCHEDULE

PS&E Date	7-19-16
Advertise Date	8-9-16
Construction Begin Date	9-15-16
Construction Complete	7-15-17

TAME RESULTS (Transfer results from returned Tame Request Form) (To be determined by MaineDOT)

Morning Restrictions	
Evening Restrictions	
Maximum Closure Length	
Minimum Lane Width	

Additional Comments:

BUDGET

	Programmed	Available	PDR Estimate
Date	6-26-13	9-19-15	9-31-15
Preliminary Engineering	\$0	\$235,073	\$285,650
Right of Way	\$155,900	\$75,000	\$50,000
Construction	\$809,156	\$1,794,323	\$1,691,836
Construction Engineering	\$80,000	\$179,073	\$140,000
Other			
TOTAL	\$1,045,056	\$2,283,469	\$2,167,486
Total Cost per Mile:	NA	NA	NA
Funding Strategy (Sources):			

SUMMARY OF PRELIMINARY ENGINEERING

Existing and Proposed Design Elements (including variances from design standards)

Horizontal Alignment:

The proposed horizontal alignments generally match the existing roadway centerlines, with modifications to the geometry at the proposed splitter islands. Proposed alignments generally are carried to a common point located at the center of the traffic circle, similar to roundabout design standards.

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Design criteria such as length of curve, radius and middle ordinate are generally not applicable to this project, as the layout of the splitter islands are more in accordance with roundabout and traffic circle standards than a typical roadway alignment. Roadway cross slopes are proposed to match existing cross slopes.

The proposed Route 1A Bypass off-ramp is designed to provide an improved connection to the circle. The proposed realignment results in a more favorable entry angle into the traffic circle and also achieves greater separation from Old Post Road. The proposed off-ramp alignment is designed to achieve a 25 mph design speed in accordance with MaineDOT standards. Ramp cross slopes are in excess of 9% at the proposed limit of work (matching existing cross slope), therefore proposed ramp design slopes are in excess of the typical 6% superelevation for a portion of the ramp.

Vertical Alignment:

The Route 1, Route 236 and Old Post Road vertical alignments are proposed to generally match the existing vertical geometry but accounting for a 1 ½" pavement overlay. The vertical alignment through the proposed splitter island provides detail on the proposed island grades, and the profiles are not intended to represent a roadway alignment developed to design standards in those areas.

The Route 1A Bypass off-ramp vertical alignment is designed to match the Route 1A at the limit of work and designed to transition appropriately into the circle. The off-ramp vertical alignment meets the standards required for a 25 mph design speed.

Typical Section:

The proposed Route 1, Route 236 and Old Post Road typical sections generally consists of 12' travel lanes and 4' to 5' outside paved shoulders. There are some locations of 11' and 14' travel lanes and 3' outside paved shoulders. The inside shoulder width, in areas of the splitter islands and the circle center island are generally 2' in width. Granite curbing, both vertical and sloped are proposed along the shoulders and variable width esplanades, sidewalks and side paths are proposed outside of the curbing. Truck aprons are shown in areas where vehicle off tracking is expected. The proposed design includes full depth reconstruction as required for curb installation and construction of proposed splitter islands. A 1 ½" pavement overlay is proposed for the remaining roadway width within the limits of work. Closed drainage is proposed in areas as required to drain the roadway and subgrade.

The proposed Route 1A Bypass off-ramp consists of a 12' travelway with 4' paved shoulders and sloped granite curbing. The proposed design includes full depth construction including closed drainage.

Pavement Structure:

The proposed pavement structure within areas of full depth construction is assumed as 6" hot mix asphalt and 24" aggregate subbase course – gravel. The proposed pavement overlay is assumed to be 1 ½" in thickness. Coordination on a pavement structure design will be completed during final design.

Drainage/Hydrology:

In areas of proposed curb installation, underdrain is proposed to ensure adequate subgrade drainage. The exception is the splitter islands where the subgrade is designed to positively drain to the outside roadway edges. Surface drainage is proposed primarily to match the existing condition, with the addition of catch basins as required to collect roadway drainage where new curbing is proposed.

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Guardrail:

Guardrail is proposed along Route 236 east of the traffic circle in the area of a high fill slope. The proposed guardrail extends beyond the limits of roadway work in order to replace the existing non-compliant guardrail section.

Intersection Geometry:

The traffic circle geometry was developed by GHD to promote operations similar to a modern roundabout. Entry and exit angles and widths have been designed to control user speeds and promote additional capacity through the traffic circle. The intersection was designed for single lane traffic circle with single lane approaches on all legs, however the proposed curb to curb width at Route 236 and the center circle provide the ability to restripe for a partial two-lane configuration in the future.

This PDR documents the requirements for a single lane traffic circle and does not address the requirements of a partial two-lane traffic circle. Incorporation of a partial two-lane traffic circle design will likely require design exceptions for shoulder widths and truck turning movements. The accommodation of truck turning movements for the partial two-lane traffic circle design may require wider travel lanes and shoulders as well as additional and revised truck aprons.

Right-of-Way:

The proposed grading limits extend beyond the existing ROW limits. Proposed grading easements will be required.

Utilities:

Overhead and underground utilities are present. Resetting of overhead utilities will be required. Conflicts with underground utilities will be evaluated in final design.

Other Design Issues:

Existing cross slopes in proposed pavement overlay areas generally do not meet the required cross slope standards. Options available for consideration during final design include; request a design exception on cross slopes, revise the cross slopes with pavement shimming and milling or revise the cross slopes assuming partial depth reconstruction (pavement removal, grading and repaving).

MaineDOT - HIGHWAY PRELIMINARY DESIGN REPORT

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*Draft Distribution Date: 10/05/15
Final Distribution Date:*

DRAFT PDR DISTRIBUTION TEAM COMMENTS AND RESPONSE

Comments:

Comment Deadline	Date:
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PRELIMINARY APPROVAL

Approved for Public Meeting		Date:
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PUBLIC PARTICIPATION COMMENTS AND RESPONSE

Comments:

ADDITIONAL TEAM COMMENTS AND RESPONSE

Comments:

Comment Deadline	Date:
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FINAL APPROVAL

Public Participation Complete		Date:
Approved for Final Design		Date:

Job Number:	2693.01
MaineDOT WIN:	18184.00
Project Location:	Kittery Memorial Traffic Circle Improvements
Comments:	Preliminary Construction Estimate
Date:	Revised 9/31/2015

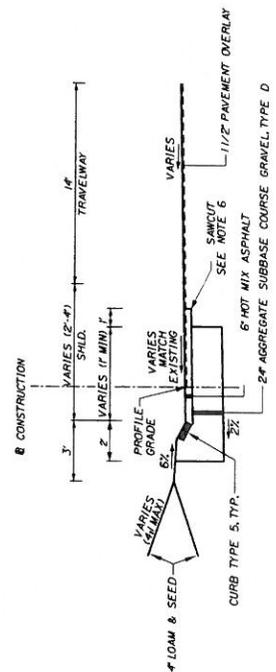
Calculated By: JW
Checked By: BH, DE

- Notes:
- MaineDOT workplan has identified \$2,280,000 for total project funds (Constr, PE, CE, ROW)
 - Construction costs based on PDR dated 9/30/2015. Work assumes curb replacement, widen and overlay, 1.5" HMA overlay, 6" HMA & 24" ASCG in full depth reconstruction areas, new catch basins, new underdrain in curb areas.
 - Lighting costs are estimate only at this time, not based on lighting design.

