

**Town of Kittery  
Planning Board Meeting  
November 16, 2023**

**ITEM 3—283 US Route 1—Master Site Plan — Preliminary Review**

Action: Hold public hearing. Continue review. Neil Hansen, on behalf of owner/applicant Two International Group, is proposing a multi-phase project to re-develop existing commercial retail facilities into a 107-unit housing complex, 119 room hotel, and 6,000 square feet commercial building intended for a restaurant, along with associated parking and utilities, located on the property of 283 US Route 1, Map 30 Lot 44, in the Route 1 Commercial (C-1) Zone.

**PROCESS SUMMARY**

REQ'D	ACTION	COMMENTS	STATUS
NO	Sketch Plan Acceptance/Approval	5/25/23	Accepted
YES	Planning board determination of completeness	10/26/23	Accepted
NO	Site Visit	Scheduled for 11/9/23	TBD
YES	Public Hearing	Scheduled for 11/16/23	TBD
YES	Preliminary Plan Approval		TBD
YES	Final Plan Review and Decision		TBD

Applicant: Prior to the signing of the approved Plan any **Conditions of Approval related to the Findings of Fact along with waivers and variances (by the BOA) must be placed on the Final Plan and, when applicable, recorded at the York County Registry of Deeds. PLACE THE MAP AND LOT NUMBER IN 1/4" HIGH LETTERS AT LOWER RIGHT BORDER OF ALL PLAN SHEETS.** As per Section 16.4.4.L - 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.

**OTHER PERMITS AND REQUIREMENTS**

- DOT Traffic movement pattern.
- State Fire Marshal NFPA #13 fire protection system approval.
- DEP construction permitting and site review.
- Site Location of Development Act (SLOTA) permit

**PROJECT INTRODUCTION**

This is the second preliminary review for a master site development project on a single parcel containing three existing strip retail buildings and paved parking. 283 Route 1 is a corner lot along the I-95 Interstate highway, with the property abutting the Kittery Trading Post and other commercial outlet buildings.

The development plans are for three phases, one for each of the proposed uses. The first phase of the project would be to develop a 119-room hotel. The second phase would be the development of a 5-story apartment totaling 107 units, 11 of which would be affordable. The third phase is for the development of a 6,000 square foot commercial building with the intention to house a food and beverage facility at a later date. If this project is approved, a subsequent site plan will be necessary when a plan for the commercial space is determined.

Public water and wastewater transmission facilities have been reviewed and are found not to require upgrades to support all phases of this project. Access to the site would be provided via existing driveways on Wilson and Old Wilson Road, with the curb cut on the Route 1 Bypass to be closed. In addition to parking and utilities, the applicant is proposing a dog park along a portion of the property facing I-295.

Since sketch plan acceptance, the size of the proposed commercial area has been reduced from ~10,000 sq ft to 6,000 sq ft. The applicant has confirmed their intention to seek a restaurant as a tenant for the proposed commercial space should the plan be approved. The applicant has also increased the number of proposed parking spaces, including a 5<sup>th</sup> sub-floor in

38 the multi-family dwelling to provide spaces for residents. At the sketch review, the applicant was uncertain whether they  
39 would be subdividing the parcel; they have since confirmed they plan to keep a single property and move forward with a  
40 site plan application.

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42 The planning board voted to accept the preliminary site plan application as complete on October 26<sup>th</sup>, on the condition that  
43 a full traffic study would be provided before approval. A site walk was scheduled for November 9<sup>th</sup>, and a public hearing  
44 for November 16<sup>th</sup>. A third-party engineer review by CMA was completed on October 31<sup>st</sup>, with all identified issues  
45 determined as minor enough to allow conditional preliminary approval at this time. The applicant has also provided more  
46 detailed building elevations, landscaping designs, and a narrative expressing the intent to meet affordable housing  
47 requirements. The only items required before preliminary approval can be granted are a complete traffic impact study. Once  
48 the hearing has been closed, staff suggest the planning board advise the applicant based on the feedback provided by the  
49 public and peer review.

## 51 WAIVERS REQUESTED

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53 No waivers are requested for plan approval at this time.

## 55 STAFF COMMENTS

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56 Listed below are additional comments provided by staff in addition to general review of standards:

- 57 1. Due to the size of the property and the proposed scope of work, this project constitutes a Master Site Development  
58 Plan per Chapter §16.6 of Kittery Town Code and must meet ordinance requirements for any proposed project  
59 phasing.
- 60 2. Police and Public Works staff both requested the applicant remove the crosswalk connecting the property to the  
61 abutting Kittery Trading Post, as long as sidewalks are built along Wilson Road to guide pedestrians to the  
62 intersection at the southeast corner of the lot. The applicant has stated they are amenable to this.
- 63 3. The site plan (sheet C-102) has proposed snow storage areas. Note 18 on this sheet details snow storage procedures.
- 64 4. The applicant was asked to amend the site plan to count any proposed canopy for the hotel as part of total square  
65 footage.
  - 66 a. If attached to the building, the canopy will require the same fire suppression systems (including sprinklers)  
67 as the rest of the hotel.
  - 68 b. If detached from the building, fire suppression requirements will be determined by the distance of the  
69 canopy from the hotel.
- 70 5. The applicant was seeking a lot line adjustment on Old Wilson Road to get access from the Town to perform  
71 maintenance (shown on sheet C-102). Public Works does not believe a lot line adjustment is necessary, as maintenance  
72 responsibilities are already the burden of the private property owner.
- 73 6. Fire staff are concerned about the proposed portable water connections for the hotel, as that is usually the area that FTC  
74 is located.
- 75 7. One of the 5 stories in the multi-family dwelling is a ground-level parking area. If electric vehicle charging stations are  
76 to be built, Fire staff strongly discourage any charging ports from being installed in enclosed-ground floors.
- 77 8. Staff believe a buffer between the highway would be beneficial to the multi-family dwelling and proposed park.
- 78 9. Per §16.7.11.D, the project appears to trigger requirement for post-construction stormwater management.
- 79 10. The affordable housing narrative states their intent to provide 10% of their units as affordable. It then goes to say it  
80 is dedicating 10 units out of 107 as affordable, which is below the threshold of 10%. Staff require the applicant  
81 clarify their intent, as 10% is the threshold of affordable units where an application begins receiving discounts on  
82 permitting fees.  
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## 85 PROJECT ANALYSIS

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Staff reviewed the application and provided materials and have provided their determination on the requirements and standards below. All requirements that have not been met or require further discussion are highlighted.

