ITEM 5

PLAN REVIEW NOTES
32 Seapoint Road – M64 L27
Shoreland Development Plan Review

July 14, 2016

Town of Kittery Maine
Town Planning Board Meeting
July 14, 2016

ITEM 3 – 32 Seapoint Rd – Shoreland Development Plan Review

Action: Accept or deny plan application; Approve or deny plan. Owner/Applicant Pop held, Inc requests consideration of plans to remove a screened porch and expand an existing kitchen located within the setback from a tidal wetland, and modify their previously approved plan, located at 32 Seapoint Road (Tax Map 64 Lot 27) in the Residential-Rural Conservation (R-RLC) and Shoreland Overlay (SH-OZ-250') Zones. Agent is Ken Markley, North Easterly Surveying.

PROJECT TRACKING

REQ'D	DESCRIPTION	COMMENTS	STATUS
YES	Determination of Completeness	Scheduled for 7/14	PENDING
NO	Site Walk	At the Board's discretion	
NO	Public Hearing	At the Board's discretion	
Yes	Final Plan Review and Decision	Feasible for 7/14	

Plan Review Notes reflect comments and recommendations regarding applicability of Town Land Use Development Code, and standard planning and development practices. Only the PB makes final decisions on code compliance and approves, approves with conditions or denies final plans. Prior to the signing of the approved Plan any **Conditions of Approval related to the Findings of Fact along with waivers and variances (by the BOA) must be placed on the Final Plan and recorded at the York County Registry of Deeds. PLACE THE MAP AND LOT NUMBER IN 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 non-conforming single-family dwelling on a non-conforming lot. The majority of the existing dwelling is located within the 100-foot setback from a tidal wetland. Front and side yard setbacks for the Residential Rural Conservation (R-RLC) zone are not met. The lot does not meet the minimum lot size or minimum land area per dwelling unit standard for the R-RLC zone.

The Residential – Rural Conservation zone has a 6% maximum building coverage standard. The applicant was granted a hardship variance by the Board of Appeals on December 8, 2015 to increase the maximum building coverage standard to 6.3%.

The Planning Board approved a Shoreland Development Plan on 1/14/2016 for a 16.6% expansion in floor area and 25.8% in volume with a devegetated area of 14.1% (See attached recorded plan)

The proposed development includes the demolition of a screened porch and kitchen expansion.

Staff Review

1. The existing building coverage is 6.3%. In order to maintain a 6.3% building coverage, the applicant proposes to remove a screened-in porch to off-set the expanded kitchen. With the removal of the screened in porch, the proposed development does not increase the building coverage.

2. The majority of the existing structure is located within the 100-foot setback from the upland edge of the tidal wetland, where volume and area calculations are required. The floor area and volume of the structure prior to January 1, 1989 was 1,557 square feet and 13,191 cubic feet. Existing floor area and volume is 1,784 square feet and 16,590 cubic feet, as approved by the Planning Board on 1/14/2016. The proposed development will result in a decrease in both floor area and volume, as compared to existing conditions, to 1,720 square feet and 16,481 cubic feet. As compared to 1989 dimensions, the proposed development creates and increase in floor area and volume of 10.5% and 24.9%, respectively, and is below the lifetime limit of no more than thirty percent.

3. Maximum devegetated area in the shoreland overlay zone is 20% of the lot. The current devegetated area is 15.2%. The proposed development does not increase devegetated area. No clearing is requested.

4. The existing structure is set back 35.6' from the road and does not meet the 40-foot front yard setback required in the R-RLC zone. The proposed development results in a setback of 36'. The proposed development decreases nonconformance in regards to the front yard setback standard.

5. The existing structure does not meet the 20' side setback standard on the northerly edge of the lot. The proposed development does not result in a further encroachment and therefore does not increase nonconformance.

Recommendations

The proposal for the expansion of an existing single-family dwelling appears to meet the requirements of Title 16. The proposed development does not exceed devegetation coverage, does not increase nonconformity and is within the expansion limitations as outlined in 16.7.3.6.1.A.

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

1. Revise floor area and volume calculation table to include the dimensions prior to 1989, what was approved by the Planning Board 1/14/2016 and what is proposed so that a total expansion in floor area and volume since 1/1/1989 is evident.
2. Provide and submit diagrams that support floor area and volume calculations.
3. Include the date of approval in the signature block.
4. Add "Amendment #1" to the title block

Action

Staff recommends The Board first accept the plan application.

Move to accept the Shoreland Development application dated 6/22/2016 from Pop Held, Inc for 32 Seapoint Road (Tax Map 64 Lot 27) in the Residential-Rural Conservation and Shoreland Overlay Zone.

