

Town of Kittery Planning Board Meeting May 9, 2024

ITEM 3—77 Bartlett Road—Major Subdivision Plan Modification Review

Action: accept application as complete. Approve plan: Griffin Wood, on behalf of owner/applicant Green & Company, proposes an amendment to relocate a building on the lot of an approved subdivision for 77 Bartlett Road, Tax Map 62 Lot 26, in the Residential-Rural (R-RL) and Resource Protection Overlay (OZ-RP) Zones.

PROCESS SUMMARY

REQ'D	ACTION	COMMENTS	STATUS
YES	Planning staff determination of completeness	5/2/24	Complete
NO	Site Visit	Not required for plan modifications	TBD
NO	Public Hearing	Not required for plan modification	TBD
YES	Plan Approval	Scheduled for 5/9/24	Pending

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.

PROJECT INTRODUCTION

77 Bartlett Road is a 19.30-acre lot and the location of a proposed 9-parcel conservation subdivision which received final planning board approval on 1/25/24. The lots are proposed to be accessed from Bartlett Road through a private right-of-way ending in one cul-de-sac, designed to meet the standards of a Class II private street with a 3-foot widened shoulder and a painted strip on the west side for pedestrian movement.

The area of proposed lot 8 contains an existing driveway, single-family home, and septic system. During the planning board process, the applicant planned to remove the driveway but leave the existing home rather than replacing it with a new building. However, the new owners of the property now propose demolishing the existing home to replace it with a new structure in the identified buildable envelope on lot 8.

Per **§16.8.11.H.(2).(a)**, any relocation of a structure within a subdivision is considered a major plan modification requiring approval by planning board. As the proposal includes a suitable buildable envelope for any future house, **staff recommend the planning board approve the modification at this time.**

STAFF COMMENTS

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

1. The applicant claims it would be easier to bring a new structure to modern energy efficiency standards than an older house, and relocating the home would allow for better orientation with the new proposed right-of-way.
2. The survey shows an allowable buildable area within lot 8, similar to all other proposed lots on the plan. If this modification is granted, the new single-family dwelling would need to meet the same dimensional and performance standards as the proposed homes on all other lots.

PROJECT ANALYSIS

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
§16.4.10.B	Permitted/Special Exception Uses	The proposed subdivision is a permitted use
§16.4.10.D.(2).(a).	Minimum area per dwelling: 40,000 sq ft.	It appears the standard is satisfied.
§16.4.10.D.(2).(b).	Lot size: 40,000 sq ft minimum	Not all lots meet this standard. Requirements need not be met in a conservation subdivision
§16.4.10.D.(2).(c).	Street frontage: 150 ft minimum	Not all lots meet this standard. Requirements may be modified in a conservation subdivision.
§16.4.10.D.(2).(d).	Front setback: 40 ft minimum	Not all lots meet this standard. Requirements may be modified in a conservation subdivision.
§16.4.10.D.(2).(e).	Building coverage: 15% maximum	Not all lots meet this standard. Requirements may be modified in a conservation subdivision.
§16.4.10.D.(2).(f).	Rear and side setbacks: 20 ft minimum.	Not all lots meet this standard. Requirements may be modified in a conservation subdivision.
§16.4.10.D.(2).(g).	Building height: 35 ft maximum	It appears the standard is satisfied.
§16.4.10.D.(2).(i).	Minimum water-body setbacks: up to 100 feet from high-water line of identified wetlands	The standard appears to be satisfied for all proposed

		building envelopes. The applicant has provided a design for the proposed septic systems, which will be reviewed by Code Enforcement if the subdivision plan is approved.
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DISCUSSION, NEXT STEPS, AND RECOMMENDATIONS

The proposed modification would allow the applicant to build a house that orients to the proposed new right-of-way, rather than Bartlett Road. Additionally, allowing a new structure meeting modern energy efficiency standards appears to conform to the intent of the conservation subdivision ordinance. Staff believe the project meets all requirements and can be approved at this time.

RECOMMENDED MOTIONS

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

Motion to accept the application as complete

Move to accept the major subdivision plan modification by Griffin Wood, on behalf of owner/applicant Green & Company.

Motion to approve the application

Move to approve the major subdivision plan modification by Griffin Wood, on behalf of owner/applicant Green & Company.

**Kittery Planning Board
Findings of Fact
For 77 Bartlett Road
Subdivision Modification Review**

Note: This approval by the Planning Board constitutes an agreement between the Town and the Developer incorporating the Development plan and supporting documentation, the Findings of Fact, and all waivers and/or conditions approved and required by the Planning Board.

WHEREAS: Griffin Wood, on behalf of owner/applicant Green & Company, proposes an amendment to relocate a building on the lot of an approved subdivision for 77 Bartlett Road, Tax Map 62 Lot 26, in the Residential-Rural (R-RL) and Resource Protection Overlay (OZ-RP) Zones.

Pursuant to the Plan Review meetings conducted by the Planning Board as noted in the Plan Review Notes dated 5/2/24

REQ'D	ACTION	COMMENTS	STATUS
YES	Completeness Review	5/2/24	Complete
NO	Public Hearing	Optional	Held
NO	Site Visit	Optional	Held
YES	Plan Approval	5/9/24	Approved

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"):

1. Major Plan Modification received 4/29/24 from Griffin Wood of Terradyn Consultants.

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:

Chapter 16.8 SUBDIVISION REVIEW

16.8.9.D.(4).(b). Findings of Fact
Action by the Board shall be based upon findings of fact which certify or waive compliance with all the required standards of this title, and which certify that the development satisfies the following requirements:
Development Conforms to Local Ordinances.
Standard: <i>The proposed development conforms to a duly adopted Comprehensive Plan as per adopted provisions in the Town Code, zoning ordinance, subdivision regulation or ordinance, development plan or land use plan, if any. In making this determination, the municipal reviewing authority may interpret these ordinances and plans.</i>

Finding: The proposed modification conforms to Title 16 and all dimensional standards in the R-RL Zone.

Conclusion: This standard appears to be met.

Vote of _ in favor _ against _ abstaining

Freshwater Wetlands Identified

Standard: All freshwater wetlands within the project area have been identified on any maps submitted as part of the application, regardless of the size of these wetlands.

Finding: All wetlands identified during the original subdivision review are located on the modified plan.

Conclusion: This standard appears to be met.

Vote of _ in favor _ against _ abstaining

River, Stream, or Brook Identified.

Standard: Any river, stream or brook within or abutting the proposed project area has been identified on any maps submitted as part of the application. For purposes of this section, "river, stream or brook" has the same meaning as in 38 M.R.S.A. § 480-B, Subsection 9.

Finding: All natural resources identified during the original subdivision review are located on the modified plan.