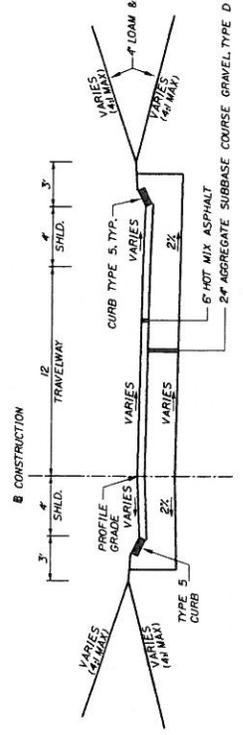
Preliminary Estimate - Traffic Circle					
Item	Item Description	Unit	Unit Price	Quantity	Amount
201.23	REMOVING SINGLE TREE TOP ONLY	EA	\$ 645.00	0	\$ -
201.24	REMOVING STUMP	EA	\$ 300.00	0	\$ -
202.15	REM MANHOLE OR CATCH BASIN	EA	\$ 600.00	3	\$ 1,800.00
202.203	PAVEMENT BUTT JOINTS	SY	\$ 14.00	650	\$ 9,100.00
203.20	COMMON EXCAVATION	CY	\$ 21.00	3800	\$ 79,800.00
203.21	ROCK EXCAVATION	CY	\$ 150.00	50	\$ 7,500.00
206.07	STR ROCK EXCAVATION	CY	\$ 150.00	50	\$ 7,500.00
304.10	AGGREGATE SUBBASE COURSE - GRAVEL	CY	\$ 35.00	2850	\$ 99,750.00
403.207	HOT MIX ASPHALT 19.0 MM HMA	T	\$ 150.00	310	\$ 46,500.00
403.208	HOT MIX ASPHALT 12.5 MM HMA SURFACE	T	\$ 150.00	610	\$ 91,500.00
403.209	HOT MIX ASPHALT 9.5 MM (INCIDENTALS)	T	\$ 185.00	300	\$ 55,500.00
403.213	HOT MIX ASPHALT 12.5 MM BASE	T	\$ 150.00	155	\$ 23,250.00
409.15	BITUMINOUS TACK COAT - APPLIED	G	\$ 14.00	460	\$ 6,440.00
502.342	CONCRETE TRUCK APRON	CY	\$ 400.00	70	\$ 28,000.00
603.159	12 INCH CULVERT PIPE OPTION III	LF	\$ 62.00	64	\$ 3,968.00
603.175	18" CULV PIPE OPTION III RCP	LF	\$ 115.00	34	\$ 3,910.00
604.072	CATCH BASIN TYPE A1-C	EA	\$ 3,450.00	8	\$ 27,600.00
604.092	CATCH BASIN TYPE B1-C	EA	\$ 3,120.00	6	\$ 18,720.00
604.16	ALTER CATCH BASIN TO MANHOLE	EA	\$ 1,160.00	2	\$ 2,320.00
604.164	REBUILDING CATCH BASIN	EA	\$ 2,100.00	4	\$ 8,400.00
605.09	6" UNDERDRAIN TYPE B	LF	\$ 30.00	2210	\$ 66,300.00
605.11	12" UNDERDRAIN TYPE C	LF	\$ 45.00	1250	\$ 56,250.00
606.23	GR TYPE 3C - SINGLE RAIL	LF	\$ 20.00	325	\$ 6,500.00
606.265	TERMINAL END - SINGLE RAIL - GALVANIZED STEEL	EA	\$ 50.00	1	\$ 50.00
606.81	TANGENT GUARDRAIL TERMINAL- ENERGY ABSORBING	EA	\$ 3,000.00	1	\$ 3,000.00
608.26	CURB RAMP DETECTABLE WARNING FIELD	SF	\$ 80.00	460	\$ 36,800.00
609.11	VERTICAL CURB TYPE 1	LF	\$ 40.00	1150	\$ 46,000.00
609.12	VERTICAL CURB TYPE 1 - CIRCULAR	LF	\$ 50.00	50	\$ 2,500.00
609.234	TERMINAL CURB TYPE 1 4 FOOT	EA	\$ 160.00	18	\$ 2,880.00
609.238	TERMINAL CURB TYPE 1 8 FOOT	EA	\$ 350.00	13	\$ 4,550.00
609.26	CURB TRANSITION SECT B-TYPE 1	EA	\$ 345.00	1	\$ 345.00
609.34	CURB TYPE 5	LF	\$ 30.00	3000	\$ 90,000.00
609.35	CURB TYPE 5 CIRCULAR	LF	\$ 80.00	215	\$ 17,200.00
610.08	PLAIN RIPRAP	CY	\$ 75.00	2	\$ 150.00
615.07	LOAM	CY	\$ 50.00	700	\$ 35,000.00
618.1301	SEEDING METHOD NUMBER 1 - PLAN QUANTITY	UN	\$ 60.00	57	\$ 3,420.00
618.1201	MULCH - PLAN QUANTITY	UN	\$ 55.00	57	\$ 3,135.00
620.58	EROSION CONTROL GEOTEXTILE	SY	\$ 5.00	5	\$ 25.00
621.00	LANDSCAPING (BEACH GRASS)	LS	\$ 10,000.00	1	\$ 10,000.00
626.32	24" FOUNDATION	EA	\$ 1,050.00	34	\$ 35,700.00
627.733	4" WHITE OR YELLOW PAINTED PAVEMENT MARKING LINE	LF	\$ 0.80	6500	\$ 5,200.00
627.75	WHITE OR YELLOW PAVEMENT & CURB MARKINGS	SF	\$ 3.00	1750	\$ 5,250.00
627.76	TEMP PVMT MARKING LINE, WHITE OR YELLO	LS	\$ 5,000.00	1	\$ 5,000.00
629.05	HAND LABOR, STRAIGHT TIME	HR	\$ 45.00	20	\$ 900.00
631.12	ALL PURPOSE EXCAVATOR (INCLUDING OPERATOR)	HR	\$ 160.00	20	\$ 3,200.00
631.172	TRUCK - LARGE (INCLUDING OPERATOR)	HR	\$ 75.00	20	\$ 1,500.00
631.18	CHAIN SAW RENTAL (INC OPERATOR)	HR	\$ 55.00	8	\$ 440.00
631.20	STUMP CHIPPER (INC OPERATOR)	HR	\$ 145.00	8	\$ 1,160.00
631.22	FRONT END LOADER (INCLUDING OPERATOR)	HR	\$ 100.00	20	\$ 2,000.00
631.32	CULVERT CLEANER (INCLUDING OPERATOR)	HR	\$ 240.00	8	\$ 1,920.00
634.00	LIGHTING	LS	\$ 100,000.00	1	\$ 100,000.00
639.18	FIELD OFFICE TYPE A	EA	\$ 12,800.00	1	\$ 12,800.00
645.251	ROADSIDE GUIDE SIGNS	SF	\$ 40.00	1700	\$ 68,000.00
645.271	REGULATORY, WARNING, CONFIRMATION, & ROUTE ASSEMBLY SIGN, TYPE I	SF	\$ 42.00	800	\$ 33,600.00
645.289	STEEL H-BEAM POLES	LB	\$ 6.00	9600	\$ 58,800.00
652.312	TYPE III BARRICADE	EA	\$ 200.00	16	\$ 3,200.00
652.33	DRUM	EA	\$ 45.00	200	\$ 9,000.00
652.34	CONE	EA	\$ 15.00	200	\$ 3,000.00
652.35	CONSTRUCTION SIGNS	SF	\$ 15.00	500	\$ 7,500.00
652.36	MAINTENANCE OF TRAFFIC CONTROL DEVICES	CD	\$ 340.00	180	\$ 61,200.00
652.38	FLAGGER	HR	\$ 20.00	1500	\$ 30,000.00
652.41	PORTABLE CHANGEABLE MESSAGE SIGN	EA	\$ 4,500.00	6	\$ 27,000.00
656.75	TEMPORARY SOIL EROSION & WATER POLLUTION CONTROL	LS	\$ 6,000.00	1	\$ 6,000.00
659.10	MOBILIZATION	LS	\$ 150,000.00	1	\$ 150,000.00
ESTIMATE SUBTOTAL					\$ 1,538,033.00
10% Contingency					\$ 153,803.30
CONSTRUCTION TOTAL					\$ 1,691,836.30
Preliminary Engineering (PE)					\$ 199,650.00
MaineDOT Preliminary Engineering (PE)					\$ 86,000.00
Right of Way Costs (ROW)					\$ 50,000.00
Construction Inspection (CE)					\$ 140,000.00
PROJECT TOTAL					\$ 2,167,486.30

NO.	DATE	BY	CHK	APP
1	08/11/10	WJ	WJ	
2	08/11/10	WJ	WJ	
3	08/11/10	WJ	WJ	
4	08/11/10	WJ	WJ	
5	08/11/10	WJ	WJ	
6	08/11/10	WJ	WJ	
7	08/11/10	WJ	WJ	
8	08/11/10	WJ	WJ	
9	08/11/10	WJ	WJ	
10	08/11/10	WJ	WJ	

MEMORIAL CIRCLE
KITTERY
TYPICAL SECTIONS

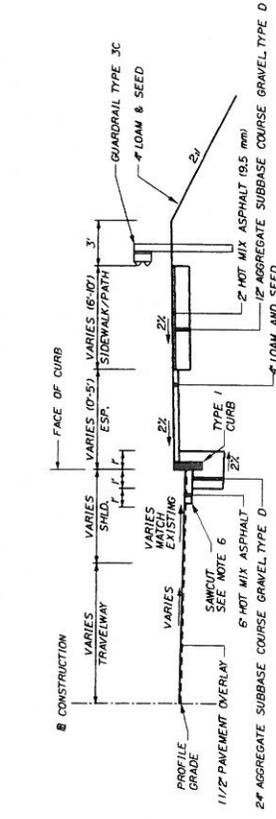


CENTER ISLAND DETAIL
STA 0+00 TO 9+12 LT

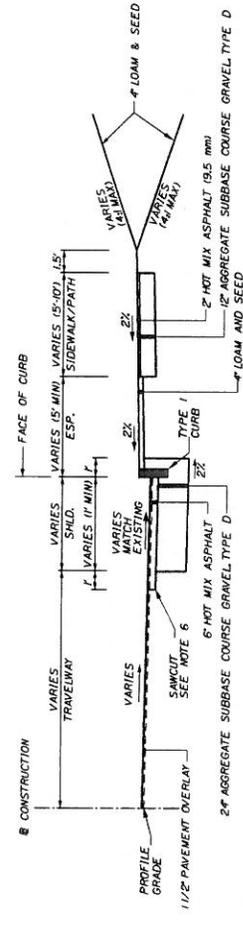


ROUTE BYPASS OFF RAMP
STA 307+48 TO 307+08

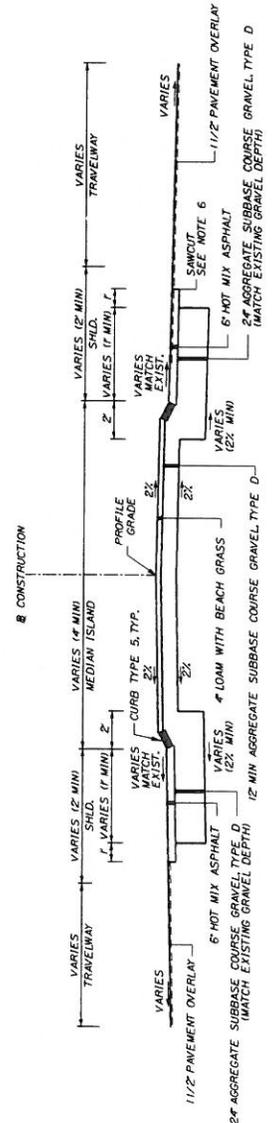
- NOTES:
1. NOMINAL PAVEMENT AND SUBBASE DEPTHS AS SHOWN ON THE PLANS ARE INTENDED TO BE NOMINAL.
 2. "ROLL-OFF" ALGEBRAIC DIFFERENCE IN RATES OF CROSS SLOPES SHALL NOT EXCEED 8%.
 3. WHEN SUPERELEVATION EXCEEDS THE SLOPE OF THE LOW SIDE SHOULDER, THE LOW SIDE SHOULDER SHALL HAVE THE SAME SLOPE AS THE TRAVELWAY.
 4. CROWN FOR BOTH NORMAL AND SUPERELEVATED SECTIONS FOR ALL COURSES OF THE SUBBASE AND PAVEMENT SHALL BE STRAIGHT.
 5. MATCH EXISTING TRAVELWAY SLOPE.
 6. THE PAVEMENT SAWCUT LINE LOCATION IN THE FULL DEPTH RECONSTRUCTION AREAS SHALL BE IN THE PAVEMENT SAWCUT LINE TO BE NEAREST TO THE CONSTRUCTION BASELINE. RESULT IN THE PAVEMENT SAWCUT LINE TO BE NEAREST TO THE CONSTRUCTION BASELINE.
 7. A 2" INSIDE OF THE EXISTING EDGE OF PAVEMENT LINE.
 8. C 12" INSIDE THE VERTICAL EDGE OF THE INSIDE UNDER DRAIN TRENCH LIMITS.
 9. THE SHOULDER PAVEMENT THICKNESS SHALL BE THE SAME AS THE TRAVELWAY PAVEMENT THICKNESS FOR ALL ROADWAYS.
 10. THE STATIONING SHOWN UNDER EACH TYPICAL IS APPROXIMATE.



