

**Town of Kittery Maine
Town Planning Board Meeting
September 10, 2020**

76 Chauncey Creek Road—Shoreland Development Plan Review

Action: Continue the agenda item to a subsequent meeting, schedule a site walk or approve or deny request: Owner Sarah Bartlett Upton Rollins requests approval for an after-the-fact construction of two accessory structures on a legally non-conforming lot, comprising a 294-sf outdoor patio and 84-sf storage shed within the base zone setback of the Shoreland Overlay Zone located on real property with the address of 76 Chauncey Creek Road, Tax Map 45, Lot 66, in the Residential-Kittery Point Village (R-KPV) zone and the Shoreland (SL-OZ-250) and Resource Protection (OZ-RP) Overlay zones.

REQ'D	ACTION	COMMENTS	STATUS
No	Sketch Plan	Not pursued	Not Applicable
No	Site Visit	TBD	TBD—PB discretion
Yes	Completeness/Acceptance	TBD	TBD
No	Public Hearing	TBD	TBD—PB discretion
Yes	Plan Approval	TBD	TBD

Applicant: 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, 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.

Project Introduction

76 Chauncey Creek Road (“Project”) is situated on the northern bank of Chauncey Creek located within the Residential—Kittery Point Village (R-KPV) zone and overlaid by the Shoreland (SL-OZ-250) and, in part, the Resource Protection (RP-OZ) zones. The Project’s current conditions comprise a (1,653-sf) single-family dwelling unit with a detached garage, a patio, storage shed and a dock extending into Chauncey Creek. Abutting and in the general vicinity of the Project are single-family dwelling units consisting of a similar nature.

As mentioned, the Project’s existing conditions reveal both a legally non-conforming lot and dwelling unit, as the lot totals 20,950-sf and the dwelling unit occupies acreage below the 100-ft. and 25-ft. setbacks within the Shoreland Overlay Zone. Throughout the years, the lot developed piecemeal: a 75-sf addition, which received Board of Appeals (“BOA”) approval on August 2, 1989, a dock and pier, which received Kittery Port Authority (“KPA”) approval on October 12, 2012, and other ancillary structures, which will be elaborated upon in greater detail.

The original intention of the applicant was to file a shoreland development plan to expand a legally non-conforming structure on a legally non-conforming lot by 440-sf. During the course of the application’s review, a discovery was made indicating that both a storage shed located to the northwest and a patio directly to the south of the dwelling unit were constructed without any prior approvals or building permits. The applicant stated the CEO at the time, circa 2015, gave verbal permission to build the storage shed at its current location. As regards the patio, the applicant stated he was unaware a permit was required to build such a structure. Subsequent to Town staff’s (“Staff”) preliminary review of the application, several

meetings occurred between the applicant and staff to identify how the project may move forward. A conclusion was formed directing the applicant to seek an after-the-fact approval for the patio and storage shed from the Board before any new permits or reviews can be issued or commence respectively. In brief, the shoreland development plan currently in front of Board seeks approval for an unpermitted patio and shed that did not previously receive Board or CEO written approval.

Analysis and Staff Commentary

During the course of reviewing a shoreland development plan proposing to expand a legally non-confirming structure on a legally non-confirming lot, the Board is charged predominantly with analyzing three specific aspects of Title 16 to determine compliance: building lot coverage¹; devegetation rate²; and the legally non-confirming structure's expansion extent, proximity and direction towards the protected resource³. In this particular application, the Board is tasked to determine whether the structures may continue to exist in their current configuration and location.

Storage Shed

According to the Town's records, no building permit was issued for the construction of the storage shed located both northwest of the dwelling unit and below the 100-ft base zone setback. According to aerial imagery obtained from Good Earth, the shed was built at some point between 2013 and 2016 as evinced by the aerials in Figure 1.