Conclusion: This standard appears to be met.

Vote of _ in favor _ against _ abstaining

Water Supply Sufficient.

Standard: The proposed development has sufficient water available for the needs of the development.

Finding: The proposed modification will not increase the water needs anticipated during original approval.

Conclusion: This standard does not appear applicable.

Vote of _ in favor _ against _ abstaining

Municipal Water Supply Available.

Standard: The proposed development will:

The proposed development will not cause an unreasonable burden on an existing water supply, if one is to be used.

Finding: The proposed subdivision will drill wells and will not utilize Municipal Water utilities.

Conclusion: This standard does not appear applicable.

Vote of _ in favor _ against _ abstaining

Sewage Disposal Adequate.

Standard: *The proposed development will provide for adequate sewage waste disposal and will not cause an unreasonable burden on municipal services, if they are utilized.*

Finding: The proposed modification will not increase the wastewater generation anticipated during original approval.

Conclusion: This standard does not appear applicable.

Vote of _ in favor _ against _ abstaining

Municipal solid waste disposal available.

Standard: *The proposed development will not cause an unreasonable burden on the municipality's ability to dispose of solid waste, if municipal services are to be used.*

Finding: The proposed subdivision will install septic systems and will not utilize Municipal Sewer utilities.

Conclusion: This standard does not appear applicable.

Vote of _ in favor _ against _ abstaining

Water body quality and shoreline protected.

Standard: *Whenever situated entirely or partially within 250 feet of any wetland, the proposed development will not adversely affect the quality of that body of water or unreasonably affect the shoreline of that body of water..*

Finding: The modification does not propose encroachment on any water body setbacks.

Conclusion: This standard appears to be satisfied.

Vote of _ in favor _ against _ abstaining

Groundwater protected.

Standard: *The proposed development will not, alone or in conjunction with existing activities, adversely affect the quality or quantity of groundwater.*

Finding: It appears the proposed modification will not cause any unreasonable adverse effects of the quantity or quality of groundwater.

Conclusion: This standard appears to be met.

Vote of _ in favor _ against _ abstaining

Flood areas identified and development conditioned.

Standard: *All flood-prone areas within the project area have been identified on maps submitted as part of the application, based on the Federal Emergency Management Agency's Flood Boundary and Floodway Maps and Flood Insurance Rate Maps and information presented by*

the applicant. If the proposed development, or any part of it, is in such an area, the applicant must determine the 100-year flood elevation and flood hazard boundaries within the project area. The proposed plan must include a condition of plan approval requiring that principal structures in the development will be constructed with their lowest floor, including the basement, at least one foot above the 100-year flood elevation.

Finding: All flood hazard areas are identified in the modified plan. Development will meet the requirements of the Town floodplain management regulations.

Conclusion: This standard appears to be met.

Vote of _ in favor _ against _ abstaining

Stormwater Managed.

Standard: *The proposed development will provide for adequate stormwater management.*

Finding: The proposed modification does not include development that would generate more stormwater than anticipated during the original review.

Conclusion: This standard does not appear applicable.

Vote of _ in favor _ against _ abstaining

Erosion Controlled.

Standard: *The proposed development will not cause unreasonable soil erosion or a reduction in the land's capacity to hold water so that a dangerous or unhealthy condition results.*

Finding: The proposed modification will meet all requirements for erosion control set by Town and state guidelines. The plan proposes double-silt fences around sensitive natural resources during development, which will now include the demolition and reconstruction of a house on proposed lot 8.

Conclusion: This standard does not appear applicable.

Vote of _ in favor _ against _ abstaining

Traffic Managed.

Standard: *The proposed development will:*

[a] *Not cause unreasonable highway or public road congestion or unsafe conditions with respect to the use of the highways or public roads existing or proposed; and*

[b] *Provide adequate traffic circulation, both on-site and off-site.*

Finding: The proposed modification does not increase the intensity of anticipated traffic from original approval.

Conclusion: This standard does not appear applicable.

Vote of _ in favor _ against _ abstaining

Water and Air Pollution Minimized.

Standard: *The proposed development will not result in undue water or air pollution. In making this determination, the following must be considered:*

- [a]** *Elevation of the land above sea level and its relation to the floodplains;*
- [b]** *Nature of soils and subsoils and their ability to adequately support waste disposal;*
- [c]** *Slope of the land and its effect on effluents;*
- [d]** *Availability of streams for disposal of effluents;*
- [e]** *Applicable state and local health and water resource rules and regulations; and*
- [f]** *Safe transportation, disposal and storage of hazardous materials.*

Finding: The proposed modification is not anticipated to generate water or air pollution.

Conclusion: This standard does not appear applicable.

Vote of _ in favor _ against _ abstaining

Aesthetic, cultural and natural values protected.

Standard: *The proposed development will not have an undue adverse effect on the scenic or natural beauty of the area, aesthetics, historic sites, significant wildlife habitat identified by the Department of Inland Fisheries and Wildlife or the municipality, or rare and irreplaceable natural areas, or any public rights for physical or visual access to the shoreline.*

Finding: It appears that the proposed development is designed in a manner that respects the natural capabilities of the lot.

Conclusion: This standard appears to be met.

Vote of _ in favor _ against _ abstaining

Developer financially and technically capable.

Standard: *Developer is financially and technically capable to meet the standards of this section.*

Finding: The developer appears financially and technically capable. A cost estimate is required before the subdivision may begin construction.

Conclusion: This standard does not appear applicable.

Vote of _ in favor _ against _ abstaining

Based on the foregoing Findings, the Kittery Planning Board finds the applicant has satisfied each of the review standards for approval and, therefore, the Kittery Planning Board hereby grants final approval for the Development at the above referenced property, including any waivers granted or conditions as noted.

Waivers:

None

Conditions of Approval (to be included as notes on the final plan in addition to the existing notes):

1. Without prior approval, no changes, erasures, modifications or revisions may be made to any Planning Board approved final plan.
2. Applicant/contractor will follow Maine DEP Best Management Practices for all work associated with site and building construction to ensure adequate erosion control and slope stabilization.
3. Prior to the commencement of grading and/or construction within a building envelope, as shown on the Plan, the owner and/or developer must stake all corners of the envelope. These markers must remain in place until the Code Enforcement Officer determines construction is completed and there is no danger of damage to areas that are, per Planning Board approval, to remain undisturbed.
4. All Notices to Applicant contained in the Findings of Fact (dated: 5/9/24).