Code Ref.	§16.4 Land Use Zone Standards	
	Standard	Determination
§16.4.19.B/C.	Permitted/Special Exception Uses	The proposed commercial uses are permitted. The proposed multi-family dwelling is a special exception use in this zone.
§16.4.19.E.(2).(a).	Lot size: 40,000 sq ft. minimum	It appears the standard is satisfied.
§16.4.19.E.(2).(b).	Street frontage: no requirements in C-1 Zone	It appears the standard is satisfied.
§16.4.19.E.(2).(c).	Front setback: 15 ft minimum  NOTE: The Planning Board may, at its discretion, allow a greater setback when public amenities such as benches, pocket parks, outdoor dining or seating areas are proposed. Properties in the C-3 Zone with frontage on Old Post Road, including those lots which also have frontage on Route 1 Bypass, are required to have at least a fifteen-foot setback on Old Post Road.	It appears the standard is satisfied.
§16.4.19.E.(2).(d).	Rear and side setbacks: 10 ft minimum.	It appears the standard is satisfied.
§16.4.19.E.(2).(e).	Building height: 40 ft maximum  NOTE: the maximum is 50 ft for multifamily dwellings on the west side of Route 1	It appears the standard is satisfied.
§16.4.19.E.(2).(f).	Imperious surface: 70% maximum for currently developed lots	It appears the standard is satisfied.
§16.4.19.E.(2).(g).	Water body setback for water-dependent uses: 0 ft minimum	Not applicable.
§16.4.19.E.(2).(k).	For 107 residential units, one of the following options are required: <ul style="list-style-type: none"> <li>• 10 affordable units and a \$70,000 payment in-lieu</li> <li>• 11 affordable units</li> </ul>	This standard appears to be satisfied, see note §16.5.4 below for more detail.
§16.4.19.E.(2).(l)..	Mixed-use buildings must have non residential uses comprising at least 50% of the street-facing first floor	None of the buildings in the proposal are mixed-use. It appears the standard is satisfied.

§16.4.19.E.(2).(m)..	Underground utilities are required	It appears the standard is satisfied
§16.4.19.E.(3).(a).	Parking standards: parking areas must be visually screened when abutting residential properties.	The proposal does not abut any residential properties. It appears the standard is satisfied.
§16.4.19.E.(3).(a).[2]	Parking space dimensions: minimum 19' x 9'	It appears the standard is satisfied.
§16.4.19.E.(4).(c).	<p>Parking must be on-site unless meeting requirements is determined impractical.</p> <p>20% of parking associated for multifamily dwellings may be designated for compact cars (if at least 10 spaces are required)</p>	All parking is located on-site. It appears the standard is satisfied.
§16.4.19.E.(3).(b).	The proposal must meet Kittery's building design standards.	The proposed developments appear to meet the design handbook guidelines.
§16.4.19.E.(3).(c)	<p>Landscaping improvements:</p> <ul style="list-style-type: none"> <li>• minimum 30 ft vegetated landscape planter strips between the lot and adjacent all rights-of-way.</li> <li>• One street tree for every 25 feet of street frontage</li> <li>• 10 plants per 40 linear feet of street frontage unless existing woodlands or being retained.</li> </ul> <p>NOTE: per §16.4.19.E.(4).(d), for surface parking lots that service a multi-family dwelling and abut a street, the following conditions also apply:</p> <ul style="list-style-type: none"> <li>• street trees must be backed by a fence.</li> <li>• 50% of trees and shrubs must be evergreen species</li> <li>• A minimum of 10% of parking area must be landscaped</li> </ul>	The applicant will show all standards are met in their landscaping plan before approval.
§16.4.19.E.(3).(d).	Traffic circulation standards: sidewalks are required along the entire portion of the lot facing Route 1 Wilson Road, and Old Wilson Road.	The standard appears to be satisfied.



§16.4.19.E.(3).(e).	Open Space standards: 25% minimum. NOTE: For multi-family dwellings, the minimum is 15%.	The plan meets the strictest minimum requirement of 25%. It appears the standard is satisfied.
§16.4.19.E.(4).(a).[1].	Sidewalks must be installed within the right-of-way	It appears the standard is satisfied.
§16.4.19.E.(4).(a).[2].	Housing development must be connected to new and existing commercial areas through sidewalks or walkways	The site plan shows sidewalks connecting the multi-family dwelling to the proposed hotel, restaurant, and dog park. It appears the standard is satisfied
§16.4.19.E.(4).(a).[3].	On-street parking is encouraged and can be considered a part of a joint use parking plan	On-street parking is not encouraged due to the property's location to the highway. All parking requirements are met on-site
§16.4.19.E.(4).(a).[4].	Areas for services such as dumpsters and generators must be screened by a fence at least 6 feet tall	All indicated dumpster pads are proposed to have an "enclosure." Staff request the applicant confirm said enclosure includes the required fence screening.
§16.4.19.E.(4).(a).[5].	Parking for residential units must be located so they do not face streets	283 Route 1 is a corner lot. Parking associated with the multi-family dwelling are located away from both roads to the greatest practical extent. It appears the standard is satisfied.
§16.4.19.E.(4).(a).[6].	Fixtures in a lighting plan must be cut off to prevent light trespass and meet all other photometric requirements	A photometric plan is required at the final plan review.
§16.4.19.E.(4).(e).	10 ft buffers, with a fence at least 6 feet high, are required between the following: <ul style="list-style-type: none"> <li>• New residential uses and existing nonresidential uses</li> <li>• New residential uses and existing single-family uses</li> </ul>	A buffer appears to be required between the multi-family dwelling and the abutting Kittery Trading Post.
Code Ref.	§16.5 Performance Standards	
	Standard	Determination
§16.5.14.C	Corner Lots	The property is considered a corner lot between Route 1 and Wilson Road. Access will be through a driveway along Wilson Road, meaning this is the road it "fronts."
§16.5.10	Essential Services	Wastewater and Water District staff have both confirmed sufficient capacity for the entire proposed development.