TYPICAL SECTION
PAVEMENT OVERLAY WITH CURB, ESPLANADE, SIDEWALK AND GUARDRAIL
STA 0+00 TO 0+69 RT
STA 207+08 TO 208+78 LT



TYPICAL SECTION
PAVEMENT OVERLAY WITH CURB, ESPLANADE AND SIDEWALK
STA 0+69 TO 0+87 RT
STA 1+56 TO 1+58 RT
STA 207+08 TO 208+78 LT
STA 208+78 TO 209+51 RT
STA 209+51 TO 210+08 RT
STA 210+08 TO 210+58 RT
STA 210+58 TO 211+17 RT
STA 402+25 TO 403+00 LT



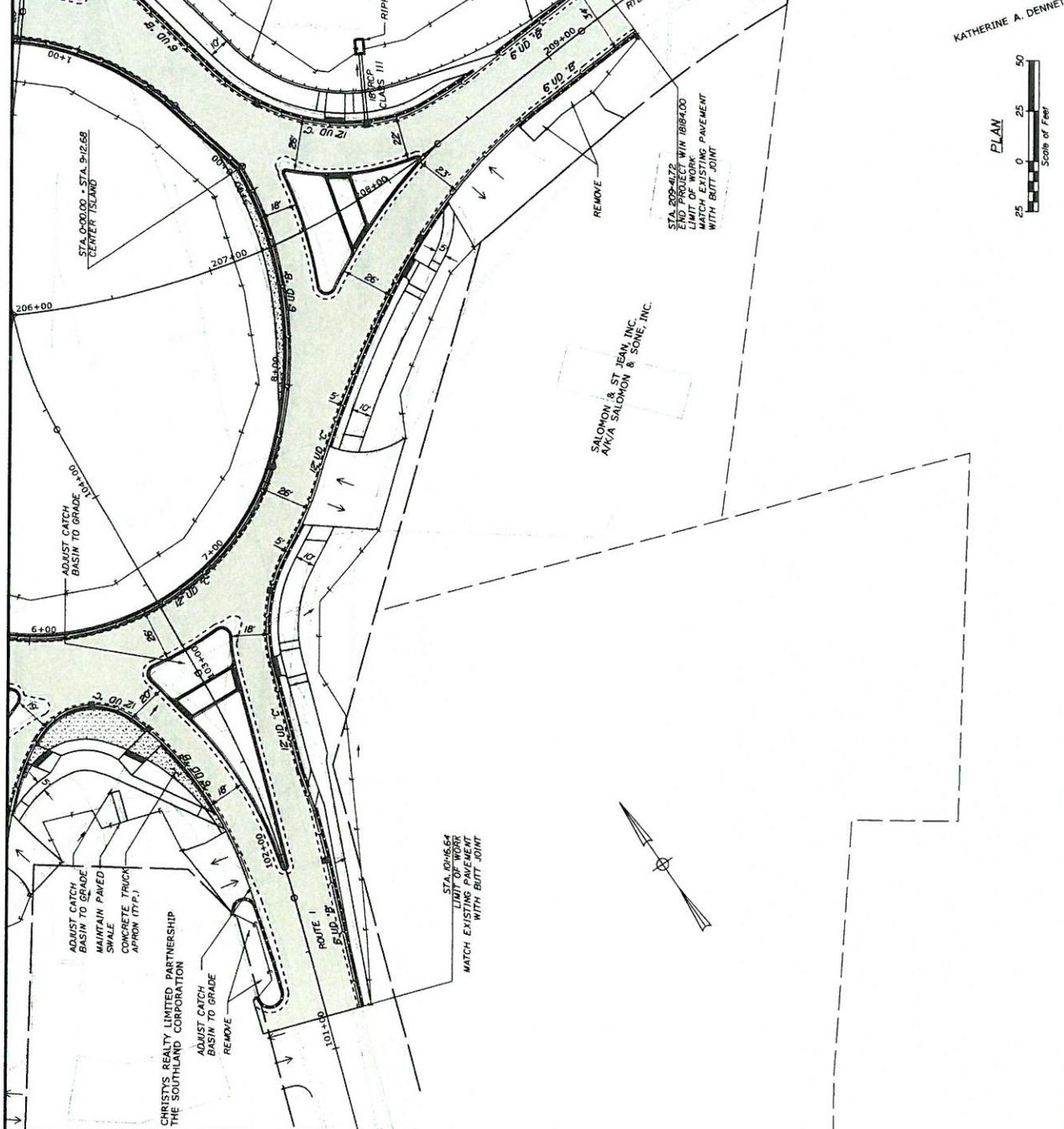
MEDIAN ISLAND DETAIL

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NOT TO SCALE

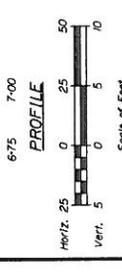
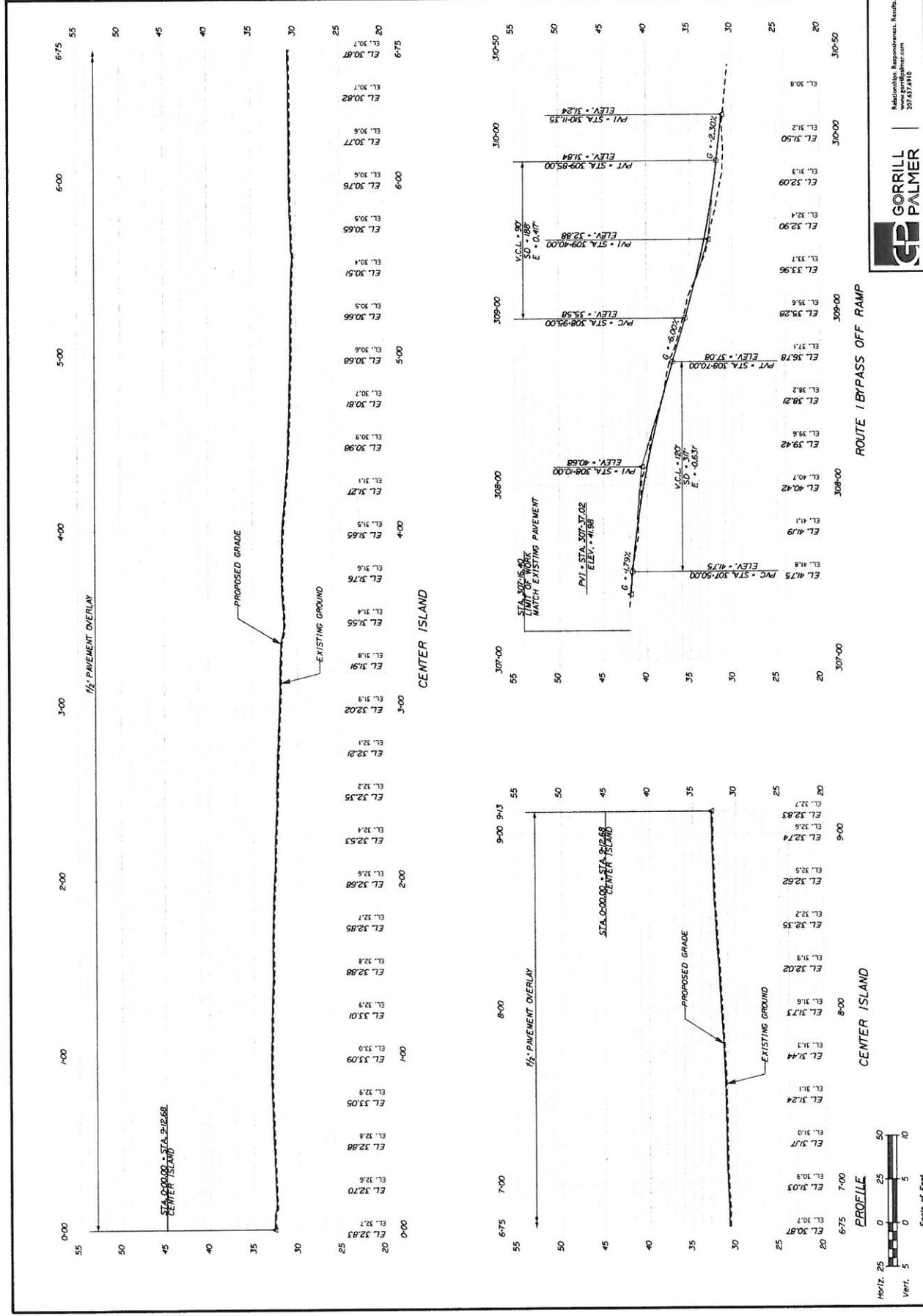
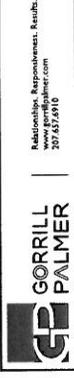
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50			REVISED

KITTERY
 MEMORIAL CIRCLE
 PLANS



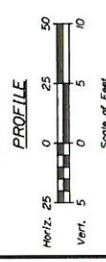
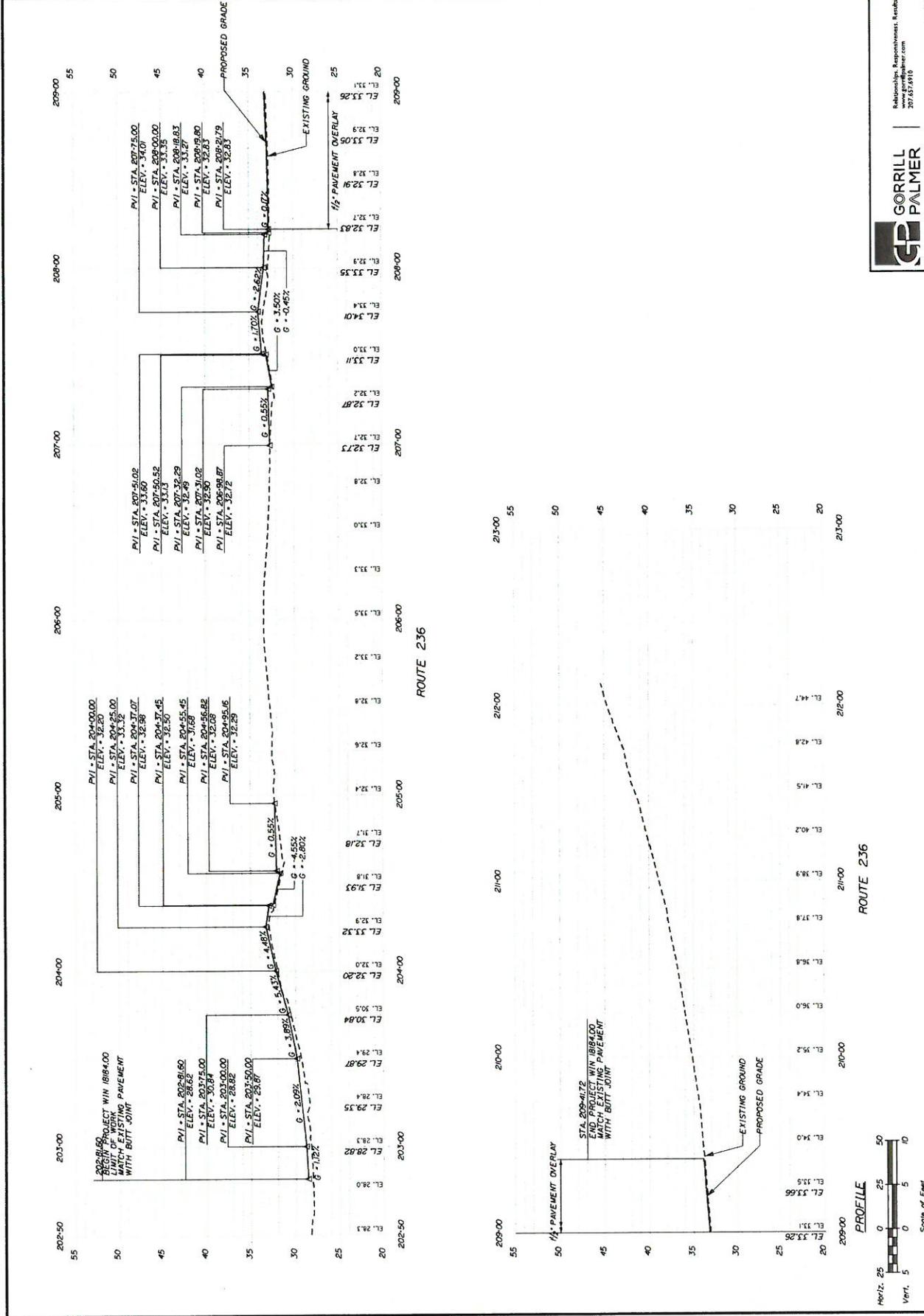
DATE	SIGNATURE	P. E. NUMBER	DATE