Conditions of Approval (Not to be included as notes on the final plan):

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

Notices to Applicant:

1. Prior to the release of the signed plans, the applicant must pay all outstanding fees associated with review, including, but not limited to, Town Attorney fees, peer review, newspaper advertisements and abutter notification.
2. State law requires all subdivision and shoreland development plans, and any plans receiving waivers or variances, be recorded at the York County Registry of Deeds within 90 days of the final approval.
3. Three (3) paper copies of the final 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. Date of Planning Board approval shall be included on the final plan in the Signature Block.
4. This approval by the Town Planning Board constitutes an agreement between the Town and the Developer, incorporating the Plan and supporting documentation, the Findings of Fact, and any Conditions of Approval.

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 5/9/24

Dutch Dunkelberger, Planning Board Chair

Per Title 16.2.12.B(1) - 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.



April 29, 2024

Project #22-145

Jason Garnham, Director of Planning & Development
Town of Kittery
200 Rogers Road
Kittery, ME 03904

**SUBJECT: WASHBURN FARM SUBDIVISION
SUBDIVISION AMENDMENT APPLICATION**

Dear Jason:

On behalf of Green & Company, attached is a Subdivision Amendment application for Washburn Farm Subdivision, a previously approved 9-lot single-family conservation subdivision located at 77 Bartlett Road in Kittery. The project received final approval from the planning board on January 25, 2024. The subdivision amendment application form has been submitted electronically. The applicant is Green & Company, the prospective buyer of the Subdivision, the owner of the property is Beachwood Development Fund LP.

The project site is approximately 19.30 acres in size and is identified as Lot 26 on Kittery Tax Map 62. The site is located in the Residential-Rural District with a small area in the Resource Protection Overlay Zone.

APPROVED PROJECT

The approved project was a proposal to develop a nine-lot conservation subdivision, including an 808 linear-foot road, stormwater management infrastructure, underground utilities, and pedestrian accommodations.

The road and lots are located through the central portion of the site, preserving the wetlands and adjacent upland areas in the northern, western, and eastern areas of the site. Lots were designed to avoid impacts to freshwater wetlands, the existing cemetery, and stone walls throughout the site.

The approved road is approximately 808 linear feet in length, ending in a cul-de-sac. Nine proposed lots will all be accessed from the new road. The existing single family residence on Lot 8 was proposed to remain, the existing driveway connecting to Bartlett Road will be removed, and a new driveway will connect to Washburn Farm Lane.

Lots will be served by individual subsurface wastewater disposal fields and wells. The existing house on lot 8 is expected to continue to use the existing septic system and well. Electric and telecommunications services will be installed underground.

UPDATES TO SUBDIVISION PLAN

The existing single-family home on Lot 8 was previously proposed to remain, with a new driveway connecting to Washburn Farm Lane. The applicant is now proposing to remove the existing home, and replace it with a new structure that is oriented better within the subdivision, and conforms to the same style and energy efficient construction as the other lots.

CLOSURE

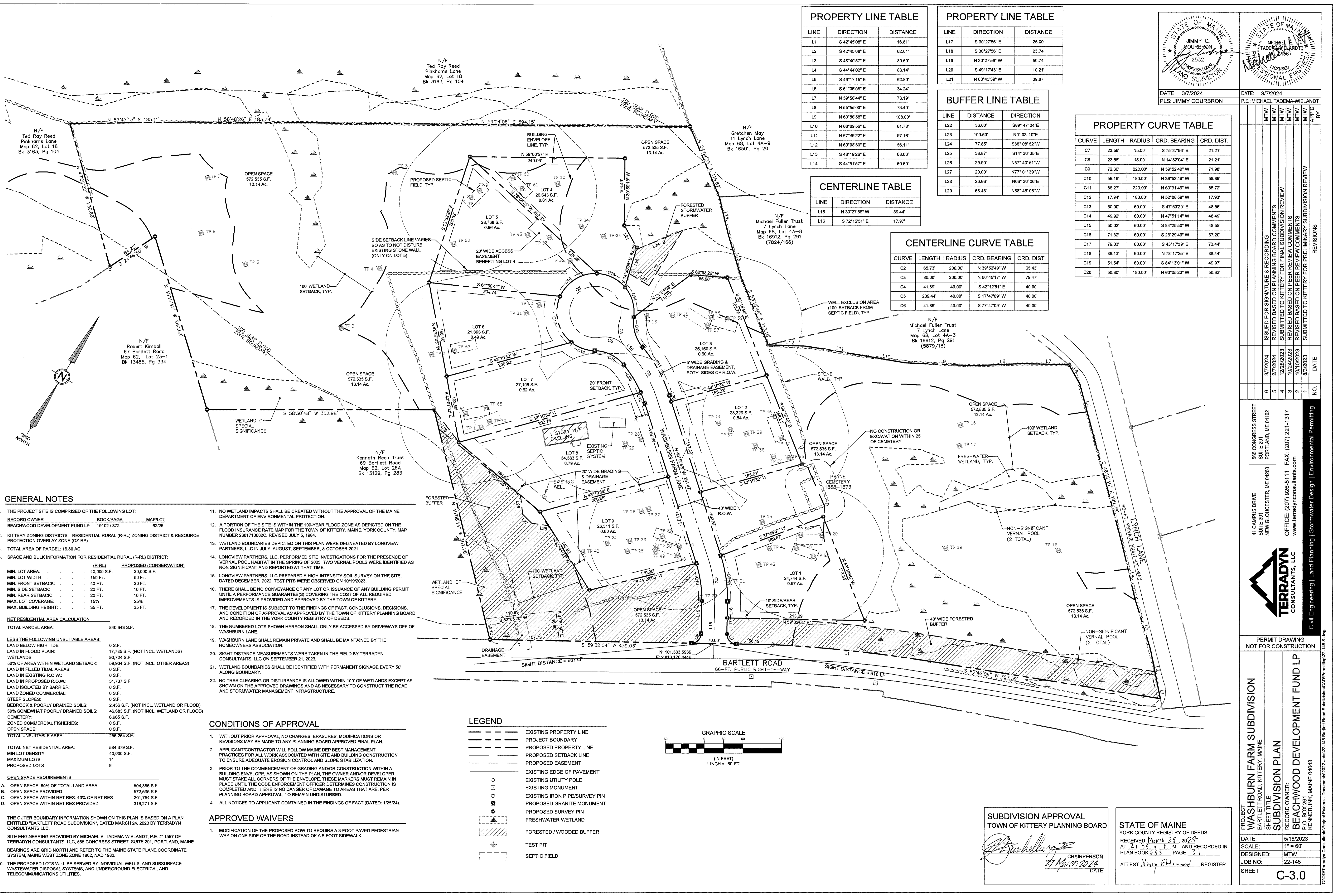
We request to be added to the Planning Board's May 9th meeting agenda to present this information to the Board. If you have any questions or require additional information, please contact me at 207-210-4294 or griffin@terradyconsultants.com.