§16.5.25	Sprinkler Systems are required in all hotels and buildings of three or more stories	Sprinkler systems must meet NFPA standards.
§16.5.27	Street Standards: sidewalks are required along the entire ROW for the Route 1 Bypass and Wilson Road	The plan proposes sidewalks connecting the lot to the abutting intersection.
§16.5.4	Affordable housing requirements	The applicant has expressed their intent to provide 11 affordable housing units rather than pay any in-lieu fee. A housing plan must be submitted before preliminary approval
§16.7.11.F.(e).	A minimum of 291 parking spaces are required	<p>The plan proposes a total of 316 parking spaces, including below ground spaces specifically servicing the residential property.</p> <p>The plan set notates that 276 parking spaces are required. However, the restaurant appears to required 65 spaces rather than 50 (15 base spaces + 1 space for each 3 seats), bringing the minimum to 291). The application still meets the requirement, but the plan should be edited to reflect the actual requirements.</p> <p>The plan appears to meet ADA space requirements</p>
Code Ref.	§16.6 Preliminary Master Site Plan Requirements	
	Standard	Determination
§16.6.1	Applicability for Master site plan: <ul style="list-style-type: none"> <li>• The cumulative lot area is one acre or larger.</li> <li>• The site is designed as a cohesive development consisting of multiple buildings</li> </ul>	The standard appears to be met
§16.6.2.B.(5).	Preliminary master site plan must follow requirements of Site Plan review in §16.7	The standard appears to be met
§16.6.3.A	Any applicable approval from Maine DEP, DOT, and Army Corps of engineers must be obtained or in the process of obtaining	The applicant is currently working with DOT to determine their traffic movement permit requirements.

§16.6.3.B.	Improvements to infrastructure, including sidewalks, streetlights, and guard rails, must be consistent in construction details	The standard appears to be satisfied
§16.6.3.C.	Each phase of the project must include stormwater treatment adequate to treat that phase of the project.	A phasing narrative was submitted to confirm adequate stormwater capacity for each phase.
§16.6.3.D.	New streets in the master site plan will include provisions for adequate turnaround between project phases.	A phasing narrative was submitted to confirm adequate parking capacity for each phase.
Code Ref.	§16.7.10 Preliminary Site Plan Requirements	
	Standard	Determination
§16.7.10.C.(4).(a-i).	<ul style="list-style-type: none"> <li>• Paper plan sheets no smaller than 11" x 17"</li> <li>• Scale of drawing no greater than 1 inch = 30 feet</li> <li>• Code block in right-hand corner</li> <li>• Standard boundary survey of existing conditions</li> <li>• Compass with arrow pointing true north</li> <li>• Locus map of property</li> <li>• Vicinity map and aerial photograph</li> <li>• Surveyed acreage of parcel(s), rights-of-way, wetlands, and amount of street frontage</li> <li>• Names and addresses of owners of record abutting property</li> </ul>	Provided
§16.7.10.C.(4).(j).	Existing conditions survey including all identified structures, natural resources, rights-of-way, and utilities located on and within 100 feet of the property.	Provided
§16.7.10.C.(4).(k).	<ul style="list-style-type: none"> <li>• Proposed development area including:</li> <li>• Location and detail of proposed structures and signs</li> <li>• Proposed utilities including power, water, and sewer.</li> <li>• Sewage facilities type and placement.</li> <li>• Domestic water source</li> <li>• Lot lines, rights-of-way, and street alignments</li> <li>• Road and other paved area plans</li> <li>• Existing and proposed setbacks</li> <li>• Storage areas for waste or hazardous materials</li> <li>• Topographic contours of existing contours and finished grade elevations</li> <li>• Locations and dimensions of artificial features such as pedestrian ways, sidewalks, curb cuts, driveways, fences, retaining walls,</li> </ul>	Provided
§16.7.10.C.(4).(l).	Natural features or site elements to be preserved.	Provided
§16.7.10.C.(4).(m).	Identified property encumbrances.	Provided
§16.7.10.C.(4).(n).	Kittery Water District approval letter.	Provided

§16.7.10.C.(4).(o).	Erosion and sedimentation control plan.	Provided
§16.7.10.C.(4).(p).	Stormwater management plan and drainage analysis.	Provided
§16.7.10.C.(4).(q).	Soil survey.	Provided
§16.7.10.C.(4).(r).	Vehicular traffic report.	Provided
§16.7.10.C.(4).(s).	Traffic impact analysis.	Full analysis is pending MDOT feedback. The applicant is requesting plan acceptance with the intention of submitting before preliminary approval, as detailed above.
§16.7.10.C.(4).(t).	Test pit analysis.	Not applicable
§16.7.10.C.(4).(u).	Approval letter from Town sewage.	Provided
§16.7.10.C.(4).(v).	Evaluation of development by Technical Review Committee department heads.	Provided
§16.7.10.C.(4).(w).	Additional submissions as required.	None identified at this time

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90 **DISCUSSION, NEXT STEPS, AND RECOMMENDATIONS**

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91 The purpose of a public hearing is to gather feedback from abutters, residents, and interested parties that may identify  
92 potential conflicts or suggestions to the proposed development. While the peer review has signed off on the plan set and  
93 drainage analysis, preliminary approval cannot be granted until a full traffic impact study have been submitted. Staff suggest  
94 the planning board provide feedback for the proposed building design and discuss input from the engineer review and public  
95 hearing.

96 **RECOMMENDED MOTIONS**

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97 Below are recommended motions for the Board's use and consideration:

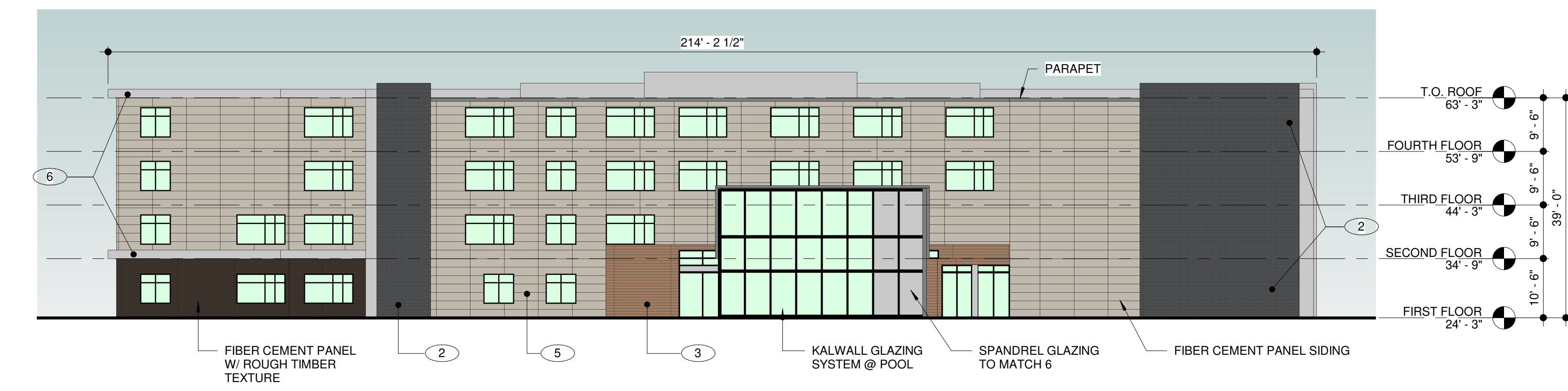
98 ***Motion to continue the application***

99 Move to continue review of the preliminary site plan by Neil Hansen, on behalf of owner/applicant Two International Group,  
100 proposing a multi-phase project to re-develop existing commercial retail facilities into a 107-unit housing complex, 119  
101 room hotel, and 6,000 square feet commercial building intended for a restaurant, along with associated parking and utilities,  
102 located on the property of 283 US Route 1, Map 30 Lot 44, in the Route 1 Commercial (C-1) Zone.