After accepting the application the board should determine if a public hearing is warranted or necessary. If the Board determines a public hearing and/or site walk is not warranted, 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 approval with conditions for the Shoreland Development application dated 6/22/2016 from Pop Held, Inc for 32 Seapoint Road (Tax Map 64 Lot 27) in the Residential-Rural Conservation and Shoreland Overlay Zones upon the review and voting, in the affirmative, on the Findings of Fact.

<After an affirmative vote proceed with the reading and voting of the Findings of Fact>

Kittery Planning Board

UNAPPROVED

Findings of Fact
For 32 Seapoint Road
Shoreland Development Plan Review

WHEREAS: Pop held, Inc requests approval of their Shoreland Development Plan to remove a screened porch and expand an existing kitchen located at 32 Seapoint Road (Tax Map 64 Lot 27) in the Residential-Rural Conservation (R-RLC) and Shoreland Overlay (SH-OZ-250') Zones, hereinafter the "Development" and

Pursuant to the Plan Review meetings conducted by the Town Planning Board as noted {in the plan review notes prepared for 7/14/2016}

Shoreland Development Plan Review	7/14/2016	Held
Shoreland Development Plan Approval	7/14/2016	Granted

And pursuant to the application and plan and other documents considered to be a part of a plan review decision by the Planning Board in this Finding of Fact consisting of the following (hereinafter the "Plan"): {as noted in the plan review notes prepared for 7/14/2016}

1. Shoreland Development Plan Application, received 6/23/2016.
2. Shoreland Development Plan, North Easterly Surveying, dated 6/22/2016
3. Shoreland Development Plan, North Easterly Surveying, revised 1/19/2016

NOW THEREFORE, based on the entire record before the Planning Board and pursuant to the applicable standards in the Land Use and Development Code, the 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
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… Findings: The existing devegetated area is 15.2%. The proposed development does not increase devegetated area. Conclusion: The requirement appears to be met.
Vote: ___ in favor ___ against ___ abstaining

Chapter 16.7 GENERAL DEVELOPMENT REQUIREMENTS
Article III Nonconformance

16.7.3.1 Prohibitions and Allowances

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

16.7.3.5 Types of Nonconformance

16.7.3.5.5 Nonconforming Structure Repair and/or Expansion

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

Finding: The existing structure is set back 35.6' from the road and does not meet the 40-foot front yard setback required in the R-RLC zone. The proposed development, however, results in a setback of 36', 0.4' greater than existing, and therefore does not increase nonconformance.

The existing structure does not meet the 20' side setback standard on the northerly edge of the lot. The proposed development does not result in a further encroachment and therefore does not increase nonconformance.

The Residential – Rural Conservation zone has a 6% maximum building coverage standard. The applicant was granted a hardship variance by the Board of Appeals on December 8, 2015 to increase the maximum building coverage standard to 6.3%. In order to maintain a 6.3% building coverage, the applicant proposes to remove a screened-in porch to off-set the expanded kitchen. The proposed development does not increase the building coverage

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 majority of the existing structure is located within the 100-foot setback from the upland edge of the tidal wetland where volume and area calculations are required. Development on structures located within the required setback from a protected resource is subject to a lifetime limit of no more than thirty percent (30%) increase in volume and floor area after January 1, 1989. The proposed development does not exceed these limits and results in an amended increase of 24.9% and 10.5% for volume and floor area, respectively.

Conclusion: This requirement appears to be met.

Vote: ___ in favor ___ against ___ abstaining

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

16.10.10.2 Procedure for Administering Permits

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

1. Maintain safe and healthful conditions;

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

Conclusion: This requirement appears to be met

Vote: ___ in favor ___ against ___ abstaining

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

Finding: Maine DEP Best Management practices will be followed for erosion and sedimentation control during site preparation and building construction to avoid impact on adjacent surface waters.

Conclusion: This requirement appears to be met

Vote: ___ in favor ___ against ___ abstaining

3. Adequately provide for the disposal of all wastewater;

Finding: The proposed development does not have an impact on the existing wastewater disposal system.

Conclusion: This requirement appears to be met.

Vote: ___ in favor ___ against ___ abstaining

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

Finding: Maine DEP Best Management practices will be followed for erosion and sedimentation control during site preparation and building construction to avoid impact on adjacent surface waters.

Conclusion: The proposed development does not appear to have an adverse impact. With conditions #2 and #3, this standard appears to be met.