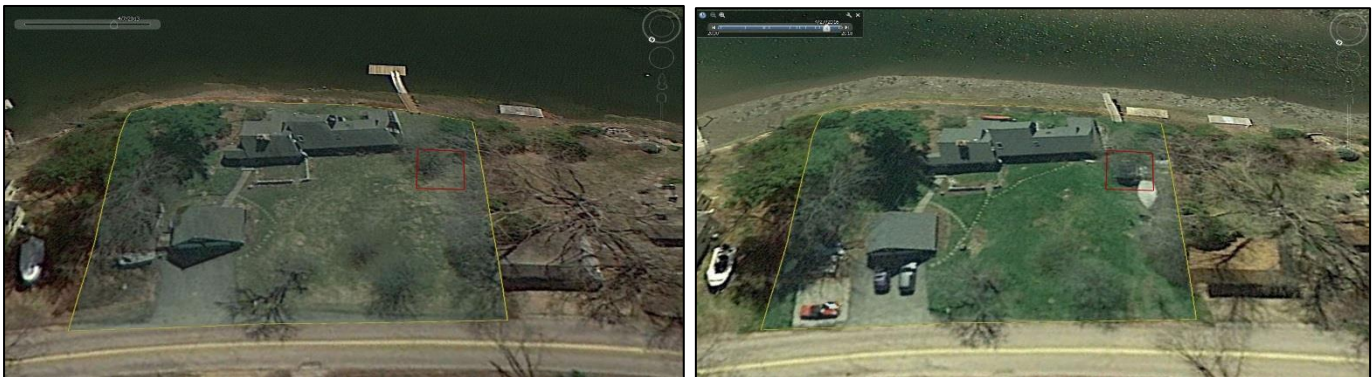


Figure 1: The aerial on the left was taken in 2013 and depicts no shed, whereas the photo on the right, taken in 2016, depicts a shed within the area of interest box marked red.

Given there is a lack of evidence of a building permit being issued for the shed, based on the zoning ordinance's language requiring a structure to obtain a building permit⁴, it's a possibility that the shed is an illegal structure and a nuisance.⁵ In the applicant's defense, it was communicated during a phone call with staff, dated June 17, 2020 and subsequently iterated in a letter submitted with the shoreland development application, that the applicant made an inquiry with the Code Enforcement Officer (CEO) circa 2015 into the requirements for obtaining a building permit for the shed. In response, the CEO said a building permit was not necessary if the shed was to be located in front of the dwelling unit and did not need any further review by any of the Town's land use boards. Furthermore, the applicant elaborated in a phone call on June

1 See §16.3.2.3.D Standards;

2 See §16.3.2.17.D(1)(d),

3 See §16.7.3.3 Non-confirming structures

4 See §16.5.2.A

5 See §16.4.4.N. Nuisances

18, 2020 that the same CEO did not consider the presence of the existing garage as an accessory structure, thereby enabling the construction of the shed.

Regardless of the decision made by the CEO circa 2015, the Board at this juncture must review the language of Title 16 to make a determination on the shed's legitimacy. Pursuant §16.3.2.17.D(2)(a)(e)⁶ and 16.5.2.A⁷, the CEO is instructed to issue a building permit for a single accessory structure, and, since none was issued for this shed, which falls under the definition of a structure⁸, it was installed in violation of the zoning ordinance.

Furthermore, the shed as it exists today is oversized, totaling 84-sf according to the proposed site plan (the extra 4-sf might be attributed to the landing in front of the shed) whereas only 80-sf is permitted.⁹ As regards a claim for equitable estoppel, the courts have ruled that the violator's reliance on the advice from the CEO when inconsistent with the zoning ordinance language is unreasonable and does not prohibit the municipality from enforcing the provisions of the zoning ordinance¹⁰.

Patio

As with the shed, there is no building permit filed with the Town nor Board approval for the existing patio. This became evident when the applicant stated he did not apply for a building permit, as he was unaware that one was required at the time. Figure 2 illustrates that the patio was built sometime between 2016-2018 after the construction of the shed. The patio is located south of the dwelling unit approximately 10 feet from the



Figure 2. Top Left was taken in 2015, top right in 2016 and bottom in 2018.

6. "On a nonconforming lot of record on which only a residential structure exists, and it is not possible to place an accessory structure meeting the required water body, tributary stream or wetland setbacks, the Code Enforcement Officer may issue a permit to place a single accessory structure, with no utilities, for the storage of yard tools and similar equipment. Such accessory structure must not exceed 80 square feet in area nor eight feet in height and must be located as far from the shoreline or tributary stream as practical and meet all other applicable standards, including lot coverage and vegetation clearing limitations. In no case will the structure be allowed to be situated closer to the shoreline or tributary stream than the existing principal structure."

7 "No building, including municipal buildings, or structure may be erected, moved, added to or otherwise structurally altered and no regulated activity is to commence without a permit, issued by the Code Enforcement Officer and in compliance with all applicable state and federal requirements".

8 §16.2.2 Definitions, Structure: "Anything built for the support, shelter or enclosure of persons, animals, goods or property of any kind, or anything constructed or erected with a fixed location on or in the ground, or attached to something having a fixed location on or in the ground. The term includes decks. The term does not include fences less than eight feet in height, nor any required by the Planning Board or Town Planner to be taller; flagpoles no higher than 50 feet in height; signs located in conformance with Article X of Chapter 16.8; and electricity generators and propane and oil tanks for residential use only and the pads on which they are located, provided the pad is less than 20 square feet in size"

9 See §16.3.2.17.D(2)(e)

10 Shackford & Gooch, Inc. v. Town of Kennebunk 486 A.2d 102 (Me. 1984); Harris v. City of Portland, CV-86-1297 (Cumberland Super. Ct. Feb 1, 1989); Schenker v. Town of York, CV-88-88 (York Super. Ct. Dec. 22, 1988)

highest annual tide (“H.A.T”) of Chauncey Creek. Typically, when the Board reviews the construction of new structures or the expansion of legally non-conforming structures in the Shoreland Overlay Zone, the Board has a set review criteria to determine compliance. To wit, the Board must consider two sections of Title 16 for this request: Principal and accessory structures in the Shoreland Overlay Zone and new principle and accessory structures for legally non-conforming lots and structures.