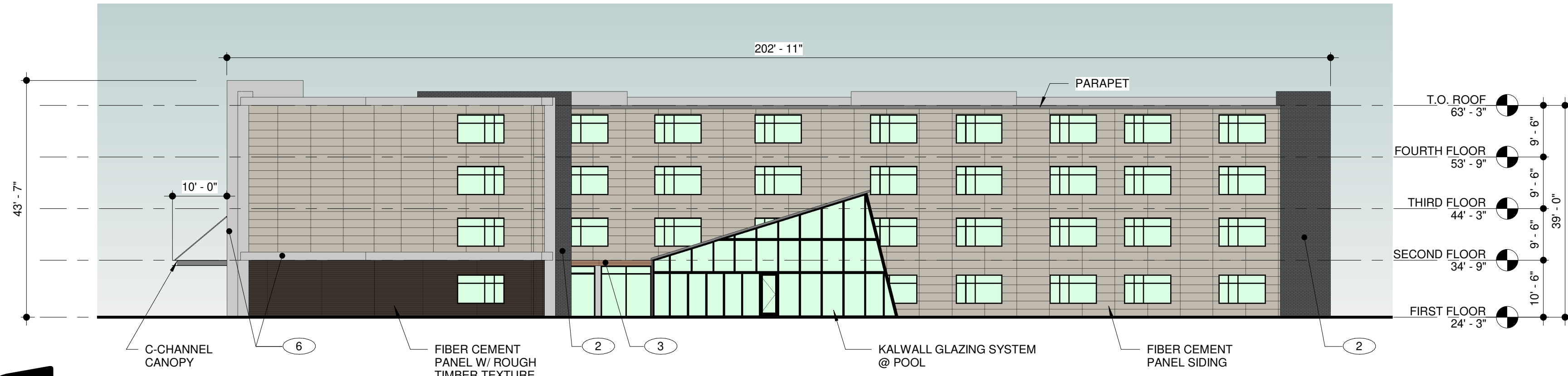




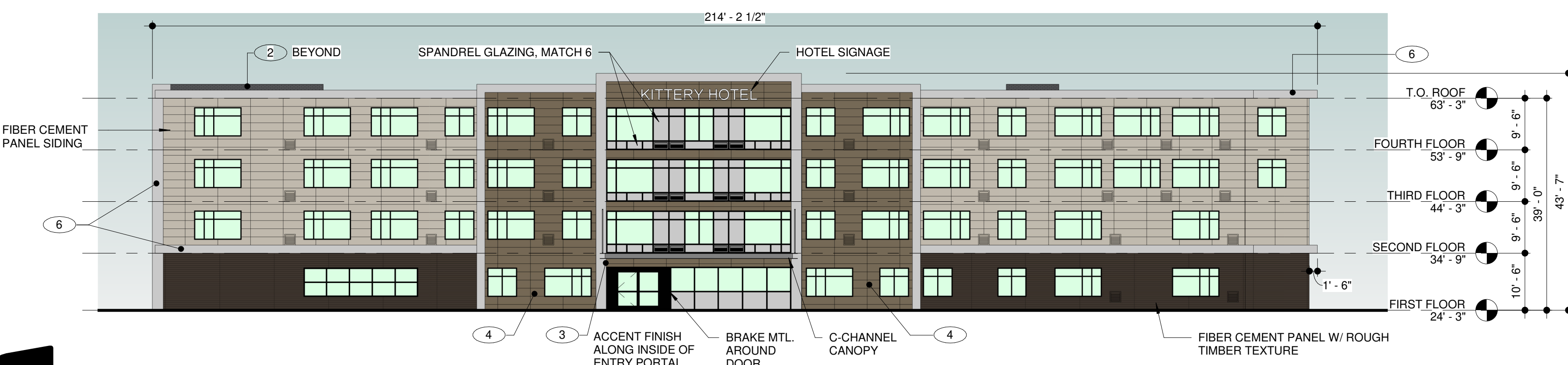
**4** PROPOSED EXTERIOR ELEVATION - WEST  
SCALE: 1/16" = 1'-0"