Sincerely,
TERRADYN CONSULTANTS, LLC



Griffin Wood, P.E.
Project Engineer

cc. Michael & Jenna Green, Green & Company



PROPERTY LINE TABLE

LINE	DIRECTION	DISTANCE
L1	S 42°45'08" E	16.81'
L2	S 42°45'08" E	62.01'
L3	S 48°40'57" E	80.69'
L4	S 44°44'02" E	83.14'
L5	S 46°17'15" E	62.80'
L6	S 61°00'08" E	34.24'
L7	N 59°58'44" E	73.19'
L8	N 55°55'00" E	73.40'
L9	N 60°56'58" E	108.00'
L10	N 68°09'56" E	61.78'
L11	N 67°46'22" E	97.16'
L12	N 60°08'50" E	56.11'
L13	S 48°19'26" E	68.63'
L14	S 44°51'57" E	60.60'

PROPERTY LINE TABLE

LINE	DIRECTION	DISTANCE
L17	S 30°27'56" E	25.00'
L18	S 30°27'56" E	25.74'
L19	N 30°27'56" W	50.74'
L20	S 49°17'43" E	10.21'
L21	N 60°43'39" W	39.87'

BUFFER LINE TABLE

LINE	DISTANCE	DIRECTION
L22	36.03'	S89°47'34"E
L23	100.60'	N0°03'10"E
L24	77.85'	S36°08'52"W
L25	38.87'	S14°36'35"E
L26	29.90'	N37°40'51"W
L27	20.00'	N77°01'39"W
L28	26.66'	N66°36'06"E
L29	63.43'	N68°46'06"W

CENTERLINE TABLE

LINE	DIRECTION	DISTANCE
L15	N 30°27'56" W	89.44'
L16	S 72°12'51" E	17.97'

CENTERLINE CURVE TABLE

CURVE	LENGTH	RADIUS	CRD. BEARING	CRD. DIST.
C2	65.73'	200.00'	N 39°52'49" W	65.43'
C3	80.00'	200.00'	N 60°45'17" W	79.47'
C4	41.89'	40.00'	S 42°12'51" E	40.00'
C5	209.44'	40.00'	S 17°47'09" W	40.00'
C6	41.89'	40.00'	S 77°47'09" W	40.00'

PROPERTY CURVE TABLE

CURVE	LENGTH	RADIUS	CRD. BEARING	CRD. DIST.
C7	23.66'	15.00'	S 75°26'56" E	21.21'
C8	23.66'	15.00'	N 14°32'04" E	21.21'
C9	72.30'	220.00'	N 39°52'49" W	71.98'
C10	58.16'	180.00'	N 39°52'49" W	58.89'
C11	86.27'	220.00'	N 60°31'46" W	85.72'
C12	17.94'	180.00'	N 62°08'59" W	17.93'
C13	50.00'	60.00'	S 47°53'28" E	48.56'
C14	49.92'	60.00'	N 47°51'14" W	48.49'
C15	50.02'	60.00'	S 84°25'50" W	48.58'
C16	71.32'	60.00'	S 26°29'40" W	67.20'
C17	79.03'	60.00'	S 45°17'39" E	73.44'
C18	39.13'	60.00'	N 78°17'25" E	38.44'
C19	51.54'	60.00'	S 84°13'01" W	49.97'
C20	50.80'	180.00'	N 63°05'23" W	50.63'

GENERAL NOTES

- THE PROJECT SITE IS COMPRISED OF THE FOLLOWING LOT:

RECORD OWNER	BOOK/PAGE	MAP/LOT
BEACHWOOD DEVELOPMENT FUND LP	19102/372	62/26
- KITTERY ZONING DISTRICTS: RESIDENTIAL RURAL (R-R) ZONING DISTRICT & RESOURCE PROTECTION OVERLAY ZONE (OZ-RP)
- TOTAL AREA OF PARCEL: 19.30 AC
- SPACE AND BULK INFORMATION FOR RESIDENTIAL RURAL (R-R) DISTRICT:

	(B.R.L.)	PROPOSED (CONSERVATION)
MIN. LOT AREA:	40,000 S.F.	20,000 S.F.
MIN. LOT WIDTH:	150 FT.	50 FT.
MIN. FRONT SETBACK:	40 FT.	20 FT.
MIN. SIDE SETBACK:	20 FT.	10 FT.
MIN. REAR SETBACK:	20 FT.	10 FT.
MAX. LOT COVERAGE:	15%	25%
MAX. BUILDING HEIGHT:	35 FT.	35 FT.
- NET RESIDENTIAL AREA CALCULATION

TOTAL PARCEL AREA:	840,643 S.F.
LESS THE FOLLOWING UNSUITABLE AREAS:	
LAND BELOW HIGH TIDE:	0 S.F.
LAND IN FLOOD PLAIN:	17,785 S.F. (NOT INCL. WETLANDS)
WETLANDS:	90,724 S.F.
50% OF AREA WITHIN WETLAND SETBACK:	59,934 S.F. (NOT INCL. OTHER AREAS)
LAND IN FILLED TIDAL AREAS:	0 S.F.
LAND IN EXISTING R.O.W.:	0 S.F.
LAND IN PROPOSED R.O.W.:	31,737 S.F.
LAND ISOLATED BY BARRIER:	0 S.F.
LAND ZONED COMMERCIAL:	0 S.F.
STEEP SLOPES:	0 S.F.
BEDROCK & POORLY DRAINED SOILS:	2,436 S.F. (NOT INCL. WETLAND OR FLOOD)
50% SOMEWHAT POORLY DRAINED SOILS:	46,683 S.F. (NOT INCL. WETLAND OR FLOOD)
CEMETERY:	6,985 S.F.
ZONED COMMERCIAL FISHERIES:	0 S.F.
OPEN SPACE:	0 S.F.
TOTAL UNSUITABLE AREA:	256,284 S.F.
TOTAL NET RESIDENTIAL AREA:	584,379 S.F.
MIN. LOT DENSITY:	40.000 S.F.
MAXIMUM LOTS:	14
PROPOSED LOTS:	9
- OPEN SPACE REQUIREMENTS:

A. OPEN SPACE: 60% OF TOTAL LAND AREA	504,389 S.F.
B. OPEN SPACE PROVIDED	572,535 S.F.
C. OPEN SPACE WITHIN NET RES: 40% OF NET RES	201,754 S.F.
D. OPEN SPACE WITHIN NET RES PROVIDED	316,271 S.F.
- THE OUTER BOUNDARY INFORMATION SHOWN ON THIS PLAN IS BASED ON A PLAN ENTITLED "BARTLETT ROAD SUBDIVISION", DATED MARCH 24, 2023 BY TERRADYN CONSULTANTS LLC.
- SITE ENGINEERING PROVIDED BY MICHAEL E. TADEMA-WIELANDT, P.E. #11567 OF TERRADYN CONSULTANTS, LLC, 585 CONGRESS STREET, SUITE 201, PORTLAND, MAINE.
- BEACHWOOD DEVELOPMENT FUND LP, 201, 754 S.F., MAINE WEST ZONE 1802, MAD 1983.
- THE PROPOSED LOTS WILL BE SERVED BY INDIVIDUAL WELLS, AND SUBSURFACE WASTEWATER DISPOSAL SYSTEMS, AND UNDERGROUND ELECTRICAL AND TELECOMMUNICATIONS UTILITIES.