PROFILES
KITTEERY
MEMORIAL CIRCLE



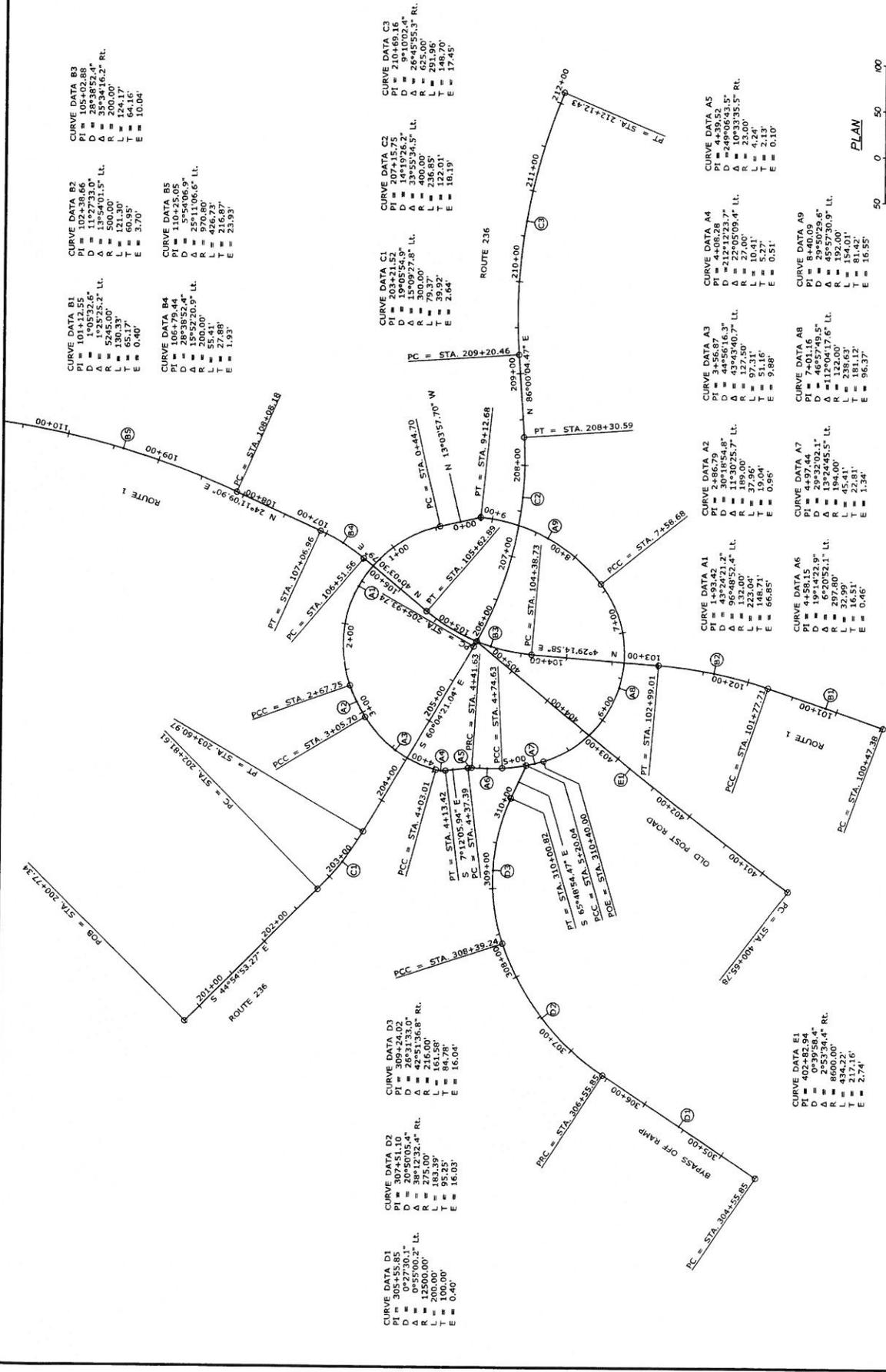
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SIGNATURE	

PROFILES
 MEMORIAL CIRCLE
 KITTERY



DATE	REVISIONS
	1
	2
	3
	4
	5
	6
	7
	8
	9
	10

GEOMETRIC PLAN
KITTEERY
MEMORIAL CIRCLE



CURVE DATA B3
PI = 105+02.88
D = 283.3852,4'
A = 13°54'01.5" Lt.
R = 200.00'
L = 124.17'
T = 64.16'
E = 10.04'

CURVE DATA B2
PI = 102+38.66
D = 133.31
A = 13°54'01.5" Lt.
R = 500.00'
L = 121.30'
T = 60.95'
E = 3.70'

CURVE DATA B1
PI = 101+12.55
D = 133.31
A = 13°54'01.5" Lt.
R = 5245.00'
L = 130.33'
T = 60.95'
E = 0.40'

CURVE DATA B5
PI = 107+55.65
D = 155.5406,9'
A = 25°11'06.6" Lt.
R = 970.80'
L = 146.87'
T = 216.87'
E = 23.93'

CURVE DATA B4
PI = 107+55.65
D = 283.3852,4'
A = 15°52'20.9" Lt.
R = 500.00'
L = 27.88'
T = 1.93'

CURVE DATA C3
PI = 91+002.4'
D = 26°45'55.3" Rt.
R = 625.00'
L = 148.20'
T = 17.45'

CURVE DATA C2
PI = 207+15.72
D = 14°19'26.7'
A = 33°55'34.5" Lt.
R = 200.00'
L = 230.00'
T = 122.01'
E = 18.19'

CURVE DATA C1
PI = 203+21.52
D = 19°05'54.9'
A = 15°09'27.8" Lt.
R = 200.00'
L = 79.37'
T = 39.92'
E = 2.64'

CURVE DATA A5
PI = 4+39.52
D = 10°33'35.5" Rt.
R = 23.00'
L = 4.24'
T = 0.10'

CURVE DATA A4
PI = 4+08.28
D = 22°05'09.4" Lt.
R = 27.00'
L = 10.41'
T = 0.51'

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PI = 4+08.28
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A = 23°43'40.7" Lt.
R = 127.50'
L = 5.71'
T = 9.88'

CURVE DATA A2
PI = 30°18'54.8"
D = 11°30'25.7" Lt.
R = 199.00'
L = 19.04'
T = 0.96'

CURVE DATA A1
PI = 43°24'21.2"
D = 96°48'52.4" Lt.
R = 132.00'
L = 148.71'
T = 66.88'

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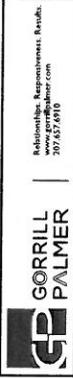
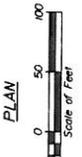
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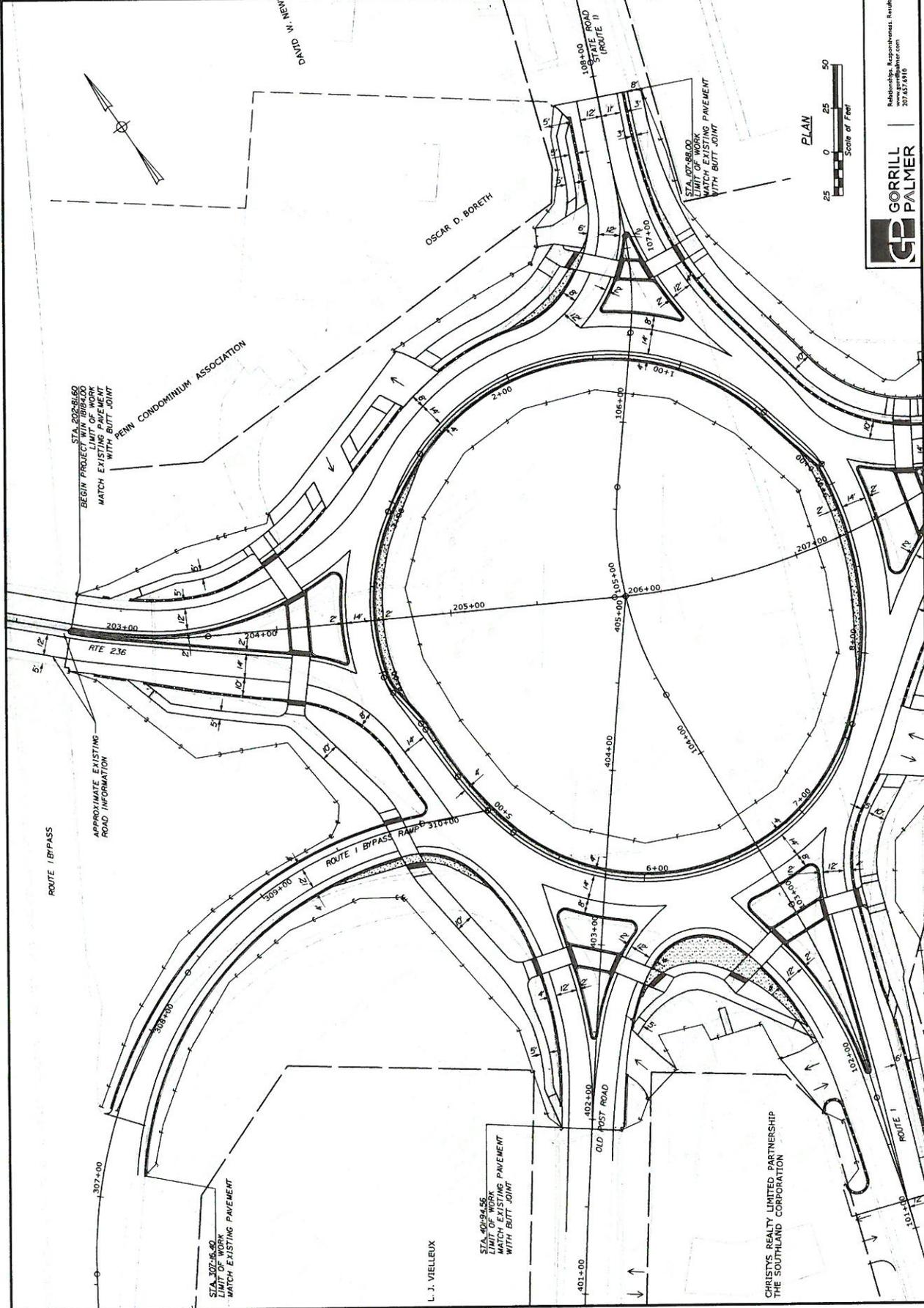
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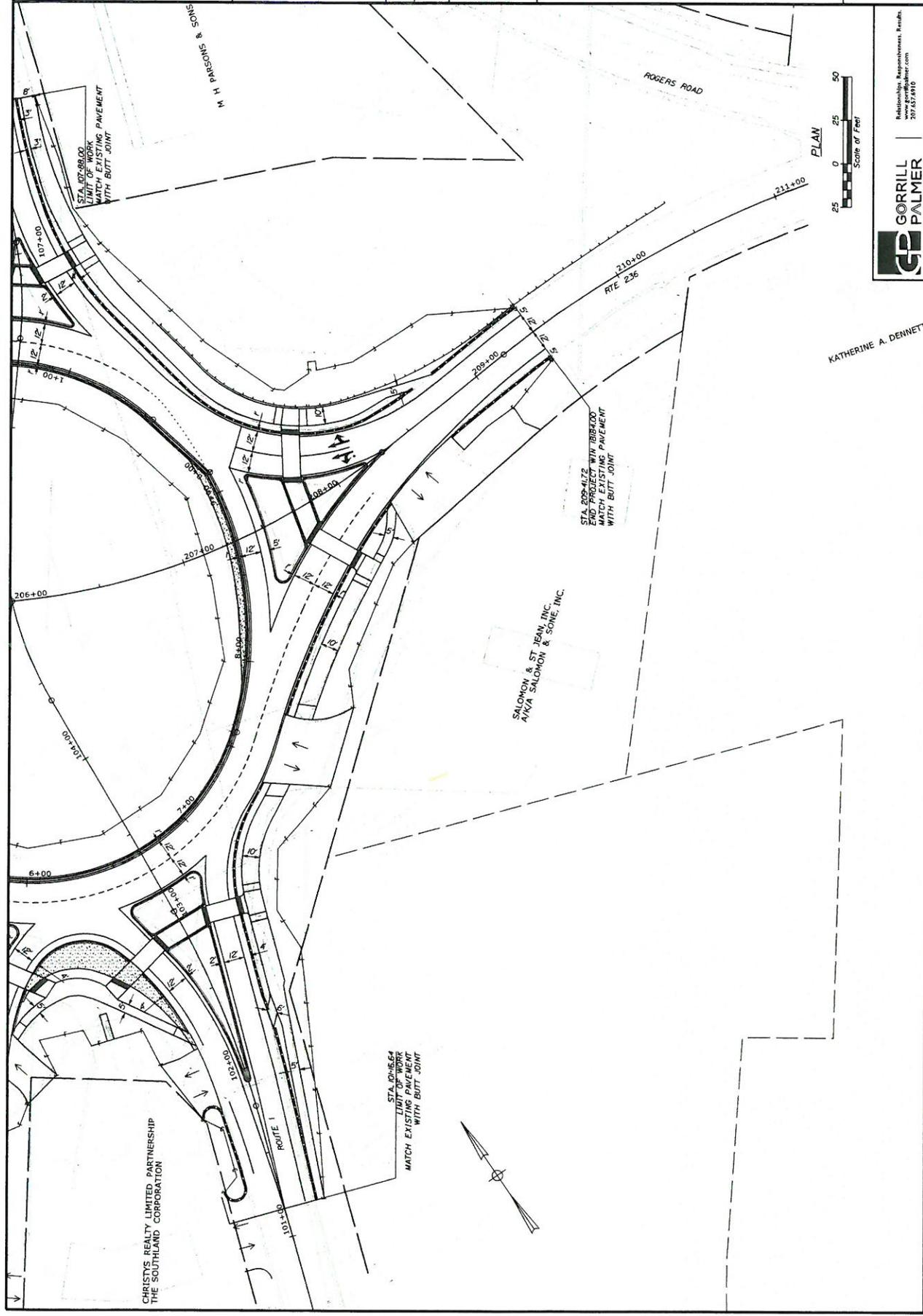
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D = 22°05'09.4" Lt.
R = 27.00'
L = 10.41'
T = 0.51'