**3** PROPOSED EXTERIOR ELEVATION - NORTH  
SCALE: 1/16" = 1'-0"



**2** PROPOSED EXTERIOR ELEVATION - EAST  
SCALE: 1/16" = 1'-0"



**1** PROPOSED EXTERIOR ELEVATION - SOUTH  
SCALE: 1/16" = 1'-0"

PROPOSED EXTERIOR FINISH PALETTE



6 NICHHA MIRAIA SERIES ARCHITECTURAL WALL PANEL - GLACIER  
ACCENT COLOR



5 NICHHA TUFFBLOCK SERIES ARCHITECTURAL WALL PANEL - BAMBOO  
TYP. UPPER FLOOR FINISH U.N.O.



4 NICHHA TUFFBLOCK SERIES ARCHITECTURAL WALL PANEL - WALNUT  
ACCENT COLOR



3 NICHHA VINTAGEWOOD ARCHITECTURAL WALL PANEL - SPRUCE  
ACCENT COLOR

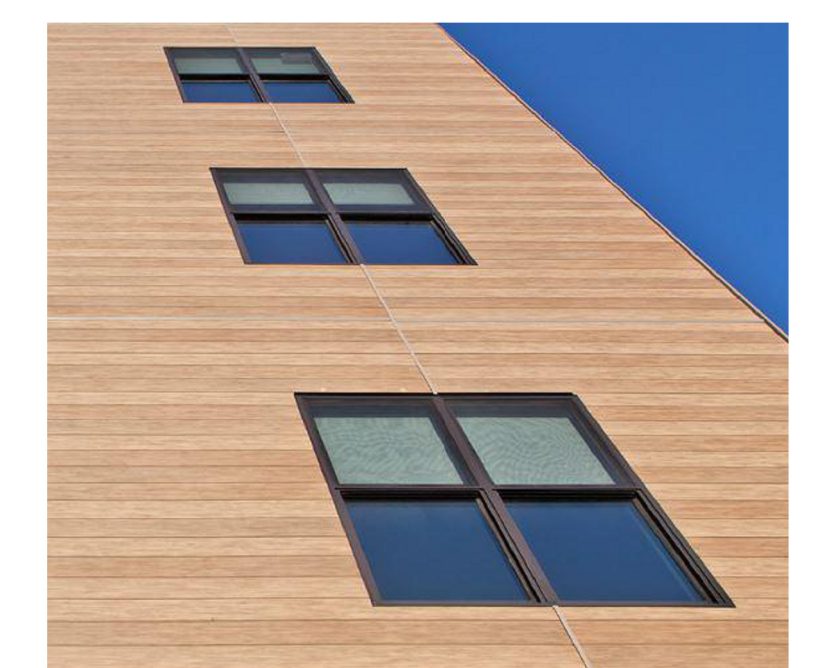
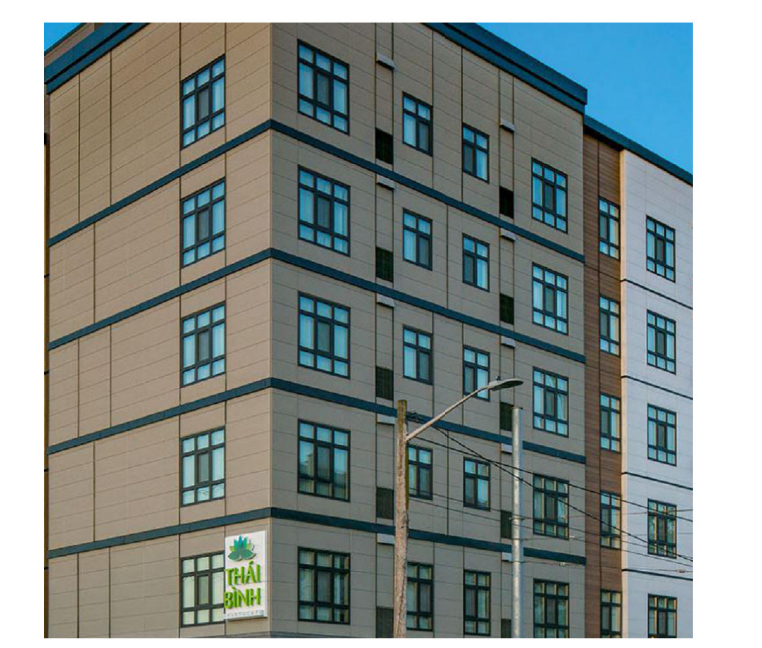
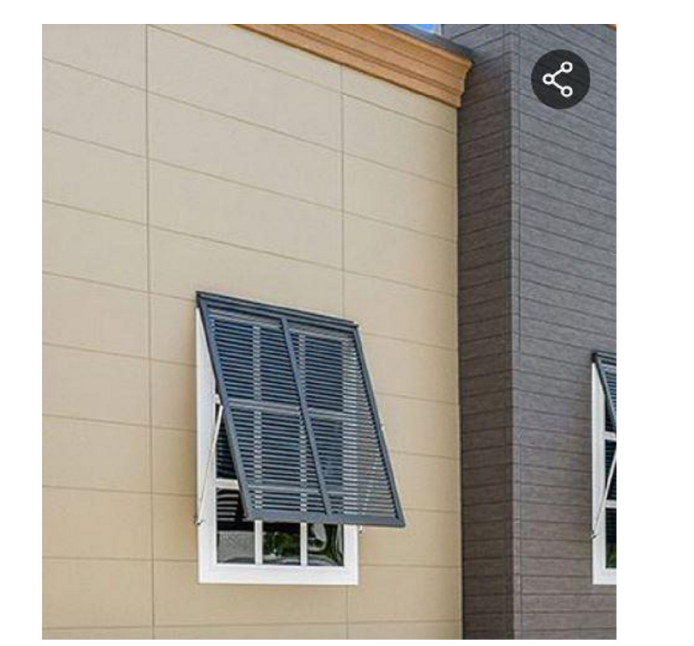
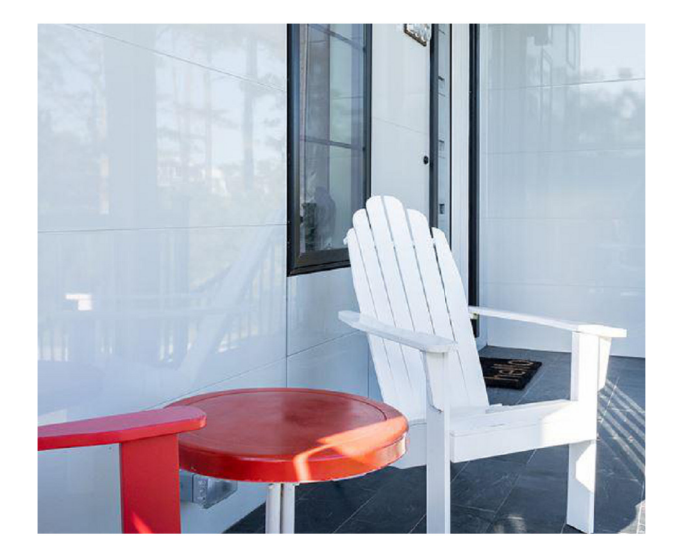