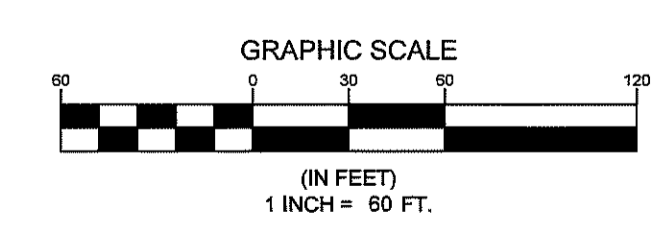
- NO WETLAND IMPACTS SHALL BE CREATED WITHOUT THE APPROVAL OF THE MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION.
- A PORTION OF THE SITE IS WITHIN THE 100-YEAR FLOOD ZONE AS DEPICTED ON THE FLOOD INSURANCE RATE MAP FOR THE TOWN OF KITTERY, MAINE, YORK COUNTY, MAP NUMBER 230110020, REVISED JULY 5, 1984.
- WETLAND BOUNDARIES DEPICTED ON THIS PLAN WERE DELINEATED BY LONGVIEW PARTNERS, LLC IN JULY, AUGUST, SEPTEMBER, & OCTOBER 2021.
- LONGVIEW PARTNERS, LLC PERFORMED SITE INVESTIGATIONS FOR THE PRESENCE OF VERNAL POOL HABITAT IN THE SPRING OF 2023. TWO VERNAL POOLS WERE IDENTIFIED AS NON-SIGNIFICANT AND REPORTED AT THAT TIME.
- LONGVIEW PARTNERS, LLC PREPARED A HIGH INTENSITY SOIL SURVEY ON THE SITE, DATED DECEMBER, 2022. TEST PITS WERE OBSERVED ON 10/19/2023.
- THERE SHALL BE NO CONVEYANCE OF ANY LOT OR ISSUANCE OF ANY BUILDING PERMIT UNTIL A PERFORMANCE GUARANTEE(S) COVERING THE COST OF ALL REQUIRED IMPROVEMENTS IS PROVIDED AND APPROVED BY THE TOWN OF KITTERY.
- THE DEVELOPMENT IS SUBJECT TO THE FINDINGS OF FACT, CONCLUSIONS, DECISIONS, AND CONDITION OF APPROVAL AS APPROVED BY THE TOWN OF KITTERY PLANNING BOARD AND RECORDED IN THE YORK COUNTY REGISTRY OF DEEDS.
- THE NUMBERED LOTS SHOWN HEREON SHALL ONLY BE ACCESSED BY DRIVEWAYS OFF OF WASHBURN LANE.
- WASHBURN LANE SHALL REMAIN PRIVATE AND SHALL BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION.
- SIGHT DISTANCE MEASUREMENTS WERE TAKEN IN THE FIELD BY TERRADYN CONSULTANTS, LLC ON SEPTEMBER 21, 2023.
- WETLAND BOUNDARIES SHALL BE IDENTIFIED WITH PERMANENT SIGNAGE EVERY 50' ALONG BOUNDARY.
- NO TREE CLEARING OR DISTURBANCE IS ALLOWED WITHIN 100' OF WETLANDS EXCEPT AS SHOWN ON THE APPROVED DRAWINGS AND AS NECESSARY TO CONSTRUCT THE ROAD AND STORMWATER MANAGEMENT INFRASTRUCTURE.

- CONDITIONS OF APPROVAL**
- WITHOUT PRIOR APPROVAL, NO CHANGES, ERASURES, MODIFICATIONS OR REVISIONS MAY BE MADE TO ANY PLANNING BOARD APPROVED FINAL PLAN.
 - APPLICANT/CONTRACTOR WILL FOLLOW MAINE DEP BEST MANAGEMENT PRACTICES FOR ALL WORK ASSOCIATED WITH SITE AND BUILDING CONSTRUCTION TO ENSURE ADEQUATE EROSION CONTROL AND SLOPE STABILIZATION.
 - PRIOR TO THE COMMENCEMENT OF GRADING AND/OR CONSTRUCTION WITHIN A BUILDING ENVELOPE, AS SHOWN ON THE PLAN, THE OWNER AND/OR DEVELOPER MUST STAKE ALL CORNERS OF THE ENVELOPE. THESE MARKERS MUST REMAIN IN PLACE UNTIL THE CODE ENFORCEMENT OFFICER DETERMINES CONSTRUCTION IS COMPLETED AND THERE IS NO DANGER OF DAMAGE TO AREAS THAT ARE, PER PLANNING BOARD APPROVAL, TO REMAIN UNDISTURBED.
 - ALL NOTICES TO APPLICANT CONTAINED IN THE FINDINGS OF FACT (DATED: 1/25/24).

- APPROVED WAIVERS**
- MODIFICATION OF THE PROPOSED ROAD TO REQUIRE A 3-FOOT PAVED PEDESTRIAN WAY ON ONE SIDE OF THE ROAD INSTEAD OF A 5-FOOT SIDEWALK.