CURVE DATA E1
PI = 402+82.94
D = 0°39'58.4"
R = 8600.00'
L = 434.22'
T = 217.16'
E = 2.74'





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KATHERINE A. DENNETT

**Town of Kittery Maine
 Town Planning Board Meeting
 October 22, 2015**

ITEM 2- 24 Williams Ave –Shoreland Development Plan

Action: approve or deny plan. Owners/applicants Doug and Karen Beane request consideration of their plan to construct a new deck with pergola, garage and breezeway to an existing single family dwelling within the required 100-foot setback, and front and side yard setbacks (Tax Map 9, Lot 16) in the Residential – Urban (R-RU), Shoreland Overlay (OZ-SL-250’), Zones. Agent is Ken Markley, Easterly Survey.

PROJECT TRACKING

REQ'D	DESCRIPTION	COMMENTS	STATUS
NO	Sketch Plan		NA
NO	Site Walk	At the Board’s discretion	
YES	Determination of Completeness		Scheduled for 11/12
NO	Public Hearing	At the Board’s discretion	
Yes	Final Plan Review and Decision		Feasible for 11/12

Plan Review Notes reflect comments and recommendations regarding applicability of Town Land Use Development Code, and standard planning and development practices. Only the PB makes final decisions on code compliance and approves, approves with conditions or denies final plans. Prior to the signing of the approved Plan any **Conditions of Approval related to the Findings of Fact along with waivers and variances (by the BOA) must be placed on the Final Plan and recorded at the York County Registry of Deeds. PLACE THE MAP AND LOT NUMBER IN ¼: HIGH LETTERS AT LOWER RIGHT BORDER OF ALL PLAN SHEETS. As per Section 16.4.4.13 – Grading/Construction Final Plan Required. – Grading or construction of roads, grading of land or lots, or construction of buildings is prohibited until the original copy of the approved final plan endorsed has been duly recorded in the York County registry of deeds when applicable.**

Background

Planning Board review of this project is required by 16.10.3.2 Other Development Review because it is located in the Shoreland Overlay Zone. The existing use is a nonconforming single-family dwelling on a nonconforming lot. The majority of the existing deck is located within the 100-foot setback from the HAT and a portion of the house is within the 100-foot setback from the HAT and the 15 foot side setback on the westerly side of the property. Both the easterly side setback and front setbacks are met. The lot does not meet minimum square footage for the R-U zone.

The proposal is to construct a 24’x24’ garage and a 125 square foot breezeway to attach the existing dwelling to the newly constructed garage. Both the breezeway and garage are outside the 100-foot, front and side yard setbacks.

Staff Review

The proposal is to replace the deck with a larger 336 square foot deck and construct a decorative pergola. After speaking to the MDEP, it was determined that the decorative pergola is considered part of the deck and not an extension of the principal structure. To determine the setback for the deck the applicant applied Title 16.3.2.17.D.2.B.

b. Accessory patios or decks no larger than five hundred (500) square feet in area must be set back at least seventy-five (75) feet from the normal high water line of any water bodies, tributary streams, the upland edge of a coastal wetland, or the upland edge of a freshwater wetland. Other patios and decks must satisfy the normal setback required for principal structures in the Shoreland Overlay Zone.

The proposed deck and pergola are outside the 75' setback and are therefore permissible.

Maximum devegetated area in the zone is 20%. The plan depicts the property's existing devegetated coverage is 2,260 square feet, 12.9% of the total property. The proposed development would create 627 square feet of new devegetated area. Total proposed devegetated coverage is 16.4% of the total property.

Maximum building coverage in the zone is 20%. The proposed development will increase the building coverage from 6.2% to 11.3%.

The proposal for the construction of the garage, breezeway and deck appear to meet the standards of Title 16. All structures exist outside of the required setbacks, do not increase the nonconformity of the dwelling and do not exceed devegetation or building coverage levels for the property.

Staff recommends the approval of this plan with minor changes to the plan

- Update plan to include the dimensions of existing structures & vegetation
- Update plan to identify existing and proposed building coverage square footage and property percentiles
- Identification, location and addresses for abutter residing across Williams Ave (M9 L7)

Recommendations

The proposed development appears to meet the requirements of Title 16, as described with the conditions included in draft findings of fact. After accepting the application the board should determine if a public hearing is wanted.

The Board should first accept the plan application.

Move to accept the Shoreland Development Plan application dated September 24, 2015 from Doug & Karen Beane for 24 Williams Avenue (Tax Map 9, Lot 16) in the Residential-Urban and Shoreland Overlay Zones...

The Board may move to approve with conditions (suggestions provided below) and proceed to reading and voting on the Findings of Fact.

Move to grant conditional approval for the Shoreland Development Plan application dated September 24, 2015 from Doug & Karen Beane for 24 Williams Avenue (Tax Map 9, Lot 16) in the Residential-Urban and Shoreland Overlay Zones...

Kittery Planning Board

**Findings of Fact
For 24 Williams Ave
Shoreland Development Plan Review**

WHEREAS: Doug & Karen Beane requested approval of their Shoreland Development Plan to construct a garage, breezeway and reconstruct a deck less than 500 square feet in size and located further than 75 feet from the HAT attached to an existing nonconforming dwelling located at 24 Williams Ave (Tax Map 9, Lot 16) in the Residential-Urban and Shoreland Overlay Zones, hereinafter the "Development" and

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

Shoreland Development Plan Review	10/22/2015
-----------------------------------	------------

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

1. Shoreland Development Plan Application, received September 24, 2015.
2. Site Plan, Easterly Surveying, Inc., September 17, 2015

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

FINDINGS OF FACT

Chapter 16.3 LAND USE ZONE REGULATIONS

16.3.2.17.D Shoreland Overlay Zone
<i>1.d The total footprints of the areas devegetated for structures, parking lots and other impervious surfaces, must not exceed twenty (20) percent of the lot area, including existing development, except in the following zones...</i>
<u>Findings:</u> The proposed development's devegetated area does not exceed twenty (20) percent of the lot area.
<u>Conclusion:</u> The requirement appears to be met.
Vote: <u> </u> in favor <u> </u> against <u> </u> abstaining

**Chapter 16.7 GENERAL DEVELOPMENT REQUIREMENTS
Article III Nonconformance**

16.7.3.1 Prohibitions and Allowances
<i>A. Except as otherwise provided in this Article, a nonconforming conditions must not be permitted to become more nonconforming</i>

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 conforming 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.

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 garage and breezeway are located outside the required setbacks. The proposed deck and pergola is less than 500 square feet an area and allowed between the 100-foot and 75 foot setback from the HAT. The deck, however, is located within the side yard, though less than the existing 4.3 foot en--croachment of the building.

The proposed development does not increase nonconformity.

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 nonconforming structure is not expanding within the 100-foot setback from the HAT. 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.