Vote: ___ in favor ___ against ___ abstaining

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

Finding: Shore cover is not adversely impacted

Conclusion: This requirement appears to be met.

Vote: ___ in favor ___ against ___ abstaining

6. Protect archaeological and historic resources;

Finding: There does not appears to be any resources impacted.

Conclusion: This requirement appears to be met.

Vote: ___ in favor ___ against ___ abstaining

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

Finding: The proposed development is not in the commercial fisheries/maritime use zone.

Conclusion: This requirement is not applicable.

Vote: ___ in favor ___ against ___ abstaining

8. Avoid problems associated with floodplain development and use;

Finding: The proposed development is not located within a flood zone

Conclusion: This requirement appears to be met.

Vote: ___ in favor ___ against ___ abstaining

9. Is in conformance with the provisions of this code;

Finding: The proposed development conforms to Title 16 with the exception of building coverage. The Residential – Rural Conservation zone has a 6% maximum building coverage standard. The existing building coverage is 6.3%. The applicant was granted a hardship variance through the Kittery Board of Appeals to increase the maximum building coverage standard from 6% to 6.3% at the December 8, 2015 meeting. The proposed development may not exceed a building coverage of 6.3%.

Conclusion: This requirement appears to be met.

Vote: ___ in favor ___ against ___ abstaining

10. Be recorded with the York county Registry of Deeds.

Finding: A plan suitable for recording has been prepared.

Conclusion: 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: ___ in favor ___ against ___ abstaining

Based on the foregoing Findings, the Planning Board finds the applicant has satisfied each of the review standards for approval and, therefore, the Planning Board approves the Shoreland Development Plan Application 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 7/14/2016).

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, or Vice 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 July 14, 2016

Ann Grinnell, Planning Board Chair

Notices to Applicant:

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

2. Prior to the release of the signed plans, the applicant must pay all outstanding fees associated with the permitting, including, but not limited to, Town Attorney fees, peer review, newspaper advertisements and abutter notification.

3. One (1) mylar copy of the final plan and any and all related state/federal permits or legal documents that may be required, must be submitted to the Town Planning Department for signing. Date of Planning Board approval shall be included on the final plan in the Signature Block. After the signed plan is recorded with the York County Registry of Deeds, a mylar copy of the signed original must be submitted to the Town Planning Department.

4. This approval by the Town Planning Board constitutes an agreement between the Town and the Developer, incorporating as elements the Development Plan and supporting documentation, the Findings of Fact, and any Conditions of Approval.

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

North
W EASTERLY
SURVEYING, Inc.

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

June 23, 2016

Kittery Planning Board
c/o Chris DeMatteo - Town Planner
200 Rogers Road
Kittery, ME 03904

Planning Board Review – Shoreland Zoning Development Application – 32 Seapoint Road, Kittery Point, ME
Job# 12713

Dear Planner and Planning Board Members,

The Held Family would like to apply to renovate a portion of their cottage at 32 Seapont Road. This property has been in the family since 1945. They would like to remove an existing 8' by 38' shed roofed portion of the building and replace it with a 12' by 20' kitchen. This allows for a reduction in square footage of 64 sqft, a reduction in volume of 109 cubic ft. and a minor reduction of the front setback by 0.4 ft. Building coverage on this lot will remain the same. On December 8, 2015, the Zoning Board of Appeals approved a variance to allow a 6.3% building coverage for this lot. Attached you will find the following:

1) A Shoreland Development Plan Application
2) An Expansion/Construction Analysis within the Shoreland Overlay Zone.
3) A proposed floor plan of the existing and proposed removal and addition areas.
4) South and East elevations of the existing house.
5) South and East elevations of the proposed house.
6) Calculations sheet for 32 Seapoint Road
7) A Shoreland Development Plan.

As you can see the objectives of the code are being met by the owners and they would like the planning board to approve this modest renovation within the Shoreland Zone. The lot is available to the planning board and planning department for site walks and the building is accessible upon notification if desired.

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

Sincerely:

Kenneth D. Markley R.L.S.
President – North Easterly Surveying, Inc.