Pursuant to §16.3.2.17.D(2)(b)¹¹, which controls accessory structures such as a deck or patio under 500-sf in the Shoreland Overlay Zone, such structures cannot be more than 75-ft. from the H.A.T. In this particular case, the patio is 10 ft. from the H.A.T, yet the patio meets the dimensional requirements, comprising only 294-sf. Turning to new structures on non-conforming lots, pursuant to §16.7.3.3.B(3)(e)[2]¹², all new structures (principal and accessory), excluding water dependent uses, must meet the base zone setbacks. Furthermore, the code emphasizes the prohibition of new structures within the 25-ft. setback of the H.A.T¹³. In this case, the patio does not meet the setback requirement, as the base zone setback from the H.A.T. in the Residential Kittery Point Village is 100-ft and the patio measures a distance approximately 10-ft. from the H.A.T. On a further note, the patio is not considered an expansion of a legally non-conforming structure as the patio is not a principal component of the existing dwelling unit.

Board Discussion and Next Steps

The Board needs to review the pertinent zoning ordinances and factor in the applicant’s position and point of view. The shed and patio, irrespective of the zoning ordinances, appear not to be negatively affecting the water resource nor any vegetation surrounding the structures respectively. The pavers have vegetation growth in-between, allowing for water infiltration and, based on the photographic evidence provided by the applicant, there appears to be no erosion nor detrimental impact onto the water resource with its existence. In short, the Board must deliberate and decided whether to allow the shed and patio to continue to exist in their current form or not. If the Board permits the applicant to retain the structures, a new shoreland development plan shall be filed for Board to review reflecting the current and proposed conditions as well as the proposed expansion of the dwelling unit. If the Board decides to deny the application currently before them, then a remedy must be made by the applicant correcting the illegal non-conformities before any future construction permits or review applications are sought and issued on this property.

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

12 “All new principal and accessory structures, excluding functionally water-dependent uses, must meet the water body, tributary stream, or wetland setback requirements contained in § 16.3.2.17D(2). A nonconforming structure may be added to or expanded after obtaining a permit from the same permitting authority as that for a new structure, if such addition or expansion does not increase the nonconformity of the structure and is in accordance with § 16.7.3.3B(3)(e)[4] and [5] below...”

13 See §16.7.3.3.B(3)(e)[3]

Recommended Motions

Below are recommended motions for the Board consideration:

Vote to continue

Move to continue the agenda item to the September 24 2020 Planning Board meeting for a shoreland development application from owner/applicant Sarah Bartlett Upton Rollins requesting approval for an after-the-fact construction of two accessory structures on a legally non-conforming lot, comprising a 294-sf outdoor patio and 84-sf storage shed within the base zone setback of the Shoreland Overlay Zone (SL-OZ-250) located on real property with an address of 76 Chauncey Creek Road, Tax Map 45, Lot 66, in the Residential-Kittery Point Village (R-KPV) zone and the Shoreland (SL-OZ-250) and Resource Protection (OZ-RP) Overlay zones.

Vote to approve

Move to approve the shoreland development application from owner/applicant Sarah Bartlett Upton Rollins requesting approval for an after-the-fact construction of two accessory structures on a legally non-conforming lot, comprising a 294-sf outdoor patio and 84-sf storage shed within the base zone setback of the Shoreland Overlay Zone located on real property with an address of 76 Chauncey Creek Road, Tax Map 45, Lot 66, in the Residential-Kittery Point Village (R-KPV) zone and the Shoreland (SL-OZ-250) and Resource Protection (OZ-RP) Overlay zones and may proceed with the subsequent shoreland development plan review to expand a legally nonconforming structure as depicted on the April 16, 2020 shoreland development plan by Easterly Surveying Inc. with the following condition:

(1) the applicant must submit a revised shoreland development plan reflecting the correct devegetation and building coverage calculations within 90 days of this approval and to be recorded at the York County Registry of Deeds if the applicant selects not to file for a subsequent shoreland development plan review.

