

**Town of Kittery
 Planning Board Meeting
 October 13, 2016**

519 U.S. Route 1 – Sketch Plan Review

Action: Accept or deny application. Approve or deny sketch plan. Owner/applicant Michael Estes requests consideration of plans to develop a mixed use facility consisting of business, storage and residential uses located at 519 US Route 1 (Tax Map 67 Lot 4) in the Mixed Use (MU), Residential – Rural (R-RL), Shoreland Overlay (SH-OZ-250') and Resource Protection Overlay (OZ-RP) Zones. Agent is Ken Wood, Attar Engineering, Inc.

PROJECT TRACKING

REQ'D	ACTION	COMMENTS	STATUS
YES	Sketch Plan Review	Scheduled for 10/13/2016	PENDING
YES	Preliminary Plan Review Completeness/Acceptance		
NO	Site Visit	At the Board's discretion	
YES	Public Hearing		
YES	Preliminary Plan Approval		
YES	Final Plan Review and Decision		

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

Background

This is the first, conceptual review of a plan to develop a multi-use business park located on the northern end of US Route 1, directly across from the intersection of Route 1 and Idlewood Lane. The parcel is a vacant lot, approximately 29 acres in size.

The sketch plan includes 17 construction service units, 56 warehouse/storage units with a manger's office (apartment with business office).

Staff Review

1. Construction services and warehouse/storage are special exception uses in both the Mixed Use and Shoreland Overlay Zones. They are not permitted in the Resource Protection Overlay Zone. Business offices are a permitted use in the Mixed Use zone, and a special exception use in the Shoreland Overlay zone.
2. "Construction Services" is a defined use within the zone, however it is unclear what is meant by a "construction service unit" that is proposed. For example, is the unit a storage facility for construction supplies, equipment or vehicles that will be supplied to building trade businesses? Alternatively, is the unit the location of the construction service business itself, requiring at least one business office per unit and be serviced by utilities?
3. Title 16 does not have a separate definition or classification for "manager's office". Therefore, for the purpose of review, the proposed "manager's office" is considered a dwelling unit. In the Mixed Use and Shoreland Overlay Zones, single-family dwelling units (on lots of record as of

- 1/1/2004) and dwelling units on the upper floors of a mixed-use building that is served by public sewerage are permitted.
4. Shoreland Zoning boundaries are difficult to interpret on the plan. Any portion of the proposed development located within the Shoreland Overlay Zone must comply with the appropriate setbacks and standards of the overlay zone. It appears the Shoreland Zone extends 250' from the upland edge of the wetland directly surrounding the development. The sketch plan depicts a 100-foot setback for most of that area, except for the northern portion of the development, along the construction service units, where the plan shows a "75-foot parking setback". If the Shoreland Overlay Zone extends from the wetland to the north of the proposed development, all development, including parking and travel ways (per Title 16.8.9.4.F), must be outside of the 100-foot setback.
 5. The sketch plan does not have a plan reference in regards to how the lot lines or wetland delineation were obtained. The wetland boundary and accompanying setbacks as depicted on the sketch plan do not correspond with the wetlands delineated by Michael Cuomo in 2013 (see attached site plan, Attar Engineering dated 11/7/2013), which depict larger wetlands, and therefore a smaller buildable area.
 6. No development is permitted, nor appears to be, within the Resource Protection Overlay Zone
 7. The sketch plan states "The maximum lot coverage allowed is 70% in the Shoreland Zone of the Mixed Use District" (General note #3, Shoreland Zone Standards, and #4) The maximum devegetated area within the Shoreland Overlay/Mixed Use Zone is 20%. There is no maximum building coverage in the Mixed Use Zone.

Building Design

8. The applicant did not submit sketches for any proposed building. All structures must comply with the building design standards as outlined in 16.3.2.13.D.5.

Parking

9. The sketch plan includes 50 parking spaces located along the construction service units. Assuming the "construction service units" are intended as a storage facility, and per the parking standards outlined in 16.8.9.4, Off-street Parking Standards, the proposed development would require a minimum of 66 parking spaces (64 spaces for 31,600 square feet of warehouse and storage and 2 spaces for a dwelling unit). Additional spaces may be required depending on the business office use below the proposed dwelling unit, or depending on the storage vs business use of the construction service units.
10. All new parking must be visually screened from Route 1, and, with the exception of 10 or fewer parking spaces, must be located to the side or rear of principal buildings. The sketch plan appears to conform to the standard.
11. The business park is accessed by a 1,360' long, 20' wide "road". The Board may want to discuss whether this would be treated as a street, and be held to the standards outlined in Title 16.8.4, Table 1, or if this is a drive way providing access to the single dwelling unit and commercial units, or neither. If the access is not required to comply with the standards of a street, the access would require review from Police and Fire Chief.
 - a. To assist with this determination, the applicant include a vehicular traffic report to estimate the amount and type of traffic the proposed development will generate along with a preliminary plan application.

12. The proposed “road” crosses a wetland in order to access the identified buildable area of the lot. An approved wetland alteration application will be required, including wetland mitigation, as outlined in Title 16.9.3, Conservation of Wetlands including Vernal Pools.

Landscaping

13. The sketch plan depicts a 50-foot wide “landscape island” on either side of the entryway to the development. One of the two “islands” is located on the easterly abutting property/ A Landscape planter strip, a minimum of 30-feet wide and maximum of 70-feet wide, must be provided adjacent to Route 1. The planter strip must conform to the standards outlined in 16.3.2.13.D.6. A landscape design plan demonstrating conformance with this standard should be included with a preliminary plan application.
14. A minimum of 35% of the total lot must be designated as open space. The sketch plan does not designate open space, however there appears to be sufficient room on the lot to conform to this standard. Required open space must be identified on the plan prior to the submission of a preliminary plan application.