SHORELAND DEVELOPMENT PLAN APPLICATION

TOWN OF KITTERY

Planning & Development Department

200 Rogers Road, Kittery, ME 03904

Telephone: 207-475-1323 Fax: 207-439-6806

MAP 64 LOT 27

DATE:

FEE: $ 200.00

ASA*:

PROPERTY DESCRIPTION	Physical Address	32 Seapoint Road Kittery Point, ME 03905			
	Base Zone	RC-Rural Conservation	Overlay Zone (s)	Shoreline Overlay	
OWNER INFORMATION	Name	Pop Held, Inc.		Mailing Address	30 Seapoint Road Kitty Point, Maine 03905
	Phone	207-439-5542			
	Email	jerry@heldgroup.com			
AGENT INFORMATION	Name	Kenneth D. Markley, RLS		Company	North Easterly Surveying, Inc.
	Phone	207-439-6333		Mailing Address	191 State Road Kittery, Maine 03904
	Email	ken@easterlysurveying.com			
	Fax				
APPLICANT INFORMATION	Name	Jerry Held		Mailing Address	30 Seapoint Road Kittery Point, Maine 03905
	Phone	408-499-7998			
	Email	jerry@heldgroup.com			

PROJECT DESCRIPTION

Existing Use:

Single family seasonal vacation home

Proposed Use (describe in detail):

Single family seasonal vacation home. The proposal is to remodel and expand the home's small kitchen. The existing screened in porch and kitchen will be removed and replaced by a small, unenclosed entry deck and an enlarged kitchen.

PROJECT DECSCRIPTION	Please describe any construction constraints (wetlands, shoreland overlay zone, flood plain, non-conformance, etc.)
	The project will not increase lot coverage, will reduce structure floor area, will reduce structure volume and will improve structure setback from the street.

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

Applicant's Signature:	[signature]	**Owner's Signature:**	
Date:	6/23/16	**Date:**	

**Applicant Service Accounts*: Fees to *pay other direct costs necessary to complete the application process, not including application fees.* Title 3, Chapter 3.3.

MINIMUM PLAN SUBMITTAL REQUIREMENTS

☐ **15 Copies of this Application Form, all supporting documents, and the Development Plan and Vicinity Map**
12 plan copies may be half-size (11"x17") and 3 must be full-size (24"x36")

Shoreland Development Plan format and content:

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

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

C) Title Block
- ☐ Title: Shoreland Development Plan
- ☐ Applicant's name and address
- ☐ Name of preparer of plan with professional information
- ☐ Parcel's Kittery tax map identification (map – lot) in bottom right corner
- ☐ **Vicinity Map or aerial photo showing geographic features 5,000 feet around the site.**

D) Signature Block
- ☐ Area for signature by Planning Board Chair and Date of Planning Board Approval

Development Plan must include the following existing and proposed information:

Existing:	**Proposed:** (Plan must show the lightened existing topography under the proposed project plan for comparison.)
☐ Land Use Zones and boundaries	☐ Recreation areas and open space
☐ Topographic map (optional)	☐ Setback lines and building envelopes
☐ Wetlands and flood plains	☐ Lot dimensions
☐ Water bodies and water courses	☐ Utilities (Sewer/septic, water, electric, phone)
☐ Parcel area	☐ Streets, driveways and rights-of-way
☐ Lot dimensions	☐ Structures
☐ Utilities (Sewer/septic, water, electric, phone)	☐ Floor area, volume, devegetated area, and building coverage
☐ Streets, driveways and rights-of-way	
☐ Structures	Distance to:
☐ Distance from structure to water body and property lines	☐ Nearest driveways and intersections
☐ Floor area, volume, devegetated area, and building coverage	☐ Nearest fire hydrant
	☐ Nearest significant water body; ocean, wetland, stream

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

Expansion/Construction Analysis within the Shoreland Overlay Zone[1]
(see Table 16.9)