LEGEND

	EXISTING PROPERTY LINE
	PROJECT BOUNDARY
	PROPOSED PROPERTY LINE
	PROPOSED SETBACK LINE
	PROPOSED EASEMENT
	EXISTING EDGE OF PAVEMENT
	EXISTING UTILITY POLE
	EXISTING MONUMENT
	EXISTING IRON PIPE/SURVEY PIN
	PROPOSED GRANITE MONUMENT
	PROPOSED SURVEY PIN
	FRESHWATER WETLAND
	FORESTED / WOODED BUFFER
	TEST PIT
	SEPTIC FIELD



SUBDIVISION APPROVAL
TOWN OF KITTERY PLANNING BOARD

[Signature]
CHAIRPERSON
7/10/2024
DATE

STATE OF MAINE
YORK COUNTY REGISTRY OF DEEDS
RECEIVED March 28 2024
AT 2:55 p.m. P.M. AND RECORDED IN
PLAN BOOK 238 PAGE 31

ATTEST Nancy E.H. Leonard REGISTER

STATE OF MAINE
JIMMY C. COURBRON
2532
PROFESSIONAL LAND SURVEYOR
DATE: 3/7/2024
P.L.S. JIMMY COURBRON

STATE OF MAINE
MICHAEL TADEMA-WIELANDT
2532
PROFESSIONAL ENGINEER
DATE: 3/7/2024
P.E. MICHAEL TADEMA-WIELANDT

NO.	DATE	REVISIONS
1	03/2023	SUBMITTED TO KITTERY FOR PRELIMINARY SUBDIVISION REVIEW
2	10/10/2023	REVISED BASED ON PEEER REVIEW COMMENTS
3	10/24/2023	REVISED BASED ON PEEER REVIEW COMMENTS
4	12/28/2023	SUBMITTED TO KITTERY FOR FINAL SUBDIVISION REVIEW
5	3/7/2024	ISSUED FOR SIGNATURE & RECORDING
6	3/7/2024	REVISED BASED ON PLANNING BOARD COMMENTS

585 CONGRESS STREET
PORTLAND, ME 04102

44 CAMPUS DRIVE
NEW GLOUCESTER, ME 04260

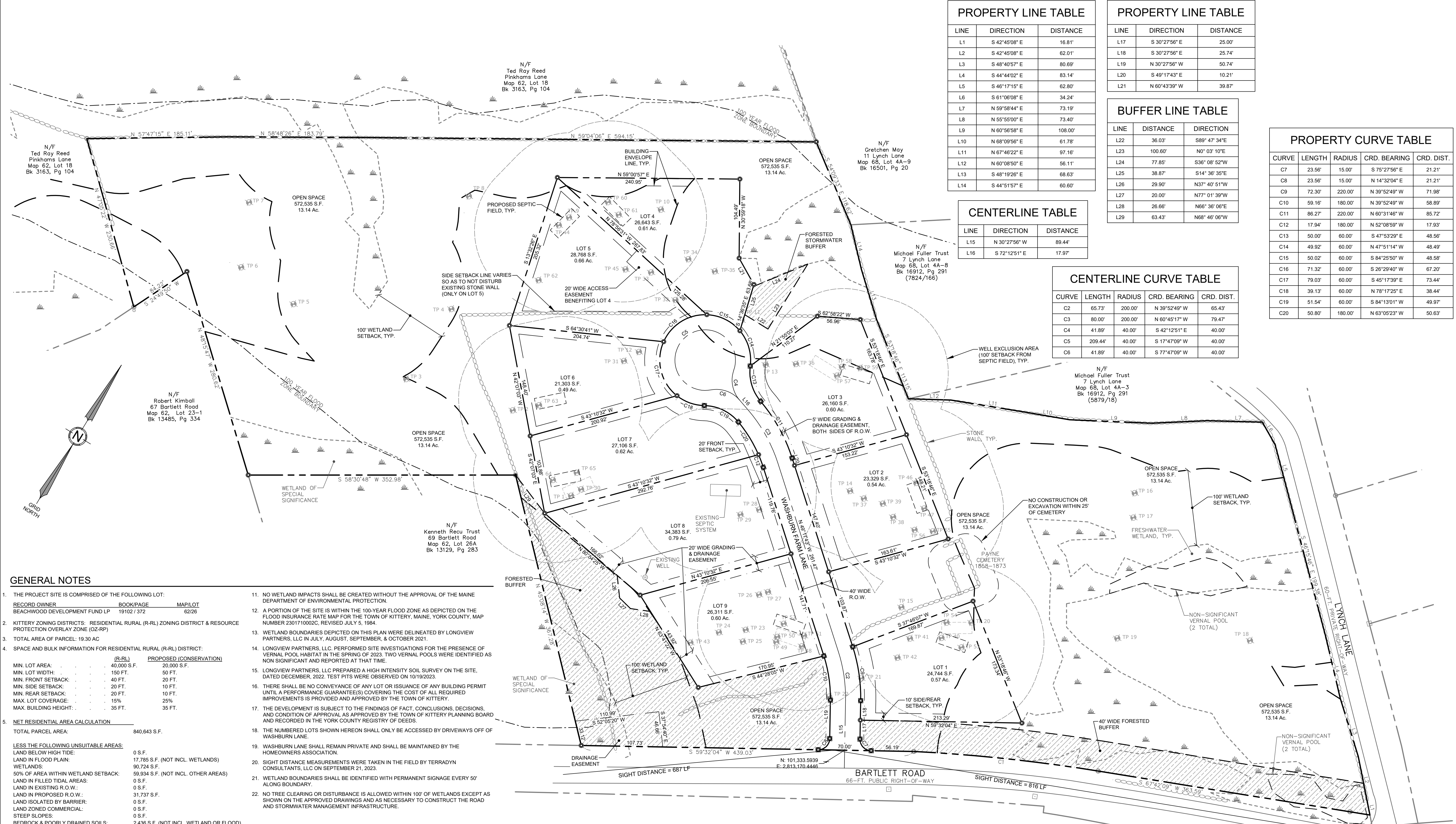
OFFICE: (207) 926-5111 FAX: (207) 221-1317
www.terradynconsultants.com

TERRADYN CONSULTANTS, LLC
Civil Engineering | Land Planning | Stormwater Design | Environmental Permitting

PERMIT DRAWING
NOT FOR CONSTRUCTION

PROJECT: WASHBURN FARM SUBDIVISION
SHEET TITLE: SUBDIVISION PLAN
RECORD OWNER: BEACHWOOD DEVELOPMENT FUND LP
P.O. BOX 281
KENNEBUNK, MAINE 04043

DATE: 5/18/2023
SCALE: 1" = 60'
DESIGNED: MTW
JOB NO: 22-145
SHEET: C-3.0



PROPERTY LINE TABLE

LINE	DIRECTION	DISTANCE
L1	S 42°45'08" E	16.81'
L2	S 42°45'08" E	62.01'
L3	S 48°40'57" E	80.69'
L4	S 44°44'02" E	83.14'
L5	S 46°17'15" E	62.80'
L6	S 61°06'08" E	34.24'
L7	N 59°58'44" E	73.19'
L8	N 55°55'00" E	73.40'
L9	N 60°56'58" E	108.00'
L10	N 68°09'56" E	61.78'
L11	N 67°46'22" E	97.16'
L12	N 60°08'50" E	56.11'
L13	S 48°19'26" E	68.63'
L14	S 44°51'57" E	60.60'

PROPERTY LINE TABLE

LINE	DIRECTION	DISTANCE
L17	S 30°27'56" E	25.00'
L18	S 30°27'56" E	25.74'
L19	N 30°27'56" W	50.74'
L20	S 49°17'43" E	10.21'
L21	N 60°43'39" W	39.87'