2 NICHHA MODERNBRICK ARCHITECTURAL WALL PANEL - MIDNIGHT  
ACCENT BASE COLOR @ FIRST FLOOR + WALL FINISH @ STAIRWELLS



1 NICHHA ROUGHSAWN ARCHITECTURAL WALL PANEL - ESPRESSO  
TYP. BASE COLOR @ FIRST FLOOR U.N.O.

REAL WORLD FINISH EXAMPLES







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



2 WEST ELEVATION  
SCALE: 1/16" = 1'-0"



3 NORTH ELEVATION  
SCALE: 1/16" = 1'-0"



4 SOUTH ELEVATION  
SCALE: 1/16" = 1'-0"

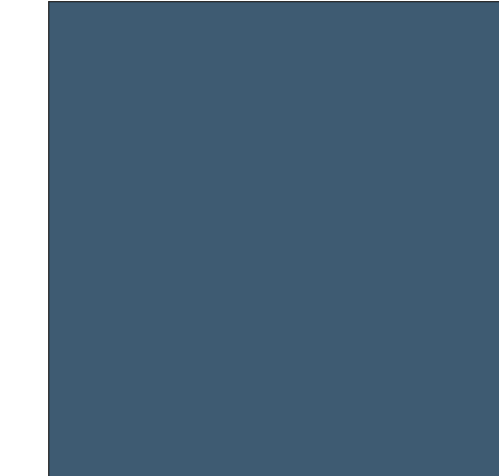
PROPOSED MATERIALS



01-BLUE GRANITE



02-CEMENTITIOUS BOARD GREY



02-CEMENTITIOUS BOARD GREY



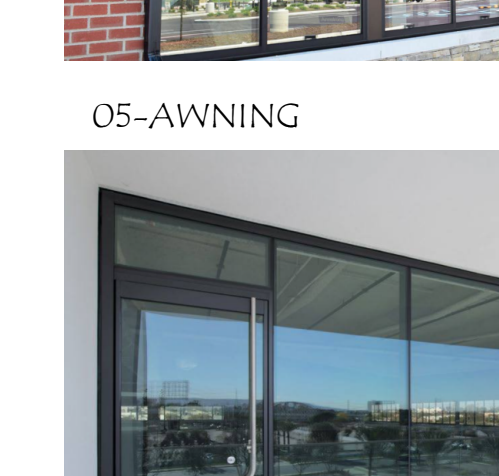
06-DARK WINDOW FRAME



03-CEMENTITIOUS CLAPBOARD WHITE



04-DARK WINDOW FRAME



05-AWNING



06-STOREFRONT



TWO INTERNATIONAL -  
MULTI-FAMILY  
285 US ROUTE 1  
KITTERY, ME

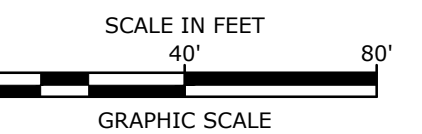
**NOT FOR CONSTRUCTION**

Date	25.10.05
Revisions:	
#	Description
1	PLANNING BOARD SUBMISSION

Scale:	1/16" = 1'-0"
Drawn By:	MAL
Checked By:	MAL
Project No.:	2023060
Date:	11/08/23