Size of water body or wetland: ☐ <500 sf ☐ <501 sf-1 acre ■ >1 acre

Structure distance from water body: 55.8 feet

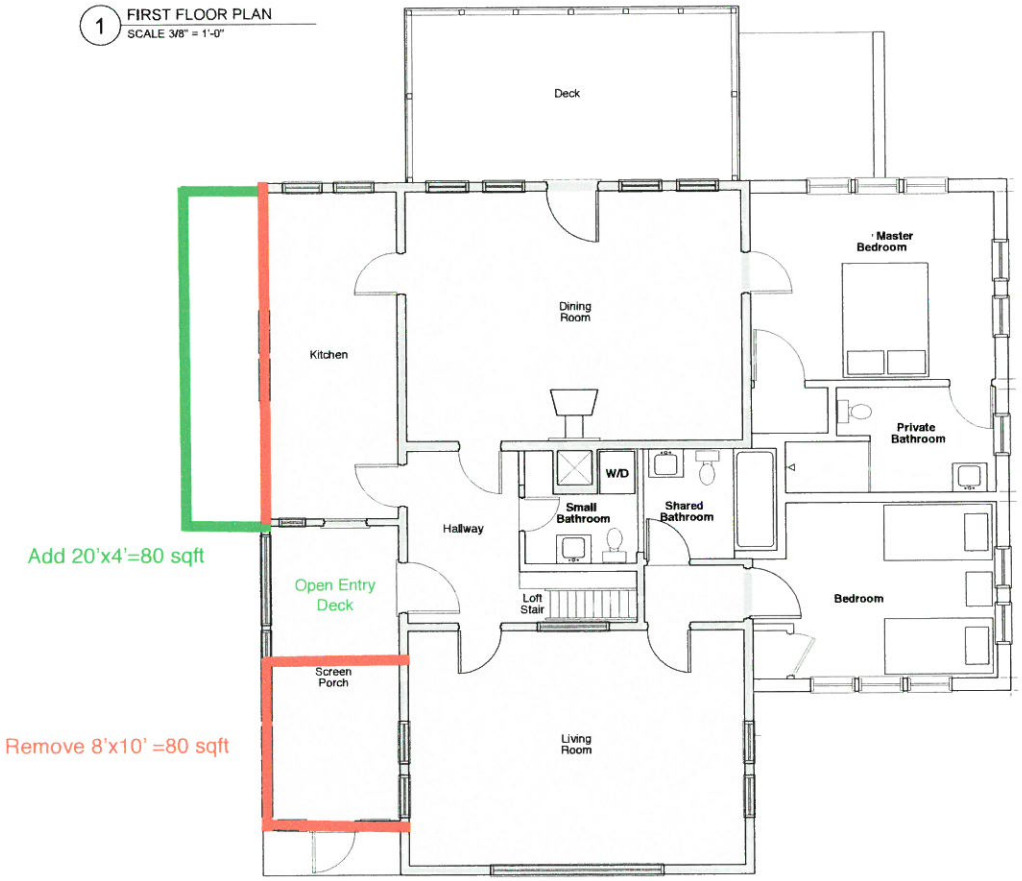
STRUCTURE	Existing	Proposed	% Increase*	
SF (Area)	1784 sf	1720 sf	-3.6 %	
CF (Volume)	16590 cf	16481 cf	-0.7 %	
Construction:	New: ☐ Demo/Rebuild: ■ Maintenance/repair: ☐			Value: $ 50,000
*Total increase in area and/or volume may not exceed 30% for any new construction since 1/1/1989.				

PARCEL DE-VEGETATION	% Allowed*	Existing SF	Proposed SF	% Proposed*
Lot Size (sf) 25,560	20 %	3,885 sf	3,885 sf	15.2 %
*See underlying zone standards for de-vegetated area percent allowed within a Shoreland Overlay.				

BUILDING COVERAGE	% Allowed*	Existing SF	Proposed SF	% Proposed*
Lot Size (sf) 25,560	6.3 %	1610 sf	1610 sf	6.3 %
*See underlying zone standards for building coverage percent allowed.				

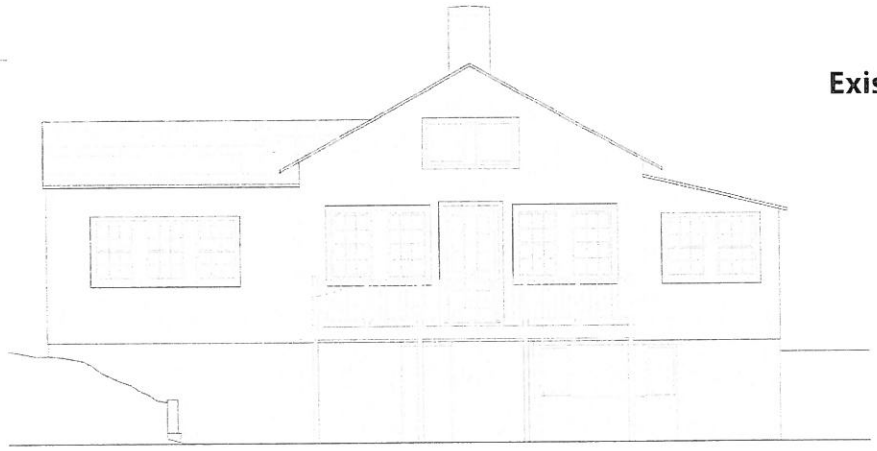
[1]Calculations for area, volume, and de-vegetated areas must be included on the final plan and certified by a State of Maine registered architect, landscape architect, engineer, or land surveyor.