Vote to deny

Move to deny the shoreland development application from owner/applicant Sarah Bartlett Upton Rollins requesting approval for an after-the-fact construction of two accessory structures on a legally non-conforming lot, comprising a 294-sf outdoor patio and 84-sf storage shed within the base zone setback of the Shoreland Overlay Zone located on real property with an address of 76 Chauncey Creek Road, Tax Map 45, Lot 66, in the Residential-Kittery Point Village (R-KPV) zone and the Shoreland (SL-OZ-250) and Resource Protection (OZ-RP) Overlay zones with the condition that no building permit nor land use applications are accepted by the Town for real property located at 76 Chauncey Creek Road, Tax Map 45 Lot 66 until the patio and shed are removed from the property and vegetation restored.

Shoreland Development Plan Application

SDP-20-4

Status: Active

Submitted: Sep 01, 2020

Applicant

Alger Rollins
9788577370
alger.rollins@comcast.net

Location

76 CHAUNCEY CREEK ROAD
KITTERY, ME 03905

Project Information

Size of Waterbody

> 1 Acre

Will this project create one acre or more of disturbed area? If yes, you will be required to file a MDEP Notice of Intent to Comply with the Maine Construction Permit. Excavation will require a Maine Dep certified contractor in erosion control measures.

No

Full description of the project

Retroactive permitting of existing patio and storage shed

Lot Size (SF)

20950

Base Zone

Residential-Kittery Point Village (R-KPV)

Overlay Zone(s)

OZ-SL-250 Shoreland Overlay Zone\Water Body/Wetland Protection Area 250'

true

OZ-SL-75 Shoreland Overlay Zone Stream Protection Area 75'

--

OZ-CFMU Commercial Fisheries/Maritime Uses Overlay Zone

--

OZ-RP Resource Protection Overlay Zone

true

Project within buffer of overlay zone?

WITHIN 100FT or 75FT (0-100FT from Highest Annual Tide) see sect. A, B, C, D, F Planning Board Review

A. Devegetated Area - Parcel Devegetation

% Allowed (Enter 20% , 50%, 60% or 70% per narrative above)

20

Existing (sf) Devegetated Area within 250' Shoreland Overlay Zone

4241

Proposed (sf) Devegetated Area within 250' Shoreland Overlay Zone

4241

% Existing Devegetated Area within 250' Shoreland Overlay Zone

20

% Proposed Devegetated Area within 250' Shoreland Overlay Zone

20

B. Building Footprint - Principle and Accessory Structures

Structure distance from Highest Annual Tide or upland edge of wetland (FT)

Building Coverage Existing (sf)

2340

6	(%) Building Coverage Allowed
	20
Building Coverage Proposed (sf)	(%) Building Coverage Existing
2489	11.9
(%) Building Coverage Proposed	(%) Increase of Coverage
2489	0
Type of Construction	Value (\$) of Construction
New	3000

C. Building Height

Bldg. Height Existing (FT)	Bldg. Height Proposed (FT)
25	25

D. Certifications

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 Code Enforcement Departments of any changes.

true

I understand an approved Shoreland Development Plan must be recorded in the York Country Registry of Deeds and I am responsible for incurred costs.

true

I understand 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

true

Applicant is
Owner

Attachments (1)

pdf **Shoreland Development Plan**
Sep 01, 2020

Timeline

- Application Completeness Review**
Status: In Progress
Assignee: Bart McDonough
- Shoreland Application Payment**
Status: Pending
- Code Dept Approval - Final Plan**
Status: Pending
- Final Plan Uploaded to Vision Account**
Status: Pending

To: Kittery Planning Board

From: Alger Rollins

Subject: 76 Chauncey Creek Patio/Shed

I am writing to provide background on my request to permit an existing patio and shed which I have built at my home. This issue came to light during the review process for an addition which I would like to make to this same home, where I have provided an updated Proposed Site Plan showing these features.

The shed was built about 5 years ago and the proposal was reviewed with the Building Inspector at that time, where he indicated the acceptable size and location for the shed. This is located further from the water than the furthest part of the house (see photo below). He did not issue a permit at that time but indicated that I could proceed with the project, based on zoning ordinance 16.3.2.17.D(2)(a)[3](e) (text attached below).

The patios are located on the side of the house facing Chauncey Creek, where the house sits quite close to the bank. These replace, in large part, an existing patio of stepping stones on grass, but the foot print is different and slightly larger. I was not aware at the time of the permit requirement for an in-ground structure. My request is to allow this to be permitted now based on the following:

- *Usage:* this is consistent with the historical uses for that area and location is the same
- *Design/approach:* It is difficult to occupy and use the waterfront without some change to the natural terrain. There is not much room to work with so I have pushed the seating areas as far against the house as is practical and the size is very limited. There is one area with three chair and a coffee table, and a second area with small café table and four chairs. A narrow path connects these and leads towards the dock (see photos below)
- *Traffic/Impact:* The delineation of these spaces has served to limit traffic near the bank of the creek, helping to preserve grass and other vegetation. I have also removed a set of stairs leading to the water which previously resulted in erosion. I believe that the net impact on the bank is positive.