BUFFER LINE TABLE

LINE	DISTANCE	DIRECTION
L22	36.03'	S89°47'34"E
L23	100.60'	N0°03'10"E
L24	77.85'	S36°08'52"W
L25	38.87'	S14°36'35"E
L26	29.90'	N37°40'51"W
L27	20.00'	N77°01'39"W
L28	26.66'	N66°36'06"E
L29	63.43'	N68°46'06"W

CENTERLINE TABLE

LINE	DIRECTION	DISTANCE
L15	N 30°27'56" W	89.44'
L16	S 72°12'51" E	17.97'

CENTERLINE CURVE TABLE

CURVE	LENGTH	RADIUS	CRD. BEARING	CRD. DIST.
C2	65.73'	200.00'	N 39°52'49" W	65.43'
C3	80.00'	200.00'	N 60°45'17" W	79.47'
C4	41.89'	40.00'	S 42°12'51" E	40.00'
C5	209.44'	40.00'	S 17°47'09" W	40.00'
C6	41.89'	40.00'	S 77°47'09" W	40.00'

PROPERTY CURVE TABLE

CURVE	LENGTH	RADIUS	CRD. BEARING	CRD. DIST.
C7	23.56'	15.00'	S 75°27'56" E	21.21'
C8	23.56'	15.00'	N 14°32'04" E	21.21'
C9	72.30'	220.00'	N 39°52'49" W	71.98'
C10	59.16'	180.00'	N 39°52'49" W	58.89'
C11	86.27'	220.00'	N 60°31'46" W	85.72'
C12	17.94'	180.00'	N 52°08'59" W	17.93'
C13	50.00'	60.00'	S 47°53'29" E	48.56'
C14	49.92'	60.00'	N 47°51'14" W	48.49'
C15	50.02'	60.00'	S 84°25'50" W	48.58'
C16	71.32'	60.00'	S 28°29'40" W	67.20'
C17	79.03'	60.00'	S 45°17'39" E	73.44'
C18	39.13'	60.00'	N 78°17'25" E	38.44'
C19	51.54'	60.00'	S 84°13'01" W	49.97'
C20	50.80'	180.00'	N 63°05'23" W	50.63'

GENERAL NOTES

- THE PROJECT SITE IS COMPRISED OF THE FOLLOWING LOT:

RECORD OWNER	BOOK/PAGE	MAP/LOT
BEACHWOOD DEVELOPMENT FUND LP	19102 / 372	62/26
- KITTERY ZONING DISTRICTS: RESIDENTIAL RURAL (R-RL) ZONING DISTRICT & RESOURCE PROTECTION OVERLAY ZONE (OZ-RP)
- TOTAL AREA OF PARCEL: 19.30 AC
- SPACE AND BULK INFORMATION FOR RESIDENTIAL RURAL (R-RL) DISTRICT:

	(R-RL)	PROPOSED (CONSERVATION)
MIN. LOT AREA:	40,000 S.F.	20,000 S.F.
MIN. LOT WIDTH:	150 FT.	50 FT.
MIN. FRONT SETBACK:	40 FT.	20 FT.
MIN. SIDE SETBACK:	20 FT.	10 FT.
MIN. REAR SETBACK:	20 FT.	10 FT.
MAX. LOT COVERAGE:	15%	25%
MAX. BUILDING HEIGHT:	35 FT.	35 FT.
- NET RESIDENTIAL AREA CALCULATION

TOTAL PARCEL AREA:	840,643 S.F.
LESS THE FOLLOWING UNSUITABLE AREAS:	
LAND BELOW HIGH TIDE:	0 S.F.
LAND IN FLOOD PLAIN:	17,785 S.F. (NOT INCL. WETLANDS)
WETLANDS:	90,724 S.F.
50% OF AREA WITHIN WETLAND SETBACK:	59,634 S.F. (NOT INCL. OTHER AREAS)
LAND IN FILLED TIDAL AREAS:	0 S.F.
LAND IN EXISTING R.O.W.:	0 S.F.
LAND IN PROPOSED R.O.W.:	31,737 S.F.
LAND ISOLATED BY BARRIER:	0 S.F.
LAND ZONED COMMERCIAL:	0 S.F.
STEEP SLOPES:	0 S.F.
BEDROCK & POORLY DRAINED SOILS:	2,436 S.F. (NOT INCL. WETLAND OR FLOOD)
50% SOMEWHAT POORLY DRAINED SOILS:	46,883 S.F. (NOT INCL. WETLAND OR FLOOD)
CEMETERY:	6,965 S.F.
ZONED COMMERCIAL FISHERIES:	0 S.F.
OPEN SPACE:	0 S.F.
TOTAL UNSUITABLE AREA:	256,264 S.F.
TOTAL NET RESIDENTIAL AREA:	584,379 S.F.
MIN LOT DENSITY:	40,000 S.F.
MAXIMUM LOTS:	14
PROPOSED LOTS:	9

- NO WETLAND IMPACTS SHALL BE CREATED WITHOUT THE APPROVAL OF THE MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION.
- A PORTION OF THE SITE IS WITHIN THE 100-YEAR FLOOD ZONE AS DEPICTED ON THE FLOOD INSURANCE RATE MAP FOR THE TOWN OF KITTERY, MAINE, YORK COUNTY, MAP NUMBER 2301710002C, REVISED JULY 5, 1984.
- WETLAND BOUNDARIES DEPICTED ON THIS PLAN WERE DELINEATED BY LONGVIEW PARTNERS, LLC IN JULY, AUGUST, SEPTEMBER, & OCTOBER 2021.
- LONGVIEW PARTNERS, LLC PERFORMED SITE INVESTIGATIONS FOR THE PRESENCE OF VERNAL POOL, HABITAT IN THE SPRING OF 2023. TWO VERNAL POOLS WERE IDENTIFIED AS NON-SIGNIFICANT AND REPORTED AT THAT TIME.
- LONGVIEW PARTNERS, LLC PREPARED A HIGH INTENSITY SOIL SURVEY ON THE SITE, DATED DECEMBER, 2022. TEST PITS WERE OBSERVED ON 10/19/2023.
- THERE SHALL BE NO CONVEYANCE OF ANY LOT OR ISSUANCE OF ANY BUILDING PERMIT UNTIL A PERFORMANCE GUARANTEE(S) COVERING THE COST OF ALL REQUIRED IMPROVEMENTS IS PROVIDED AND APPROVED BY THE TOWN OF KITTERY.
- THE DEVELOPMENT IS SUBJECT TO THE FINDINGS OF FACT, CONCLUSIONS, DECISIONS, AND CONDITION OF APPROVAL AS APPROVED BY THE TOWN OF KITTERY PLANNING BOARD AND RECORDED IN THE YORK COUNTY REGISTRY OF DEEDS.
- THE NUMBERED LOTS SHOWN HEREON SHALL ONLY BE ACCESSED BY DRIVEWAYS OFF OF WASHBURN LANE.
- WASHBURN LANE SHALL REMAIN PRIVATE AND SHALL BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION.
- SIGHT DISTANCE MEASUREMENTS WERE TAKEN IN THE FIELD BY TERRADYN CONSULTANTS, LLC ON SEPTEMBER 21, 2023.
- WETLAND BOUNDARIES SHALL BE IDENTIFIED WITH PERMANENT SIGNAGE EVERY 50' ALONG BOUNDARY.
- NO TREE CLEARING OR DISTURBANCE IS ALLOWED WITHIN 100' OF WETLANDS EXCEPT AS SHOWN ON THE APPROVED DRAWINGS AND AS NECESSARY TO CONSTRUCT THE ROAD AND STORMWATER MANAGEMENT INFRASTRUCTURE.