1 FIRST FLOOR PLAN
SCALE 3/8" = 1'-0"

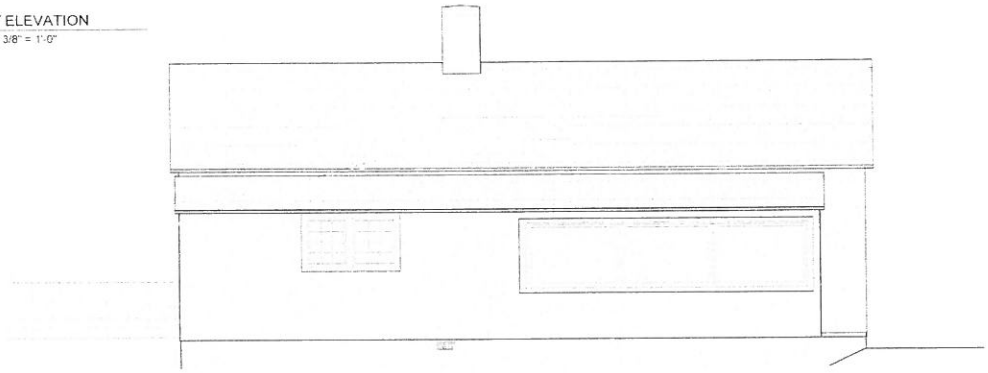


Existing House

1 SOUTH ELEVATION
SCALE 3/8" = 1'-0"



2 EAST ELEVATION
SCALE 3/8" = 1'-0"



ELEVATIONS

0 1' 2' 4' 8'

1 SOUTH ELEVATION

Proposed
(w/ existing overlay)

2 EAST ELEVATION

ELEVATIONS

0 1' 2' 4' 8'

SCALE: 3/8" = 1'-0" @ FULL SIZE - 24" x 36"

32 Seapoint Calculations

Building Coverage

Removed	-80 sq ft.
Added	80 sq ft.
Net	no change

Total Structure Area

Removed	8' x 18' =	-144 sq ft.
Added	4' x 20'=	80 sq ft.
Net reduction		-64 sq ft.

Total Structure Volume

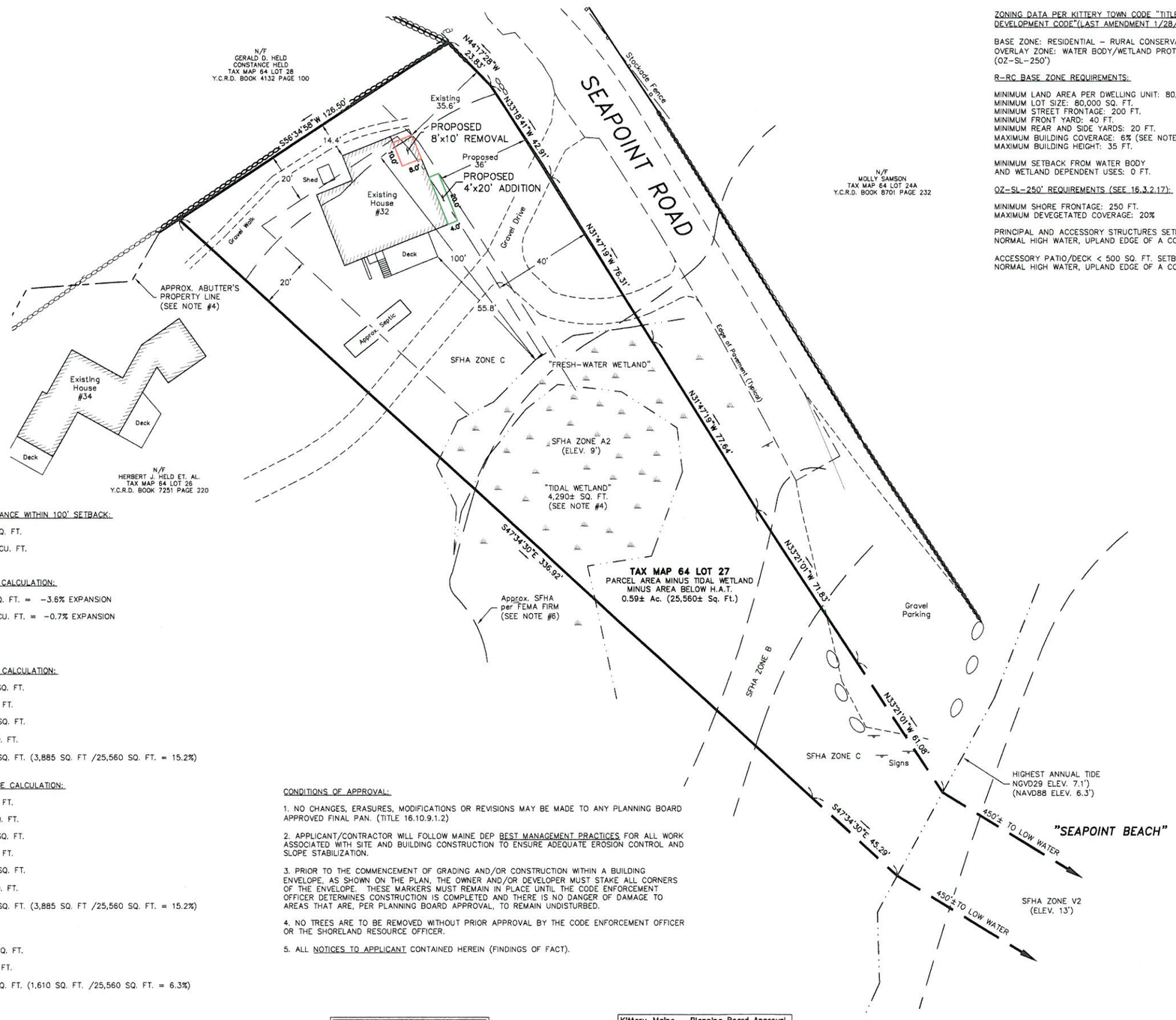
Removed
Kitchen and Entry
Volume = 8' (width) x 8.9' (avg. height) x 38' (length) = -2,708 cu ft.