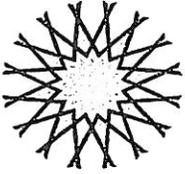
Recommendation

The sketch plan appears to be sufficiently complete, conditioned on the submittal of additional information the Board deems necessary to continue the review. If the Board determines no further information is required, the Board may accept the sketch plan.

Move to accept the sketch plan application dated September 7, 2016 from owner /applicant Michael Estes for a mixed-use development located at Tax Map 67 Lot 4 in the Mixed Use, Shoreland Overlay and Resource Protection Overlay Zone.

With consideration of the recommended revisions, the sketch plan appears to conform to the standards of Title 16. As a sketch plan review, a site walk is not required and is at the discretion of the Planning Board. The Board may want to have more information regarding wetlands and revised building envelopes prior to approving the concept plan.

Move to continue the sketch plan application dated September 7, 2016 from owner /applicant Michael Estes for a mixed-use development located at Tax Map 67 Lot 4 in the Mixed Use, Shoreland Overlay and Resource Protection Overlay Zone no more than 90 days.



ATTAR

ENGINEERING, INC

CIVIL • STRUCTURAL • MARINE

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

September 7, 2016
Project No.: C082-16

**Re: Estes Business Park
Sketch Plan Application**

Dear Mr. Di Matteo:

On behalf of Michael Estes, President of Estes Oil & Propane Company, I have enclosed a Sketch Plan Application and associated documents for your review and consideration. The site is located on Route 1 in the Mixed Use District and is described by the Town of Kittery Assessor's Map 67 as Lot 4.

The parcel will contain the following proposed uses; 17 Construction Services Units, 56 warehouse/storage units with a manager's office/upper floor apartment and a business office. The parcel is served by municipal water and sewer. All proposed uses are either "Permitted" or "Special Exception".

. The facility will be accessed by a proposed 1,360' long, 20' wide road.

Please schedule this project for the next available Planning Board meeting. we look forward to discussing this project with the Board at their next available meeting.

Please contact me for any additional information or clarifications required.

Sincerely,

Kenneth A. Wood, P.E.
President

cc: Michael Estes

C082-16 Kittery Site App Cover & Summary.doc



TOWN OF KITTERY MAINE

TOWN PLANNING AND DEVELOPMENT DEPARTMENT

200 Rogers Road, Kittery, Maine 03904
 Phone: (207) 475-1323
 Fax: (207) 439-6806
www.kittery.org

APPLICATION: SITE OR SUBDIVISION-SKETCH PLAN REVIEW

Application Fee:		<input checked="" type="checkbox"/> \$200.00		Amount Paid:\$		Date:	
PROPERTY DESCRIPTION	Parcel ID	Map	67	Zone(s)-Base:	MV	Total Land Area	28.8 ac
		Lot	4	Overlay:	SL	MS4	___ YES ___ X ___ NO
	Physical Address						
PROPERTY OWNER'S INFORMATION	Name	Michael Estes		Mailing Address	PO Box 125 York, ME 03909		
	Phone	207-363-4172					
	Fax	207-363-6806					
	Email						
APPLICANT'S AGENT INFORMATION	Name	Kenneth A. Wood, PE		Mailing Address	Attar Engineering, Inc 1284 State Road Eliot, ME 03909		
	Phone	207-439-6023					
	Fax	207-439-2128					
	Email	ken@attarengineering.com					
PROJECT DESCRIPTION	<i>See reverse side regarding information to be provided.</i>						
	Existing Land Use(s): 28.8 acres of wooded/ grass area						
	Land will be used for (17) 30' X 40' construction services units and(56) 10' X 20' storage / warehouse units = 31, 600 SF						
	Proposed Land Use(s) and Development:						
	The parcel is located in the Shoreland Zone, mixed use District and Rural Residential District. A wetland area of 11.6 acres exists on the property. A Resource Protection Zone extends 250' from the upland edge of the wetland.						
	Please describe any construction constraints (wetlands, shoreland overlay zone, flood plain, non-conformance, etc.)						
I certify, to the best of my knowledge, this application information is true and correct and I will not deviate from the Plan submitted without notifying the Town Planning and Development Department of any changes.							
Applicant's Signature: Date: 9/5/2016				Owner's Signature: Date: 9/5/2016			

MINIMUM PLAN SUBMITTAL REQUIREMENTS

- 15 Copies of this Application, Vicinity Map, and the Sketch Plan - 5 of which must be 24" X 36"

Sketch Plan format and content:

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

B) Plan Scale

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

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

C) Title Block

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

Vicinity Map – map or aerial photo showing 1,000 feet around the site.

Sketch Plan must include the following existing and proposed information:

Existing:

- Land Use Zone and boundary
- Topographic map (optional)
- Wetlands and flood plains
- Water bodies and water courses
- Parcel area
- Lot dimensions
- Utilities (Sewer/septic, water, electric, phone)
- Streets, driveways and rights-of-way
- Structures

Proposed: (Plan must show the lightened existing topography under the proposed plan for comparison.)

- Recreation areas and open space
- Number of lots and lot areas
- Setback lines and building envelopes
- Lot dimensions
- Utilities (Sewer/septic, water, electric, phone)
- Streets, driveways and rights-of-way
- Structures

Distance to:

- Nearest driveways and intersections
- Nearest fire hydrant
- Nearest significant water body

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