Conclusion: This requirement appears to be met

Vote: in favor against abstaining

<p><i>3. Adequately provide for the disposal of all wastewater;</i></p> <p><u>Finding:</u> The development is connected to two sewer.</p> <p><u>Conclusion:</u> This requirement appears to be met.</p>
<p>Vote: <u> </u> in favor <u> </u> against <u> </u> abstaining</p>
<p><i>4. Not have an adverse impact on spawning grounds, fish, aquatic life, bird or other wildlife habitat;</i></p> <p><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.</p> <p><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>
<p>Vote: <u> </u> in favor <u> </u> against <u> </u> abstaining</p>
<p><i>5. Conserve shore cover and visual, as well as actual points of access to inland and coastal waters;</i></p> <p><u>Finding:</u> Shore cover is not adversely impacted</p> <p><u>Conclusion:</u> This requirement appears to be met.</p>
<p>Vote: <u> </u> in favor <u> </u> against <u> </u> abstaining</p>
<p><i>6. Protect archaeological and historic resources;</i></p> <p><u>Finding:</u> There does not appears to be any resources impacted.</p> <p><u>Conclusion:</u> This requirement appears to be met.</p>
<p>Vote: <u> </u> in favor <u> </u> against <u> </u> abstaining</p>
<p><i>7. Not adversely affect existing commercial fishing or maritime activities in a commercial fisheries/maritime activities district;</i></p> <p><u>Finding:</u> The proposed development does not appear to have an adverse impact.</p> <p><u>Conclusion:</u> This requirement appears to be met.</p>
<p>Vote: <u> </u> in favor <u> </u> against <u> </u> abstaining</p>
<p><i>8. Avoid problems associated with floodplain development and use;</i></p> <p><u>Finding:</u> the proposed development is not within the floodplain</p> <p><u>Conclusion:</u> This requirement appears to be met.</p>

Vote: <u> </u> in favor <u> </u> against <u> </u> abstaining
<u>9. Is in conformance with the provisions of this code;</u>
<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.
Vote: <u> </u> in favor <u> </u> against <u> </u> abstaining
<u>10. Be recorded with the York county Registry of Deeds.</u>
<u>Finding:</u> A plan suitable for recording has been prepared.
<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.
Vote: <u> </u> in favor <u> </u> against <u> </u> abstaining

Based on the foregoing Findings, the Planning Board finds the applicant has satisfied each of the review standards for approval and, therefore, the Planning Board approves the Shoreland Development Plan Application of Doug & Karen Beane, owner and applicant, to construct a garage and breezeway; and a 336 square foot accessory structure deck to an existing, non-conforming single family dwelling located at 24 Williams Ave (Tax Map 9, Lot 16) in the Residential-Urban (R-U) and Shoreland Overlay (OZ-SL-250') zones and subject to any conditions or waivers, as follows:

Waivers: None

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

1. No changes, erasures, modifications or revisions may be made to any Planning Board approved final plan. (Title 16.10.9.1.2)
2. Applicant/contractor will follow Maine DEP *Best Management Practices* for all work associated with site and building construction to ensure adequate erosion control and slope stabilization.
3. 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. No trees are to be removed without prior approval by the Code Enforcement Officer or the Shoreland Resource Officer.
5. All Notices to Applicant contained herein (Findings of Fact dated 8/20/15).

Conditions of Approval (not to be depicted on final plan):

6. Incorporate any plan revisions on the final plan as recommended by Staff, Planning Board or Peer Review Engineer, and submit for Staff review prior to presentation on final Mylar.

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 October 22, 2015

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.

RECEIVED
SEP 9 2014

BY: _____



TOWN OF KITTERY MAINE
TOWN PLANNING AND DEVELOPMENT DEPARTMENT

200 Rogers Road, Kittery, Maine 03904

Phone: (207) 475-1307

Fax: (207) 439-6806

www.kittery.org

APPLICATION: SHORELAND OVERLAY ZONE
PROJECT PLAN REVIEW

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

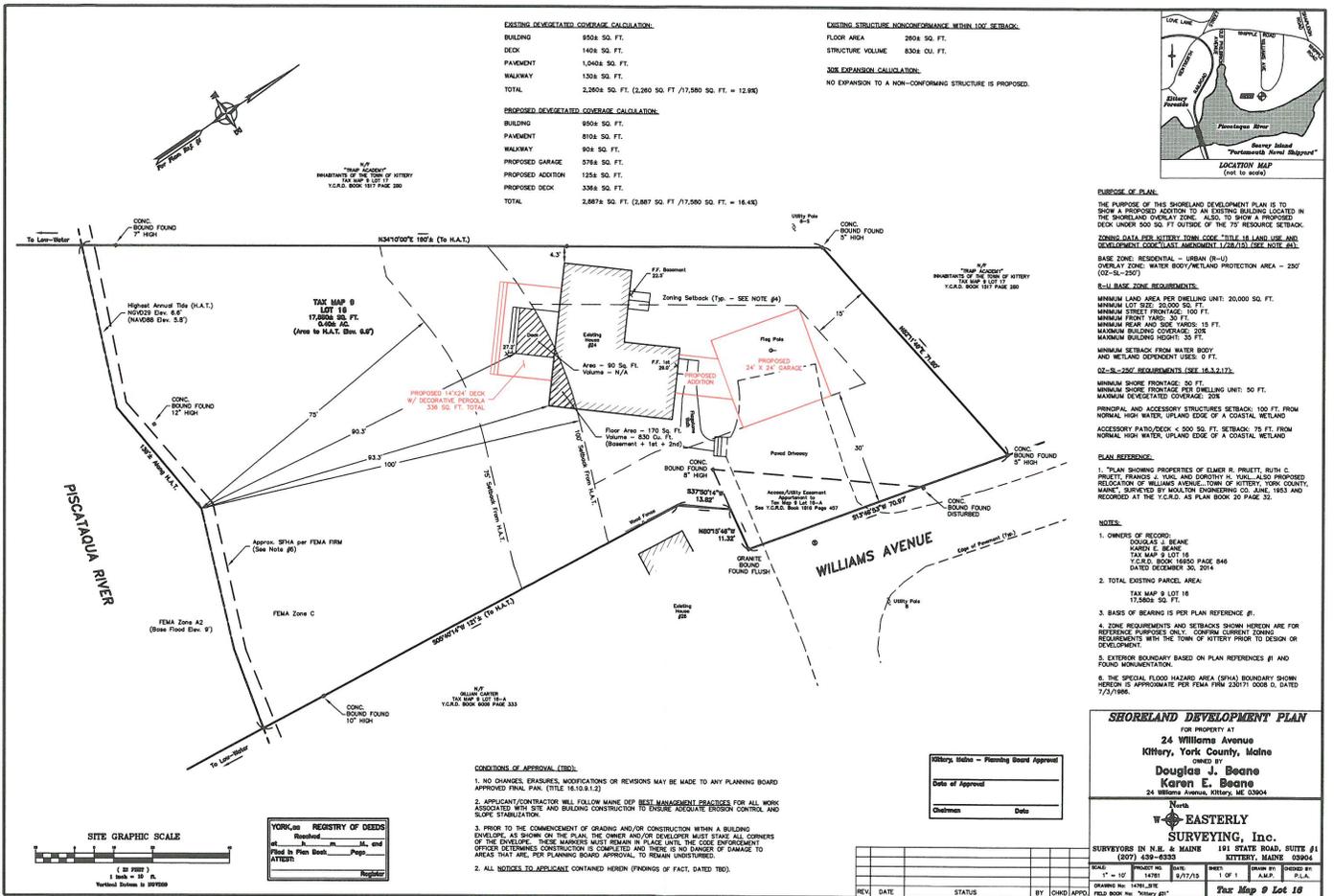
PROPERTY DESCRIPTION	Parcel ID	Map	9	Base Zone	R-U	Total Land Area	17,580± S.F.
		Lot	16	Overlay Zone	OZ-SL-250'		
	Physical Address	24 WILLIAMS AVENUE, KITTERY, ME 03904					

PROPERTY OWNER'S INFORMATION	Name	DOUG & KAREN BEANE		Mailing Address	24 WILLIAMS AVENUE	
	Phone	603-937-0069			KITTERY, ME 03904	
	Fax					
	Email	DOUGB@BLUEWATERCONSTRUCTION-NH.COM				

APPLICANT'S AGENT INFORMATION	Name		Name of Business	
	Phone		Mailing Address	
	Fax			
	Email			

See reverse side regarding information to be provided.

PROJECT DESCRIPTION	Existing Land Use:	SINGLE FAMILY RESIDENTIAL
	Proposed Land Use and Development:	SINGLE FAMILY RESIDENTIAL. PROPOSE 24' X 24' GARAGE AND ADDITION. PROPOSE 336 SQ. FT. DECK W/ DECORATIVE PERGOLA.



YORK COUNTY REGISTRY OF DEEDS

Reviewed	_____
Filed in Plan Book	_____
ATTEST	_____

- CONDITIONS OF APPROVAL (C.A.O.):**
- NO CHANGES, EXEMPTIONS, MODIFICATIONS OR REVISIONS MAY BE MADE TO ANY PLANNING BOARD APPROVED FINAL PLAN (CITE: 18.03.8.1.2)
 - APPLICANT/CONTRACTOR WILL FOLLOW MAINE DEP BEST MANAGEMENT PRACTICES FOR ALL WORK ASSOCIATED WITH SITE AND BUILDING CONSTRUCTION TO ENSURE ADEQUATE EROSION CONTROL AND SOIL STABILIZATION.
 - PRIOR TO THE COMMENCEMENT OF GRADING AND/OR CONSTRUCTION WITHIN A BUILDING DEVELOPE, AS SHOWN ON THE PLAN, THE OWNER AND/OR DEVELOPER MUST STAKE ALL CORNERS OF THE DEVELOPE. THESE MARKERS MUST REMAIN IN PLACE UNTIL THE CODE ENFORCEMENT OFFICER DETERMINES CONSTRUCTION IS COMPLETE AND THERE IS NO DANGER OF DAMAGE TO THEM THAT WOULD AFFECT PLANNING BOARD APPROVAL.
 - ALL NOTES TO APPLICANT CONTAINED HEREIN (DRAWINGS OF FACT DATED 180).

Kitterby Selects - Planning Board Approval

Date of Approval _____

Chairman _____ Date _____

REV.	DATE	STATUS	BY	CHKD	APPROV.





October 1, 2015

Chris DiMatteo
Town Planner
Town of Kittery
Town Hall, 200 Rogers Road
Kittery, ME 03904

Dear Mr. DiMatteo:

On December 10, 2014 and January 7, 2015, STARR, the mapping contractor for the Federal Emergency Management Agency (FEMA), discussed the model-backed Zone A development and redelineation of inland riverine flooding sources via webinars. The results of these analysis were provided on August 12 and 13, 2015 during 30-minute community specific Flood Risk Review meetings wherein a set of work maps was provided to the community for review and comment. These work maps are the basis for the Preliminary Flood Insurance Rate Map (FIRM) for your community. Revised FIRMs are expected to be delivered to your community in late winter/early spring of 2016, with the goal of having an Appeal Period in summer 2016 and issue Letters of Final Determination in January 2017, making the maps effective in July 2017.

We are sending your community 2 copies of a DVD that contain work maps so you can review them and provide us your feedback within 60 days with regard to the flood risk information shown on the maps as well as other information (i.e., road names, bridges, etc.) shown on the maps. FEMA values your input with regard to these maps. Please contact me, Brian Caufield, STARR Project Manager, by e-mail at CaufieldBA@cdmsmith.com or by phone at (617) 452-6658, if you have any questions regarding these work maps. Sue Baker, the Maine State NFIP Coordinator, is also available to answer questions about the maps.

Sincerely,

Brian Caufield, P.E., CFM
Project Manager
STARR

Enclosures:

Work Maps DVD (2 copies)

cc: Jeffrey D. Thomson, Chairperson, Town Council, Town of Kittery (w/o enclosure)
Robert Marchi, Code Enforcement Officer, Town of Kittery (w/o enclosure)
Earldean Wells, Chairperson, Conservation Commission, Town of Kittery (w/o enclosure)
Ann Grinnell, Chairperson, Planning Board, Town of Kittery (w/o enclosure)
Brett Costa, Chairperson, Board of Appeals, Town of Kittery (w/o enclosure)
Norman Albert, Commissioner of Public Works, Town of Kittery (w/o enclosure)
Sgt. Gary P. Eaton, Director, Emergency Preparedness, Town of Kittery (w/o enclosure)
Nancy Colbert Puff, Town Manager, Town of Kittery (w/o enclosure)
Maryann Place, Town Clerk, Town of Kittery (w/o enclosure)
Kerry Bogdan, Senior Engineer, FEMA Region I (w/o enclosure)
Sue Baker, CFM, Conservation and Forestry, Floodplain Management Program (w/o enclosure)
Alex Sirotek, Regional Service Center, Region I (w/o enclosure)

STATE OF MAINE

SUPERIOR COURT
YORK _____, ss.
Docket No. AP-2015-26

DISTRICT COURT
Location _____
Docket No. BY: _____

RECEIVED
OCT 6 2015

RICHARD M. BALANO

NOTICE AND BRIEFING SCHEDULE

v.
TOWN OF KITTEERY, PLANNING BOARD

- 80B Appeal of Governmental Actions
- 80C Appeal of Final Agency Actions
- 76G Appeal of District Court Civil Action

An appeal has been filed. Pursuant to the Maine Rules of Civil Procedure, the briefing schedule for the appeal in this Court is as follows:

80B Appeal of Governmental Actions

The plaintiff's brief is due 40 days after SEPTEMBER 21, 2015, which is the date on which the complaint was filed in this Court. Unless otherwise required by statute, it is the plaintiff's responsibility to submit the record of the proceedings on or before the date that the plaintiff's brief is filed.