- *Safety*: Prior to adding the walkway, the frequently used path from kitchen/screened porch to the dock was over sloped and variable terrain. This is frequently used by older and less mobile persons, and is much safer in its current state
- *Investment*: Perhaps not a consideration of the board, but I have considerable financial investment as well as personal effort and pride in what is in place.

I should note that the devegetated coverage has been calculated including both the shed and patios, and remains within the 20% limit imposed for this zone. I would like to avoid any changes or disruption to what is now a mature and stable landscape. The area is attractive and functional, without negative impact to the bank and nearby creek. I understand now that these structures need to be permitted per town ordinance, so I would like to remedy this and permit these at this time.

Sincerely,

Alger Rollins

§16.3.2.17.D(2)(a)[3](e)

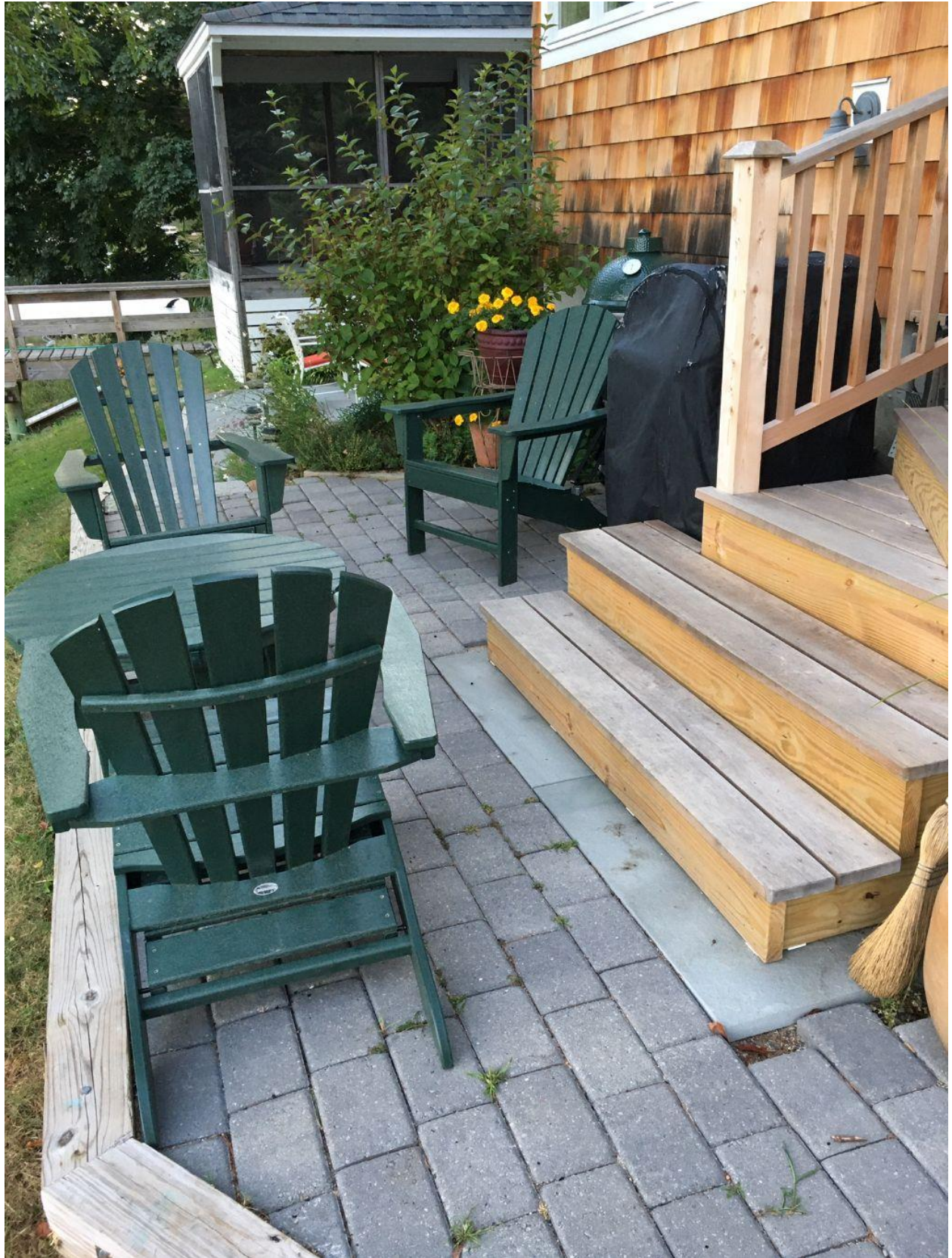
*“On a nonconforming lot of record on which only a residential structure exists, and it is not possible to place an accessory structure meeting the required water body, tributary stream or wetland setbacks, the Code Enforcement Officer **may issue a permit to place a single accessory structure**, with no utilities, for the storage of yard tools and similar equipment. Such accessory structure must not exceed 80 square feet in area nor eight feet in height and must be located as far from the shoreline or tributary stream as practical and meet all other applicable standards, including lot coverage and vegetation clearing limitations. In no case will the structure be allowed to be situated closer to the shoreline or tributary stream than the existing principal structure.”*