Title: EXTERIOR ELEVATIONS  
A2.00





Kittery Mixed-Use Development

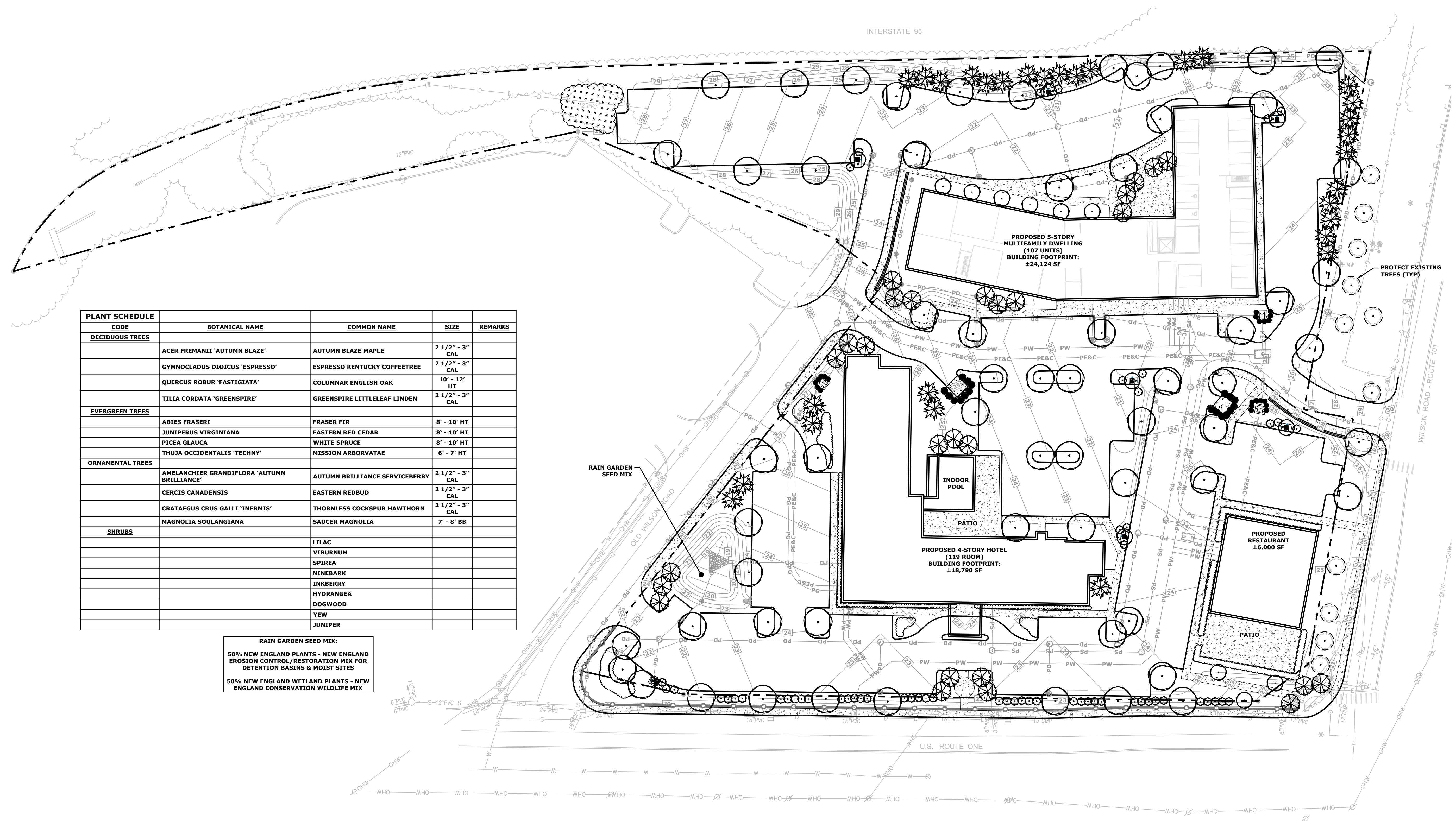
Two International Group

283 US Route 1  
Kittery, Maine

PROJECT NO:	T5037-003
DATE:	10/5/2023
FILE:	T5037-003_C-DESIGN.DWG
DRAWN BY:	CML
CHECKED:	NAH
APPROVED:	PMC

LANDSCAPE PLAN

SCALE: AS SHOWN

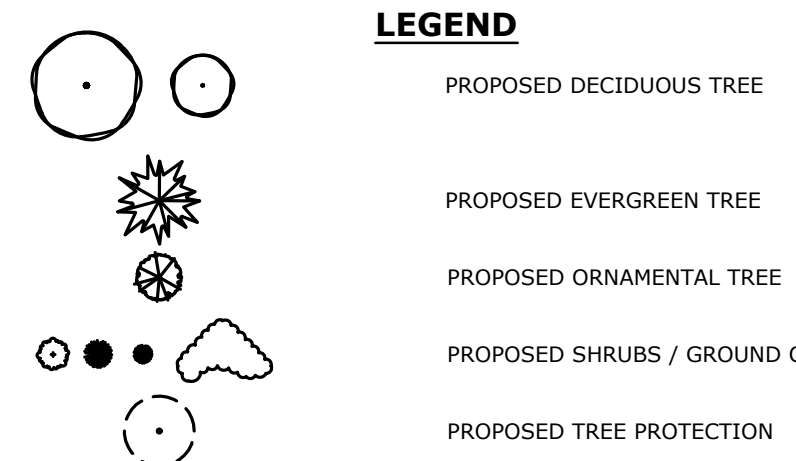


PLANT SCHEDULE	CODE	BOTANICAL NAME	COMMON NAME	SIZE	REMARKS	
DECIDUOUS TREES		ACER FREMANII 'AUTUMN BLAZE'	AUTUMN BLAZE MAPLE	2 1/2" - 3" CAL		
		GYMNOCLADUS DIOICUS 'ESPRESSO'	ESPRESSO KENTUCKY COFFEETREE	2 1/2" - 3" CAL		
		QUERCUS ROBUR 'FASTIGIATA'	COLUMNAR ENGLISH OAK	10' - 12' HT		
		TILIA CORDATA 'GREENSPIRE'	GREENSPIRE LITTLELEAF LINDEN	2 1/2" - 3" CAL		
EVERGREEN TREES		ABIES FRASERI	FRASER FIR	8' - 10' HT		
		JUNIPERUS VIRGINIANA	EASTERN RED CEDAR	8' - 10' HT		
		PICEA GLAUCA	WHITE SPRUCE	8' - 10' HT		
		THUJA OCCIDENTALIS 'TECHNY'	MISSION ARBORVATAE	6' - 7' HT		
	ORNAMENTAL TREES		AMELANCHIER GRANDIFLORA 'AUTUMN BRILLIANCE'	AUTUMN BRILLIANCE SERVICEBERRY	2 1/2" - 3" CAL	
		CERCIS CANADENSIS	EASTERN REDBUD	2 1/2" - 3" CAL		
		CRATAEGUS CRUS GALLI 'INERMIS'	THORNLESS COCKSPUR HAWTHORN	2 1/2" - 3" CAL		
		MAGNOLIA SOULANGIANA	SAUCER MAGNOLIA	7' - 8' BB		
SHRUBS			LILAC			
			VIBURNUM			
		SPIREA				
		NINEBARK				
		INKBERRY				
		HYDRANGEA				
		DOGWOOD				
		YEW				
		JUNIPER				

**RAIN GARDEN SEED MIX:**  
 50% NEW ENGLAND PLANTS - NEW ENGLAND EROSION CONTROL/RESTORATION MIX FOR DETENTION BASINS & MOIST SITES  
 50% NEW ENGLAND WETLAND PLANTS - NEW ENGLAND CONSERVATION WILDLIFE MIX