The defendant's brief is due 30 days after service of the brief by the plaintiff.

The plaintiff has 14 days after service of the brief by defendant to file a reply brief.

80C Appeal of Final Agency Actions

The petitioner's brief is due 40 days after _____, which is the date on which the state agency record was filed in this Court.

The respondent's brief is due 30 days after service of the brief by the petitioner.

The petitioner has 14 days after service of the brief by respondent to file a reply brief.

76G Appeal of District Court Civil Action

The appellant's brief is due 40 days after _____, which is the date on which the District Court Record was filed in this Court.

The appellee's brief is due 30 days after service of the brief by the appellant.

The appellant shall have 14 days after service of the brief by appellee to file a reply brief.

A timely motion under the Maine Rules of Civil Procedure may suspend running of these time limits.

FAILURE OF PETITIONER/PLAINTIFF/APPELLANT TO COMPLY WITH THESE REQUIREMENTS WILL RESULT IN DISMISSAL OF THIS APPEAL.

Failure of respondent/defendant/appellee to comply with these requirements may forfeit the right to be heard at oral argument.

Unless the court otherwise directs, all appeals will be in order for oral argument 20 days after the date on which the responding party's brief is due or is filed, whichever is earlier. The parties may, by agreement, waive hearing and submit the matter for decision on the record and the briefs. The clerk of court will schedule oral argument for the first appropriate date after the appeal is in order for hearing.

Date: OCTOBER 5, 2015

Tamara M. Rueda
Clerk

2012-2015
PLANNING BOARD ACTION ITEMS

ITEM #	DATE	BY	ITEM	PRIORITY	ACTION TAKEN	COMPLETE
1	8/9/2012		16.10.9.2 REDEFINE FIELD CHANGES; Major/Minor (for May 2015 TC workshop)	2	Staff to draft language for review	
2	10/13/2012	TE	DPW PROJECTS COME BEFORE PB; NEED UPDATED LIST	2	CDM to discuss with DPW, report to PB	
3	2/14/2013	DD	DEFINE COMMERCIAL RECREATION (for May 2015 TC workshop)	2	CDM to propose / December 2014; re-draft for 1/22/15 discussion; Re-send 12/18 pkt to PB for HOMEWORK; Board discussed reducing to priority 2; staff is reviewing all permitted uses/definitions, creating table of uses	
5	4/25/2013		WORKSHOP: Cluster Ordinance needs work USABLE OPEN SPACE RETAIN ROAD FRONTAGE (Buffers) TRAFFIC STUDIES	1	Workshop held May 28; follow-up discussion 6/25...	
6	4/26/2013		ROADS / SIDEWALKS TO NOWHERE (ROW plans)/Shared Driveways/ROW Standards/Emergency access roads	1		
7	8/22/2013	Staff	Site dev pre-meeting; CMA construction inspection; Ref: 16.4.4.1.A (for May 2015 TC workshop)	1	Discussed December, 2014; staff drafted language for review, reviewed 3/12/15. Public Hearing and recommendation to Council 3/26/15	Pending
8	10/24/2013	Staff	HAT - Highest Annual Tide: no Elevation 6 (for May 2015 TC workshop)	1	January, 2015	
9	10/24/2013		16.7.8 Soil Suitability Guide: discontinue; replace with Net Residential Acreage calculations	Done	16.7.8 Land Not Suitable for Development: 10/23/14 PB Review/Recommend to Council for 1/10/14 approval; 5/4/15 TC workshop; recommendation needed 6/25/15	Pending
10	11/14/2013		Fines	3	CDM to discuss with TM	
11	11/14/2013	Staff	16.7.3.5.6 Structure replacement <u>outside</u> of shoreland zone (missing from code)	1	Board recommended to Council on 5/28, will be before TC this summer	Pending
12	11/14/2013		Review flood hazard ordinance; 16.5.3.4; (esp. No alteration of the natural contour of the land by grading or filling for any purpose is permitted in an area subject to periodic flooding.)	3	Coordinate w CMA; draft language, if needed	
13	12/12/2013		Comp Plan Items Pedestrian / Bike paths / Bike Racks	CPC*	CDM will provide existing bike path plan; disc. 12/18; req: input from T. Emerson 1/22/15; input to CPC when appropriate	
	3/28/2013		CONTINUE WORKSHOP WITH KCPC, KOSC REGARDING 1 - 3 ACRE RR; and future land use regulation; restrict # building permits issued per year	-	May 15, 2013 Workshop; December 3, 2013 workshop, w Soil Suitability; PB input to CPC* when appropriate	

*CPC = Comp Plan Committee

Revised at mtg. July 23, 2015

2012-2015
PLANNING BOARD ACTION ITEMS

ITEM #	DATE	BY	ITEM	PRIORITY	ACTION TAKEN	COMPLETE
14	1/23/2014		Outdoor Seating/Use of Public Way; extend to other zones	Done	PB review: 10/23/14; rev. language 12/18/14; 1/22/15 discussion; <u>Foreside only</u> : CDM to work w/ NCP/TC to add to Title 5 permanently; ordained by TC 4/27	Done
15	2/27/2014		Approved Plan Expiration; Requests for Extension; Expiration of Wetland Alteration Permit	Done	Reviewed 3/27/14; PB approval 6/26/14; to Council 11/10/14; Effective 2/28/15	Done
16	2/27/2014	AG	List of Committees/Boards to monitor	Done	CDM to place in 2/26 packets	Done
17	2/27/2014		Flag Lots (16.8.-16.9)	Done		Pending
18	3/13/2014		Septic pretreatment requirement as bonus (See also: VIII.3.i.ii 2015 Code Amendments: Briefing Book, #38)	Done		Pending
19	3/27/2014	DD	Kittery Historic Resources; historic designation identification	3		
20	5/8/2014	Staff	Sign ordinance changes: Message boards/internal & external lights & timers Window/A-frame & portable signs/banners Sign character/appearance/administration & enforcement	2	Workshop: 7/14/14; Int'l Sign Assoc. 10/23/14 16.8.10.2.C approved by TC, effective 2/28/15	Done
21	5/22/2014	DD	Parking credits	1	Staff review: PB to discuss/recommend amendment if needed; PB to analyze results of Foreside Forum/site walk scheduled for 10/22	
22	1/22/2015		<u>Shoreland Zone</u> : Invasive plants; shoreland invasive plant removal Excavation Structure replacement; time periods Shoreland definition	3	CDM to research Code for use of term;	
23	1/8/2015		Foreside Review Committee (16.3.2.15.F)	1	Discussed 1/22; Board to discussed results of Foreside Forums 4/23; idea is to hire out design review until Foreside study is complete	
STAFF						
24	2/28/2013		UPDATE DESIGN STANDARDS FOR LED LIGHTING:	Staff		

2012-2015
PLANNING BOARD ACTION ITEMS

25	10/13/2012	BUSINESS OVERLAY ZONES: WHERE AND WHAT CHANGES; 16.3.2.20 Proposed Quality Improvement Overlay; form based code vs. individual ordinances	Staff/CPC	Workshop; Sustain So ME; set up January 2014 workshop; Further discussion; PB input to CPC when appropriate
26	10/24/13 Amendment	DPW Road Cuts: Title 12 amendment; approved by PB 10/24/13; to Council 11/25/13	Staff	Revise per Council Action / Re-visit: January 2015; 1/15: Shared notification w/ DPW & Planning per CDM
27	10/24/2013	Definition: Substantially complete re: development vs. building permits (for May 2015 TC workshop)	Staff	Staff draft definition differentiating from bldg permits as appropriate
28	8/27/2015	Wetland Protection: Review how man-made wetlands are and should be regulated.	Staff	Staff prepare information and possible draft amendment for Board's review at future meeting.
COMPLETED ITEMS				
Complete	LEGAL NOTICES IN PACKET OR EMAILED TO PB MEMBERS (email to PB @ same time sent to publication)			Complete
4/25/2013	UNBUNDLE ZONING AMENDMENTS			Complete / Ongoing
Complete	BUILDING PERMIT LIST IN PACKETS			Complete / Ongoing
3/25/2013	Amendment: 16.8.24.2 F (LED lights); amended 12/14 (allowing LED lighting)			Ordained: 3/25/2013; ordained 12/14
3/25/2013	DISCUSS PUBLIC NOTICES; ABUTTER'S LIST EARLY, INCLUDE M/L AND PHYSICAL ADDRESS; Sales (assessor) close April 1; system update in Fall			Complete
4/25/2013	Amendment: Speciality Food & Beverage			ordained 6/10/2013
1/24/2014	Foreside workshop with Council			
1/24/2014	REVIEW REPORT TO COUNCIL (RTC) FORMAT			1/24/2013
4/25/2013	PB Workshop Update: training; education; conflict of interest; attendance/voting;			Retreat: January 10, 2014; MMA workshop 3/25/14
4/25/2013	Title 16.11 Marine Development			Ordained: 1/27/2014
2/14/2013	Outdoor Seating/use of public ROW extension period/Title 5 (Seasonal only; extend sunset date)			To Council 6/9/14
	Proposed Ordinance Changes on line			Packets posted online
4/24/2013	ABUTTER'S LIST TO PB EARLY ON, BEFORE PUBLIC HEARING (at sketch plan)			
	Waivers;			January 2014
	Post Building Permits on Web Site			Provided in Board packets
11/14/2013	ByLaw Changes			Adopted 1/22/15

2012-2015
PLANNING BOARD ACTION ITEMS

2/28/2015	Approved Plan Expiration; Requests for Extension; Expiration of Wetland Alteration Permit	Effective 2/28/15
Complete	Outdoor Seating/Use of Public Way; extend to other zones	Effective 5/28/15

SEPT 2015 BUILDING PERMIT REPORT

# of Building Permits Issued	47
Value of Building Permits	\$ 1,770,183.00
Permit Fees Collected	\$ 23,005.28
Impact Fees Paid	\$ 4,250.00
Residential Fees Collected	\$ 19,765.28
Commercial Fees Collected	\$ 3,240.00