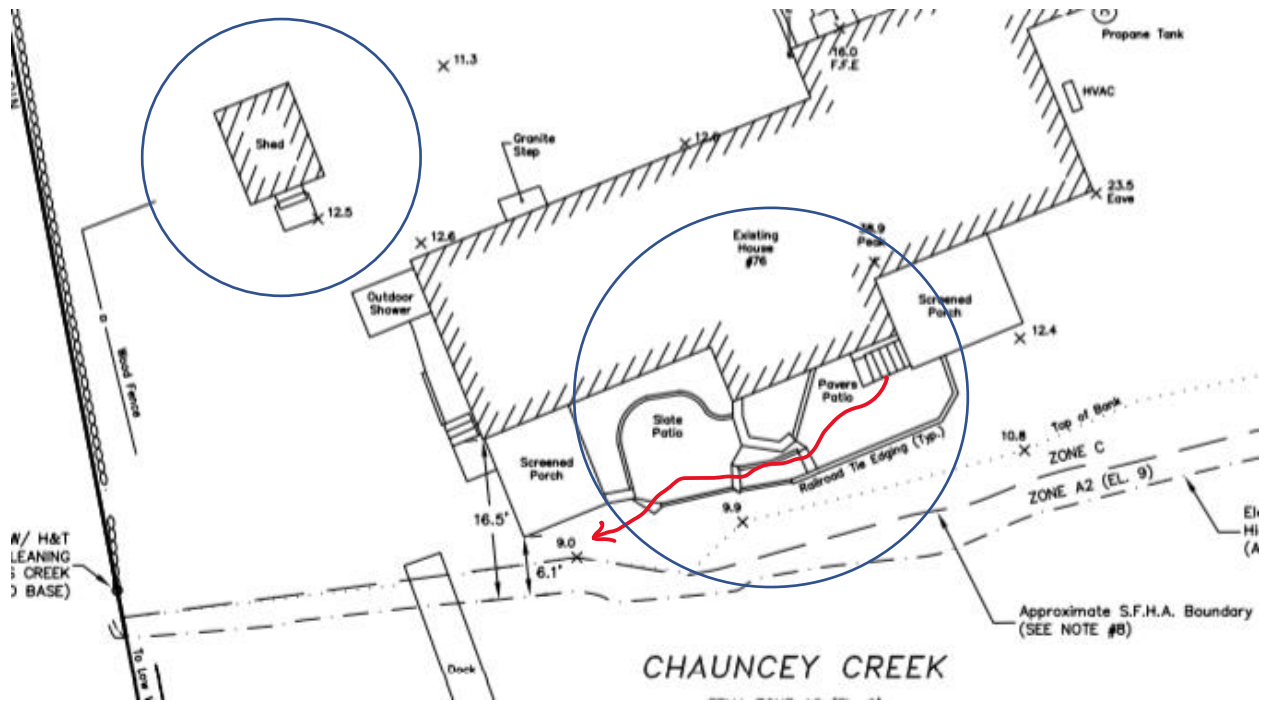








From updated Plot Plan







PLAN REFERENCES:

- "PORTION OF PROPERTY OF HELEN B. KNAPP IN THE TOWN OF KITTERY, YORK COUNTY, MAINE", SURVEYED BY MOULTON ENGINEERING CO. INC., DATED FEB. 5, 1959 AND RECORDED AT THE Y.C.R.D. AS PLAN BOOK 28 PAGE 4.
- "STANDARD BOUNDARY SURVEY & SITE PLAN FOR PROPERTY AT 76 CHAUNCEY CREEK ROAD, KITTERY POINT, YORK COUNTY, MAINE, OWNED BY SARAH BARTLETT AND UPTON ROLLINS" PREPARED BY NORTH EASTERLY SURVEYING, INC., PROJECT No. 13652, DATED JULY 2, 2013.
- "EXISTING CONDITIONS FOR PROPERTY AT 76 CHAUNCEY CREEK ROAD, KITTERY POINT, YORK COUNTY, MAINE, OWNED BY SARAH BARTLETT UPTON ROLLINS", PREPARED BY NORTH EASTERLY SURVEYING, INC., PROJECT No. 13652, DATED 3/18/2020.