**LANDSCAPE NOTES:**

- THE CONTRACTOR SHALL FURNISH AND PLANT ALL PLANTS IN QUANTITIES AS SHOWN ON THIS PLAN. NO SUBSTITUTIONS WILL BE PERMITTED UNLESS APPROVED BY OWNER. ALL PLANTS SHALL BE NURSERY GROWN.
- ALL PLANTS SHALL BE NURSERY GROWN AND PLANTS AND WORKMANSHIP SHALL CONFORM TO THE AMERICAN ASSOCIATION OF NURSERYMEN STANDARDS, INCLUDING BUT NOT LIMITED TO SIZE, HEALTH, SHAPE, ETC., AND SHALL BE SUBJECT TO THE APPROVAL OF THE LANDSCAPE ARCHITECT PRIOR TO ARRIVAL ON-SITE AND AFTER PLANTING.
- PLANT STOCK SHALL BE GROWN WITHIN THE HARDINESS ZONES 4 THRU 7 ESTABLISHED BY THE PLANT HARDINESS ZONE MAP, MISCELLANEOUS PUBLICATIONS NO. 814, AGRICULTURAL RESEARCH SERVICE, UNITED STATES DEPARTMENT AGRICULTURE, LATEST REVISION.
- PLANT MATERIAL SHALL BEAR THE SAME RELATIONSHIP TO FINISHED GRADE AS TO THE ORIGINAL PLANTING GRADE PRIOR TO DIGGING.
- THE NUMBER OF EACH INDIVIDUAL PLANT TYPE AND SIZE PROVIDED IN THE PLANT LIST OR ON THE PLAN IS FOR THE CONTRACTOR'S CONVENIENCE ONLY. IF A DISCREPANCY EXISTS BETWEEN THE NUMBER OF PLANTS ON THE LABEL AND THE NUMBER OF SYMBOLS SHOWN ON THE DRAWINGS, THE GREATER NUMBER SHALL APPLY.
- NO SUBSTITUTION OF PLANT MATERIALS WILL BE ALLOWED WITHOUT THE PRIOR WRITTEN APPROVAL OF THE OWNER'S REPRESENTATIVE.
- THE CONTRACTOR SHALL LOCATE, VERIFY AND MARK ALL EXISTING AND NEWLY INSTALLED UNDERGROUND UTILITIES PRIOR TO ANY LAWN WORK OR PLANTING. ANY CONFLICTS WHICH MIGHT OCCUR BETWEEN PLANTING AND UTILITIES SHALL IMMEDIATELY BE REPORTED TO THE OWNER SO THAT ALTERNATE PLANTING LOCATIONS CAN BE DETERMINED.
- ALL DISTURBED AREAS NOT TO BE PAVED OR OTHERWISE TREATED, SHALL RECEIVE 6" OF LOAM AND SEED. NO FILL SHALL BE PLACED IN ANY WETLAND AREA.
- THREE INCHES (3") OF BARK MULCH IS TO BE USED AROUND THE TREE AND SHRUB PLANTING AS SPECIFIED IN THE DETAILS. WHERE BARK MULCH IS TO BE USED IN A CURBED ISLAND THE BARK MULCH SHALL MEET THE TOP INSIDE EDGE OF THE CURB. ALL OTHER AREAS SHALL RECEIVE 6" INCHES OF LOAM AND SEED.
- LANDSCAPING SHALL BE LOCATED WITHIN 150 FT OF EXTERIOR HOSE ATTACHMENT OR SHALL BE PROVIDED WITH AN IRRIGATION SYSTEM.
- SEE PLANTING DETAILS AND SPECIFICATIONS FOR ADDITIONAL REQUIREMENTS.
- TREE STAKES SHALL REMAIN IN PLACE FOR NO LESS THAN 6 MONTHS AND NO MORE THAN 1 YEAR.
- PLANTING SHALL BE COMPLETED FROM APRIL 15TH THROUGH OCTOBER 1ST. NO PLANTING DURING JULY AND AUGUST UNLESS SPECIAL PROVISIONS ARE MADE FOR DROUGHT.
- PARKING AREA PLANTED ISLANDS TO HAVE MINIMUM OF 1'-0" TOPSOIL PLACED TO WITHIN 3 INCHES OF THE TOP OF CURB ELEVATION. REMOVE ALL CONSTRUCTION DEBRIS BEFORE PLACING TOPSOIL.
- TREES SHALL BE PRUNED IN ACCORDANCE WITH THE LATEST EDITION OF ANSI A300 'TREES, SHRUBS AND OTHER WOOD PLANT MAINTENANCE STANDARD PRACTICES.'
- ALL PLANTS SHALL BE WATERED THOROUGHLY TWICE DURING THE FIRST 24 HOUR PERIOD AFTER PLANTING. ALL PLANTS SHALL BE WATERED WEEKLY, OR MORE OFTEN, IF NECESSARY DURING THE FIRST GROWING SEASON. LANDSCAPE CONTRACTOR SHALL COORDINATE WATERING SCHEDULE WITH OWNER DURING THE ONE (1) YEAR GUARANTEE PERIOD.
- EXISTING TREES AND SHRUBS SHOWN ON THE PLAN ARE TO REMAIN UNDISTURBED. ALL EXISTING TREES AND SHRUBS SHOWN TO REMAIN ARE TO BE PROTECTED WITH A 4-FOOT SNOW FENCE PLACED AT THE DRIP LINE OF THE BRANCHES OR AT 8 FEET MINIMUM FROM THE TREE TRUNK. ANY EXISTING TREE OR SHRUB SHOWN TO REMAIN, WHICH IS REMOVED DURING CONSTRUCTION, SHALL BE REPLACED BY A TREE OF COMPARABLE SIZE AND SPECIES TREE OR SHRUB.
- THE CONTRACTOR SHALL GUARANTEE ALL PLANTINGS TO BE IN GOOD HEALTHY, FLOURISHING AND ACCEPTABLE CONDITION FOR A PERIOD OF ONE (1) YEAR BEGINNING AT THE DATE OF ACCEPTANCE OF SUBSTANTIAL COMPLETION. ALL GRASSES, TREES AND SHRUBS THAT, IN THE OPINION OF THE LANDSCAPE ARCHITECT, SHOW LESS THAN 80% HEALTHY GROWTH AT THE END OF ONE YEAR PERIOD SHALL BE REPLACED BY THE CONTRACTOR.
- UPON EXPIRATION OF THE CONTRACTOR'S ONE YEAR GUARANTEE PERIOD, THE OWNER SHALL BE RESPONSIBLE FOR LANDSCAPE MAINTENANCE INCLUDING WATERING DURING PERIODS OF DROUGHT.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL PLANTING AND LAWNS AGAINST DAMAGE FROM ONGOING CONSTRUCTION. THIS PROTECTION SHALL BEGIN AT THE TIME THE PLANT IS INSTALLED AND CONTINUE UNTIL THE FORMAL ACCEPTANCE OF ALL THE PLANTINGS.
- PRE-PURCHASE PLANT MATERIAL AND ARRANGE FOR DELIVERY TO MEET PROJECT SCHEDULE AS REQUIRED IT MAY BE NECESSARY TO PRE-DIG CERTAIN SPECIES WELL IN ADVANCE OF ACTUAL PLANTING DATES.





T5037-003  
November 8, 2023

Mr. Jason Garnham, Director of Planning and Development  
Town of Kittery Planning Department  
200 Rogers Road  
Kittery, Maine 03904

**Re: Affordable Housing Letter of Intent  
Proposed Mixed Use Development, 283 US Route 1, Kittery, ME**

Dear Jason,

On behalf of 283 Route 1, LLC, (applicant), we are pleased to submit this Letter of Intent for declaration of Affordable Housing in accordance with 16.5.4(I) Supplemental Standards for Approval.

**Applicability**

This project is subject to the Affordable Housing provisions under SS16.5.4.B(1)(a) as a development involving three or more new dwelling units.

**Incentives Sought**

The applicant is seeking incentives as follows:

- A 10% reduction in permitting costs per 16.5.4(E)(2)(a)

**Target Median Income Percentage for Affordable Units**

The developer plans to provide 10% of the units as Affordable Housing. The project includes 107 total units. 10% of that would be 10.7 Units. The developer plans to provide 10 affordable units and a payment-in-lieu of \$70,000 for the fractional unit remaining.

**Proposed Location of Affordable Units**

It is the developer's preference to not identify specific units within the building as affordable, but to rather allow the 10 affordable units to be fulfilled anywhere within the total 107 units proposed.

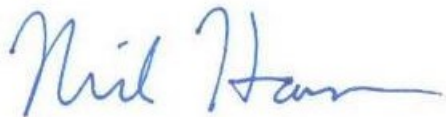
**Standards Satisfied**

SS16.5.4(C)(1) requires that for projects proposing five (5) or more dwelling units, at least 10% of the units, rounded down to the nearest whole number, must be affordable housing units, as defined by this code. Any fractional unit obligation left after the rounding results in a proportional payment-in-lieu. This standard has been satisfied as the applicant proposes to provide 10 affordable units (out of 107) and a payment-in-lieu for the fractional unit remaining.



We look forward to your review. Please contact us with any questions.

Sincerely,  
**TIGHE & BOND, INC.**



Neil A. Hansen, PE  
Project Manager

Copy: 283 Route 1, LLC (via email)