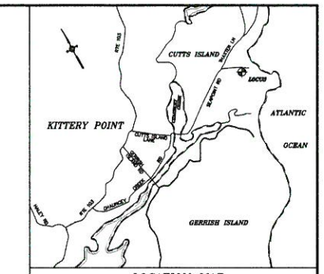
Added
New Kitchen
Volume = 12' (width) x 10.83' (avg. height) x 20' (length) = 2,599 cu ft.

Net Reduction -109 cu ft.

Building Setback from street

Current	35.6'
Proposed	36'
Improvement	-0.4'





LOCATION MAP
(not to scale)

ZONING DATA PER KITTERY TOWN CODE "TITLE 16 LAND USE AND DEVELOPMENT CODE"(LAST AMENDMENT 1/28/15) (SEE NOTE #5):

BASE ZONE: RESIDENTIAL – RURAL CONSERVATION (R-RC)
OVERLAY ZONE: WATER BODY/WETLAND PROTECTION AREA – 250' (OZ-SL-250')

R-RC BASE ZONE REQUIREMENTS:

MINIMUM LAND AREA PER DWELLING UNIT: 80,000 SQ. FT.
MINIMUM LOT SIZE: 80,000 SQ. FT.
MINIMUM STREET FRONTAGE: 200 FT.
MINIMUM FRONT YARD: 40 FT.
MINIMUM REAR AND SIDE YARDS: 20 FT.
MAXIMUM BUILDING COVERAGE: 6% (SEE NOTE #8)
MAXIMUM BUILDING HEIGHT: 35 FT.

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

OZ-SL-250' REQUIREMENTS (SEE 16.3.2.17):

MINIMUM SHORE FRONTAGE: 250 FT.
MAXIMUM DEVEGETATED COVERAGE: 20%

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

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

PURPOSE OF PLAN:

THE PURPOSE OF THIS SHORELAND DEVELOPMENT PLAN IS TO SHOW A PROPOSED ADDITION TO AN EXISTING BUILDING LOCATED IN THE SHORELAND OVERLAY ZONE. THIS IS NOT A STANDARD BOUNDARY SURVEY. SEE PLAN REF. #1 FOR BOUNDARY INFORMATION.

PLAN REFERENCE:

1. "STANDARD BOUNDARY SURVEY FOR PROPERTY AT 32 SEAPOINT ROAD, KITTERY POINT, YORK COUNTY, MAINE,OWNED BY POP HELD, INC.,", PREPARED BY NORTH EASTERLY SURVEYING, INC., DATED 9/14/12, LAST REVISED 9/24/12.

2. "SHORELAND DEVELOPMENT PLAN FOR PROPERTY AT 32 SEAPOINT ROAD, KITTERY POINT, YORK COUNTY, MAINE, OWNED BY POP HELD INC.," PREPARED BY NORTH EASTERLY SURVEYING, INC., DATED 10/21/15, RECORDED AT YCRD AS BOOK 380 PAGE 28.