DIMENSIONAL TABLE:

LOT	REQUIRED	EXISTING/PROPOSED
AREA	40,000 SQ. FT.	20,950± SQ. FT.
STREET FRONTAGE	150 FT.	155.60 FT.
SHORE FRONTAGE	50 FT.	159± FT.
BUILDING COVERAGE	20%	12.3%/14.4%
DEVEGETATED COVERAGE	20% MAX	20.3%
STRUCTURE		
FRONT SETBACK	40 FT.	26.5 FT.
SIDE SETBACK	15 FT.	31.5 FT.
H.A.T. SETBACK	100 FT.	16.5 FT.

ZONING DATA PER KITTERY TOWN CODE "TITLE 16 LAND USE AND DEVELOPMENT CODE" (PER E-CODE ONLINE 2/27/2020) (SEE NOTE #5):

BASE ZONE: RESIDENTIAL-KITTERY POINT VILLAGE (R-KPV)
 OVERLAY ZONES:
 WATER BODY/WETLAND PROTECTION AREA - 250' (OZ-SL-250')
 RESOURCE PROTECTION OVERLAY ZONE - OZ-RP
R-KPV BASE ZONE REQUIREMENTS:
 MINIMUM LAND AREA PER DWELLING UNIT: 40,000 SQ. FT.
 MINIMUM LOT SIZE: 40,000 SQ. FT.
 MINIMUM STREET FRONTAGE: 150 FT.
 MINIMUM FRONT YARD: 40 FT.
 MINIMUM REAR AND SIDE YARDS: 15 FT.
 MAXIMUM BUILDING HEIGHT: 35 FT.
 MINIMUM SETBACK FROM WATER BODY AND WETLAND DEPENDENT USES: 0 FT.
 MAXIMUM BUILDING COVERAGE: 20%
OZ-SL-250' REQUIREMENTS (SEE 16.3.2.17):

MINIMUM LOT SIZE: 20,000 SQ. FT.
 MINIMUM LAND AREA PER DWELLING UNIT: 20,000 SQ. FT.
 MINIMUM SHORE FRONTAGE: 50 FT.
 MAXIMUM DEVEGETATED COVERAGE*: 20%
 *SEE 16.3.2.17.D.1.d.iii

NOTES:

- OWNERS OF RECORD:
 TAX MAP 45 LOT 66
 SARAH BARTLETT UPTON ROLLINS
 Y.C.R.D. BOOK 15273 PAGE 568
 DATED AUGUST 29, 2007
- TOTAL EXISTING PARCEL AREA:
 TAX MAP 45 LOT 66
 20,950± Sq. Ft. (0.48± Ac.)
- BASIS OF BEARING IS PER PLAN REFERENCE #1.
- EASEMENTS OR OTHER UNWRITTEN RIGHTS MAY EXIST THAT ENCUMBER OR BENEFIT THE PROPERTY NOT SHOWN HEREON.
- ZONING SETBACKS AND DIMENSIONAL REQUIREMENTS SHOWN HEREON ARE FOR REFERENCE PURPOSES ONLY. AS THIS IS A NON-CONFORMING PARCEL OTHER DIMENSIONAL REQUIREMENTS MAY APPLY. CONFIRM CURRENT ZONING REQUIREMENTS WITH THE TOWN OF KITTERY PRIOR TO DESIGN OR CONSTRUCTION.
- THE BOUNDARY SHOWN HEREON IS DETERMINED FROM WRITTEN RECORDS, FIELD EVIDENCE AND PAROL TESTIMONY RECOVERED AT THE TIME OF SURVEY AND MAY BE SUBJECT TO CHANGE IF OTHER EVIDENCE BECOMES AVAILABLE.
- SUBSURFACE WASTEWATER SYSTEM SHOWN IS APPROXIMATE. SUBSURFACE UTILITIES MAY BE PRESENT. CONTACT A SUBSURFACE UTILITY CONTRACTOR PRIOR TO DESIGN OR CONSTRUCTION.
- PORTIONS OF TAX MAP 45 LOT 66 FALL WITHIN A SPECIAL FLOOD HAZARD AREA (S.F.H.A.). REFERENCE IS MADE TO FEMA FIRMETTE 230171 0003 C, EFFECTIVE DATE JULY 5, 1984.
- REFER TO DESIGN DRAWINGS TO BE PROVIDED BY THE APPLICANT FOR BUILDING DIMENSIONS, ELEVATIONS AND SPECIFICATIONS.