CONDITIONS OF APPROVAL

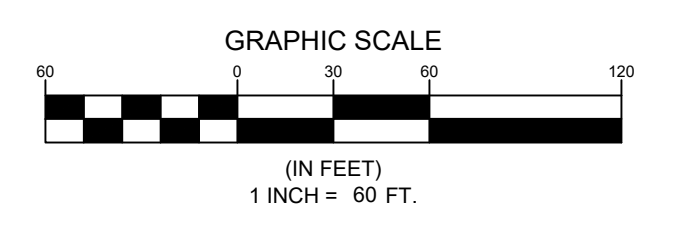
- WITHOUT PRIOR APPROVAL, NO CHANGES, ERASURES, MODIFICATIONS OR REVISIONS MAY BE MADE TO ANY PLANNING BOARD APPROVED FINAL PLAN.
- APPLICANT/CONTRACTOR WILL FOLLOW MAINE DEP BEST MANAGEMENT PRACTICES FOR ALL WORK ASSOCIATED WITH SITE AND BUILDING CONSTRUCTION TO ENSURE ADEQUATE EROSION CONTROL AND SLOPE STABILIZATION.
- PRIOR TO THE COMMENCEMENT OF GRADING AND/OR CONSTRUCTION WITHIN A BUILDING ENVELOPE, AS SHOWN ON THE PLAN, THE OWNER AND/OR DEVELOPER MUST STAKE ALL CORNERS OF THE ENVELOPE. THESE MARKERS MUST REMAIN IN PLACE UNTIL THE CODE ENFORCEMENT OFFICER DETERMINES CONSTRUCTION IS COMPLETED AND THERE IS NO DANGER OF DAMAGE TO AREAS THAT ARE, PER PLANNING BOARD APPROVAL, TO REMAIN UNDISTURBED.
- ALL NOTICES TO APPLICANT CONTAINED IN THE FINDINGS OF FACT (DATED: 1/25/24).

APPROVED WAIVERS

- MODIFICATION OF THE PROPOSED ROW TO REQUIRE A 3-FOOT PAVED PEDESTRIAN WAY ON ONE SIDE OF THE ROAD INSTEAD OF A 5-FOOT SIDEWALK.

LEGEND

- EXISTING PROPERTY LINE
- PROJECT BOUNDARY
- PROPOSED PROPERTY LINE
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- PROPOSED GRANITE MONUMENT
- PROPOSED SURVEY PIN
- FRESHWATER WETLAND
- FORESTED / WOODED BUFFER
- TEST PIT
- SEPTIC FIELD



- THE OUTER BOUNDARY INFORMATION SHOWN ON THIS PLAN IS BASED ON A PLAN ENTITLED "BARTLETT ROAD SUBDIVISION", DATED MARCH 24, 2023 BY TERRADYN CONSULTANTS, LLC.
- SITE ENGINEERING PROVIDED BY MICHAEL E. TADEMA-WIELANDT, P.E. #11567 OF TERRADYN CONSULTANTS, LLC, 565 CONGRESS STREET, SUITE 201, PORTLAND, MAINE.
- BEARINGS ARE GRID NORTH AND REFER TO THE MAINE STATE PLANE COORDINATE SYSTEM, MAINE WEST ZONE 1802, NAD 1983.
- THE PROPOSED LOTS WILL BE SERVED BY INDIVIDUAL WELLS, AND SUBSURFACE WASTEWATER DISPOSAL SYSTEMS, AND UNDERGROUND ELECTRICAL AND TELECOMMUNICATIONS UTILITIES.

SUBDIVISION APPROVAL
TOWN OF KITTERY PLANNING BOARD

CHAIRPERSON _____ DATE _____

STATE OF MAINE
YORK COUNTY REGISTRY OF DEEDS

RECEIVED _____ 20____
AT _____ h _____ m _____ M. AND RECORDED IN
PLAN BOOK _____ PAGE _____

DESIGNED: MTW
JOB NO: 22-145
REGISTER

DATE: 4/29/2024
P.E.: MICHAEL TADEMA-WIELANDT

NO.	DATE	REVISIONS	BY
1	8/3/2023	SUBMITTED TO KITTERY FOR PRELIMINARY SUBDIVISION REVIEW	APPD
2	10/10/2023	REVISED BASED ON PEER REVIEW COMMENTS	MTW
3	10/24/2023	REVISED BASED ON PEER REVIEW COMMENTS	MTW
4	12/28/2023	SUBMITTED TO KITTERY FOR FINAL SUBDIVISION REVIEW	MTW
5	3/7/2024	REVISED BASED ON PLANNING BOARD COMMENTS	MTW
6	3/7/2024	ISSUED FOR SIGNATURE & RECORDING	MTW
7	4/29/2024	REMOVED LOT 8 EXISTING HOUSE	MTW

TERRADYN CONSULTANTS, LLC
Civil Engineering | Land Planning | Stormwater Design | Environmental Permitting

565 CONGRESS STREET
SUITE 201
PORTLAND, ME 04102

41 CAMPUS DRIVE
SUITE 301
NEW GLoucester, ME 04260

OFFICE: (207) 926-5111 FAX: (207) 221-1317
www.terradyneconsultants.com

PROJECT: WASHBURN FARM SUBDIVISION
SHEET TITLE: SUBDIVISION PLAN
RECORD OWNER: BEACHWOOD DEVELOPMENT FUND LP
P.O. BOX 261
KENNEBUNK, MAINE 04043

PERMIT DRAWING
NOT FOR CONSTRUCTION

DATE: 5/18/2023
SCALE: 1" = 60'
JOB NO: 22-145
SHEET **C-3.0**