NOTES:

1. OWNER OF RECORD:
POP HELD INC.
Y.C.R.D. BOOK 7255 PAGE 309
DATED MAY 28, 1994

2. TOTAL PARCEL AREA:
0.69 Ac. (29,850 Sq. Ft.) TO APPROX. MEAN HIGHWATER

3. BASIS OF BEARINGS IS PER PLAN REFERENCE #1.

4. WETLAND DELINEATION WAS PERFORMED ON AUGUST 18, 2015 BY MICHAEL CUOMO, SE #211.

5. ZONE REQUIREMENTS AND SETBACKS SHOWN HEREON ARE FOR REFERENCE PURPOSES ONLY. CONFIRM CURRENT ZONING REQUIREMENTS WITH THE TOWN OF KITTERY PRIOR TO DESIGN OR DEVELOPMENT.

6. THE SPECIAL FLOOD HAZARD AREA (SFHA) BOUNDARY SHOWN HEREON IS APPROXIMATE PER FEMA FIRM 230171 0003 C, DATED 7/5/1984.

7. FINAL BUILDING DIMENSIONS AND SPECIFICATIONS TO BE PROVIDED BY ARQ ARCHITECTS.

8. ON DECEMBER 8, 2015 THE KITTERY ZONING BOARD OF APPEALS APPROVED A VARIANCE TO ALLOW A 6.3% BUILDING COVERAGE FOR THIS PARCEL.

GRAPHIC SCALE

20 0 10 20 40 80

(IN FEET)
1 inch = 20 ft.
Vertical Datum is NGVD29

EXISTING STRUCTURE NONCONFORMANCE WITHIN 100' SETBACK:

FLOOR AREA	1,784± SQ. FT.
STRUCTURE VOLUME	16,590± CU. FT.

PROPOSED STRUCTURE EXPANSION CALCULATION:

FLOOR AREA	1,720± SQ. FT. = –3.6% EXPANSION
STRUCTURE VOLUME*	16,481± CU. FT. = –0.7% EXPANSION

*PROVIDED BY OWNER

EXISTING DEVEGETATED COVERAGE CALCULATION:

BUILDING	1,580± SQ. FT.
SHED	30± SQ. FT.
GRAVEL	2,005± SQ. FT.
DECK/STEPS	270± SQ. FT.
TOTAL	3,885± SQ. FT. (3,885 SQ. FT /25,560 SQ. FT. = 15.2%)

PROPOSED DEVEGETATED COVERAGE CALCULATION:

PROPOSED ADDITION	80± SQ. FT.
PROPOSED REDUCTION	–80± SQ. FT.
BUILDING	1,580± SQ. FT.
SHED	30± SQ. FT.
GRAVEL	2,005± SQ. FT.
DECK/STEPS	270± SQ. FT.
TOTAL	3,885± SQ. FT. (3,885 SQ. FT /25,560 SQ. FT. = 15.2%)

EXISTING BUILDING COVERAGE:

BUILDING	1,580± SQ. FT.
SHED	30± SQ. FT.
TOTAL	1,610± SQ. FT. (1,610 SQ. FT. /25,560 SQ. FT. = 6.3%)

PROPOSED BUILDING COVERAGE:

PROPOSED ADDITION	80± SQ. FT.
PROPOSED REDUCTION	–80± SQ. FT.
BUILDING	1,290± SQ. FT.
SHED	30± SQ. FT.
TOTAL	1,610± SQ. FT. (1,610 SQ. FT. /25,560 SQ. FT. = 6.3%) (SEE NOTE #8)

CONDITIONS OF APPROVAL:

1. NO CHANGES, ERASURES, MODIFICATIONS OR REVISIONS MAY BE MADE TO ANY PLANNING BOARD APPROVED FINAL PAN. (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).

YORK,ss REGISTRY OF DEEDS
Received_____
at_____h_____m_____M., and
Filed in Plan Book_____Page_____
ATTEST:
_____
Register

Kittery, Maine – Planning Board Approval

_____
Date of Approval

_____
Chair Date

REV.	DATE	STATUS	BY	CHKD	APPD.

SHORELAND DEVELOPMENT PLAN

FOR PROPERTY AT
32 Seapoint Road
Kittery Point, York County, Maine
OWNED BY
Pop Held Inc.
c/o Joel Held
3878 Oak Lawn, One Turtle Creek Village Suite 400
Dallas, TX 75219

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

SCALE:	PROJECT NO.	DATE:	SHEET:	DRAWN BY:	CHECKED BY:
1" = 20'	12713	6/22/16	1 OF 1	A.M.P.	K.D.M.

DRAWING No: 12713_SITE_PLAN.DWG
FIELD BOOK No: "Kittery Point #9"

Tax Map 64 Lot 27