Date Issued	Permit #	Property Owner	Address	Map Lot	C/R	Work	Description	Value	Fee	Impact Fee
9/1/2015	15-262	Robert & Shealagh Gray	14 Manson Ave	37 4	R	New	Install a 24'x34' garage	\$ 68,000.00	\$ 841.00	-
9/1/2015	15-263	Camie & Bob Wiles	2 Sterling Road	14 112	R	Renov	Replace plumbing fixtures and window in bathroom; install new light fixtures and door framing in kitchen	\$ 15,000.00	\$ 145.00	-
9/1/2015	15-264	Gerry & Michelle Richard	117 Martin Road	20 09	R	New	Install insulation	\$ 2,176.00	\$ 25.00	-
9/1/2015	15-265	Tom Hilschman & Clare Rogers	188 Brave Boat Harbor Road	69 14D	R	Renov	Remove and replace roofing; install 3 skylights	\$ 3,800.00	\$ 25.00	-
9/1/2015	15-266	Kevin Fickenscher & Suzanne Olbricht	34 Goose Point Rd	34 02B	R	Renov	Renovations to kitchen, 3 bathrooms, windows and doors; Remove and replace porch; install elevator in garage	\$ 385,000.00	\$ 5,900.00	\$ 1,375.00
9/1/2015	15-267	Tyrus Wivell	23 Woodlawn Ave	16 05	R	Repair	Repair siding, replace window	\$ 3,500.00	\$ 25.00	-
9/2/2015	15-268	John Maher	53 State Road	3 148	C	Renov	Revise seating per plans	\$ 10,000.00	\$ 145.00	-
9/2/2015	15-269	Island Marine Service	32 Route 236	29 44	C	New	Extend roof 40' per plans	\$ 92,000.00	\$ 1,480.00	-
9/2/2015	15-270	Rite Chute	22 Woodlawn Avenue	10 56	R	New	Construct 16' x 20' garage	\$ 9,025.00	\$ 133.00	-
9/3/2015	15-271	Bruce Pilant	9 Barters Creek	35 3-5	R	New	Construct 10' x 12' shed	\$ 1,500.00	\$ 43.00	-
9/9/2015	15-272	Shawn Turner	9-11 Rice Avenue	3 28A	R	New	Install 26 solar panels on roof	\$ 20,975.00	\$ 276.70	-
9/9/2015	15-273	Laurence Solomon	174 State Road	14 58	C	Renov	Exterior renovations per plans submitted and install chimney	\$ 80,000.00	\$ 1,300.00	-
9/10/2015	15-274	Patricia Retaliata	52 Crockett Neck Rd	26 41	R	New	Cover existing 10'x13'6" deck and stairs with new decking and stairs	\$ 6,000.00	\$ 97.00	-

Date Issued	Permit #	Property Owner	Address	Map Lot	C/R	Work	Description	Value	Fee	Impact Fee
9/14/2015	15-275	Joann Kern	7 Gerrish Island Lane	45 45	R	Repair	Repair & maintain deck-replace deck surface & rails & replace 2 clapboards	\$ 4,500.00	\$ 25.00	-
9/14/2015	15-276	Lester & Priscilla Cobb	10 Lyndon Way	9 68	R	Repl	Replace windows	\$ 10,400.00	\$ 28.00	-
9/14/2015	15-277	Scott Osgood/Blind Pig Provisions	2 Badgers Island West	1 44	C	New	Designate 20' x 25' area for outdoor seating	\$ 300.00	\$ 100.00	-
9/14/2015	15-278	Marjorie Johndrow	38 Wilson Road	37 6	R	New	Construct 8' x 8' shed	\$ 1,300.00	\$ 40.00	-
9/15/2015	15-279	Mark Cassinelli	1 Jewett Lane	29 13	R	New	Construct 12' x 20' garage with 8' x 20' shed attached	\$ 10,000.00	\$ 145.00	-
9/15/2015	15-280	Gail Clough	8 Trafton Lane	39 14	R	Repl	Replace roof shingles	\$ 6,000.00	\$ 25.00	-
9/15/2015	15-281	Brian Leader	36 Whipple Road	9 15-1-3	R	Repl	Replace roof shingles	\$ 9,300.00	\$ 25.00	-
9/15/2015	15-282	Matt Harris	28 Newson Avenue	16 213	R	Repl	Replace existing deck & expand by 6", install new foundation drain	\$ 15,000.00	\$ 85.00	-
9/15/2015	15-283	Patricia Reiser	8 Jones Avenue	4 114	R	Repair	Repair existing wiring & electrical	\$ 10,000.00	\$ 25.00	-
9/15/2015	15-284	Philip Yanco	18 Idlewood Lane	66 22	R	New	Construct 12' x 14' shed	\$ 2,500.00	\$ 55.00	-
9/15/2015	15-285	George Banakos	80 Norton Road	62 9-2	R	New	Construct 24' x 28' garage	\$ 51,990.00	\$ 648.88	-
9/15/2015	15-286	Edwin & Ellen Bowen	25 Payne Road	68 15	R	Repl	Replace roof on garage & barn	\$ 17,992.00	\$ 120.90	-
9/15/2015	15-287	Shirley Riley	24 Remicks Lane	65 35	R	New	Install generator	\$ 1,000.00	\$ 37.00	-
9/15/2015	15-288	Liz Pitzer	3 Melanies Court	54 2-3	R	Repl	Replace roof shingles	\$ 7,500.00	\$ 25.00	-
9/15/2015	15-289	Mary Zimmerman	122 Haley Road	48 1-A	R	Repl	Replace roof shingles	\$ 7,130.00	\$ 25.00	-
9/15/2015	15-290	Peter Whitman	70 Chauncey Creek Road	45 70	R	New	Install gas piping & boiler	\$ 1,500.00	\$ 43.00	-
9/16/2015	15-291	Robert & Susana LeClair	32 Haley Road	47 18-4-2	R	New	Install pool	\$ 24,000.00	\$ 313.00	-
9/21/2015	15-292	Tom Bickford	77 Chauncey Creek Rd	45 61	R	Repl	Replace existing oil burner with new propane boiler	\$ 9,235.00	\$ 25.00	-
9/21/2015	15-293	Michael Perry	3 Boush Street	15 58	R	Repl	Replace roof shingles with metal roof	\$ 5,000.00	\$ 25.00	-
9/21/2015	15-294	Terry Sharp	101 Bartlett Road	68 12	R	Repl	Replace roof shingles	\$ 2,500.00	\$ 25.00	-
9/22/2015	15-295	Christopher Baudo	23 Whippoorwill Lane	33 2	R	New	Construct 2 story addition - shell only	\$ 60,000.00	\$ 745.00	-
9/22/2015	15-296	Doug Deane	24 Williams Ave	9 16	R	New	Electrical service increase 100-200amp	\$ 960.00	\$ 37.00	-
9/22/2015	15-297	Nancy Adams & John Borgess	8 Wheelhouse Way	71 01-19	R	New	Install 10KW standby generator	\$ 1,200.00	\$ 39.40	-

Date Issued	Permit #	Property Owner	Address	Map	Lot	C/R	Work	Description	Value	Fee	Impact Fee
9/22/2015	15-298	Dennis Estes	5 Goodwin Road	53	17	R	New	Install 10KW standby generator	\$ 1,200.00	\$ 39.40	-
9/24/2015	15-299	Betsy Backman	8 Rice Avenue	3	33	R	Repl	Replace "in kind" 18' x 20' garage	\$ 25,000.00	\$ 325.00	-
9/24/2015	15-300	Oscar Boreth	181 State Road	22	4	R	Refit	Commercial refit for BBQ Barn	\$ -	\$ 100.00	-
9/24/2015	15-301	Thomasine Piche	7 Shapleigh Road	9	143	C	Refit	Commercial refit for Back Channel Outboards, LLC.	\$ 1,000.00	\$ 115.00	-
9/29/2015	15-302	Robert & Megan Ramos	73 Tower Road	58	42	R	New	Construct new single family residence per Planning Board approval July 2015	\$ 675,000.00	\$ 8,125.00	\$ 2,875.00
9/29/2015	15-303	Martha Soucy	46 Williams Avenue	10	36A	R	Repl	Replace sunroom 9' x 21'	\$ 48,100.00	\$ 481.00	-
9/30/2015	15-304	George Essex	34 Norton Road	56	25A	R	Maint	Replace roof shingles	\$ 9,800.00	\$ 25.00	-
9/30/2015	15-305	Philip Doucette	68 Norton Road	56	21-2	R	Maint	Replace siding & roof shingles	\$ 10,000.00	\$ 25.00	-
9/30/2015	15-306	Bill Girard	162 Norton Road	68	48	R	New	Install boiler, gas piping, & propane tanks	\$ 8,000.00	\$ 121.00	-
9/30/2015	15-307	Greenbrook LLC	230 U.S. Route 1	22	14	C	Refit	Commercial refit for Lost Coast retail	\$ -	\$ 100.00	-
9/30/2015	15-308	Stephen Lubber	2 Mill Pond Road	23	13	R	New	Construct 16' x 16' sunroom with a 16' x 16' deck	\$ 35,800.00	\$ 451.00	-

2



TOWN OF KITTERY

Office of the Town Manager

200 Rogers Road, Kittery, ME 03904

Telephone: 207-475-1329 Fax: 207-439-6806

ncolbertpuff@kitteryme.org

Nancy Colbert Puff
Town Manager

Town Manager's Report to the Town Council October 14, 2015

1. **York Water District Cell Tower Lease** – I met with Councilor Dennett to discuss his concerns with the proposed multi-year lease. I am pleased to report that the York Water District was able to make many of his proposed changes, which are visible (strikeouts and underlined insertions) in the document contained in your packet.
2. **Sewer Extension Update** – The directional drill under Route I-95 has been successfully completed and pressure tested. This element of the work was of critical importance to the success of the project overall, and was carefully designed and implemented. I would like to thank Eric Taylor, Chief Operator of the Wastewater Treatment Facility, for giving me a guided tour of the operation as it unfolded.
3. **Wood Island Project Update** – In conjunction with the Wood Island Life Saving Station Association, we have issued an RFQ to ascertain interest and prequalify contractors for a bid document to be issued sometime over the winter.
4. **Comprehensive Plan Update** – The Comprehensive Plan Committee has selected a consulting team to assist us in the production of a new plan. Community Circle, in conjunction with RKG Associates, Martha Lyon Landscape Architect, and AECOM, were unanimously chosen, and we expect to kick-off the project with them this month.
5. **Roadway Paving Repairs** – We are finalizing our agreement with Dayton Sand and Gravel and expect them to begin paving work very shortly while weather permits. As soon as we have obtained a project schedule from them, we will publicize the work to minimize inconvenience to the community.
6. **Memorial Circle and Wentworth/Walker Projects** – We continue to work on both grant-assisted projects. The draft Preliminary Design Report (PDR) for Memorial Circle will be presented before the Planning Board on October 22nd, and is on schedule to be advertised for bid in May, 2016. We are meeting with Maine Department of Transportation (MDOT) to begin discussion on project design this week. I have received complaints about lines of sight when making turns from Jones onto Walker Street, and will specifically consult with MDOT on recommendations for improvement as part of this work.
7. **Athletic Fields Master Plan** – The plan is now complete, and the consultant, in tandem with the Kittery Athletic Fields Improvement committee (the citizen group that funded 50% of the plan), will make a brief presentation to Council at its October 26th meeting.
8. **FEMA Reimbursement for the January 26-28th Storm** – We have received notice that we will receive reimbursement of approximately \$97,000 for our storm-related response.