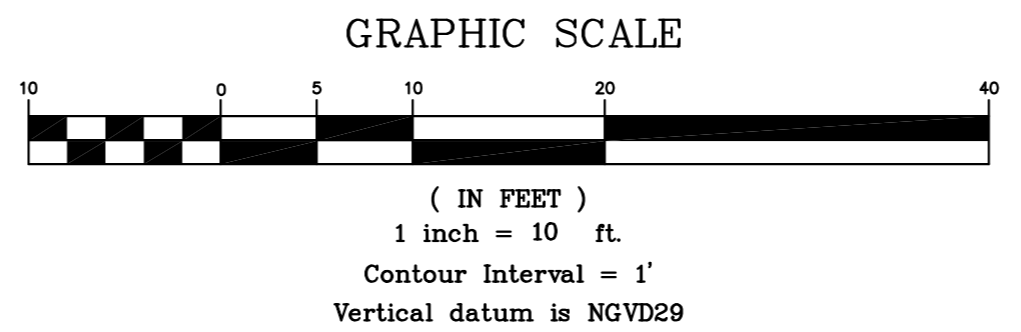
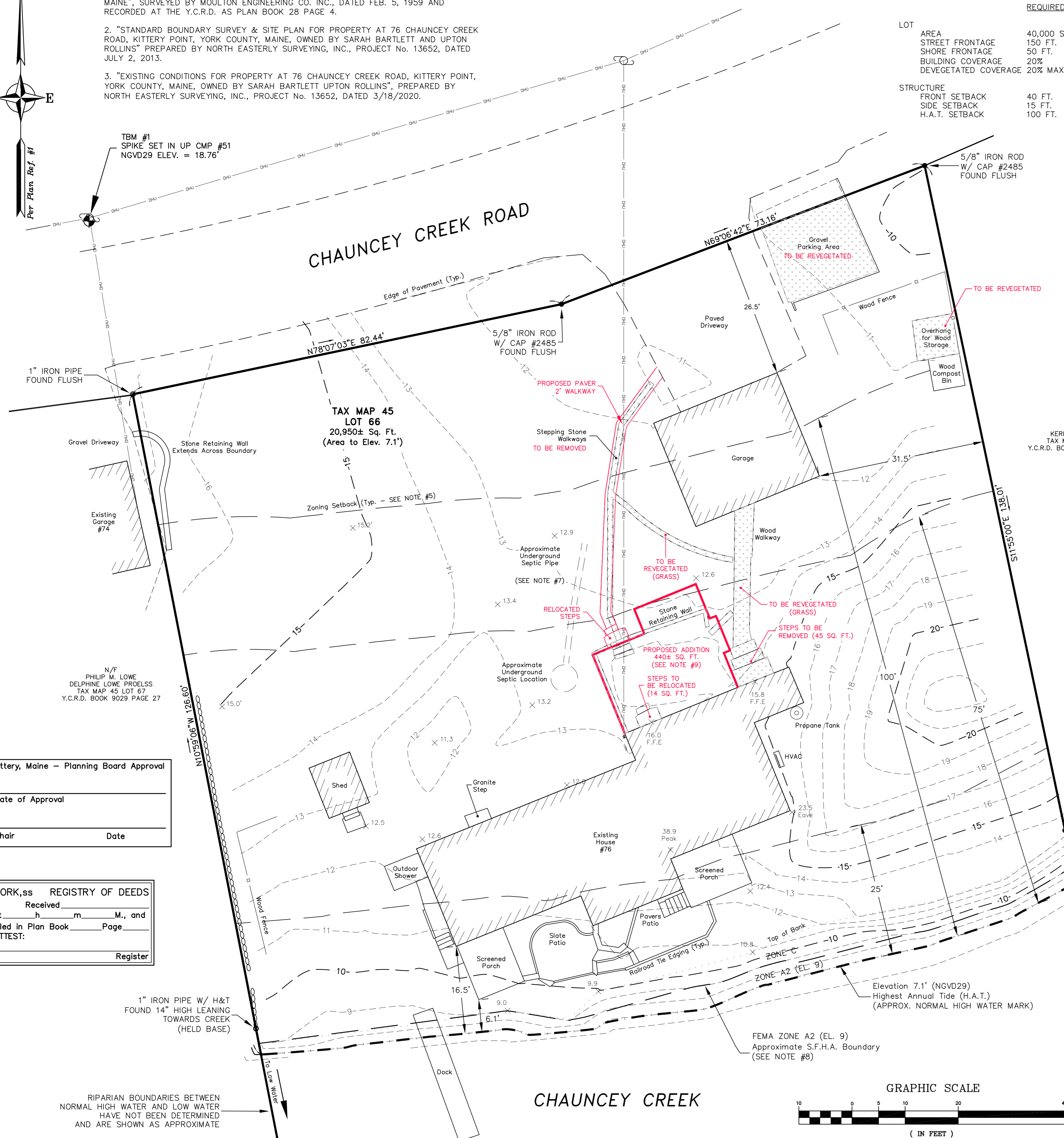
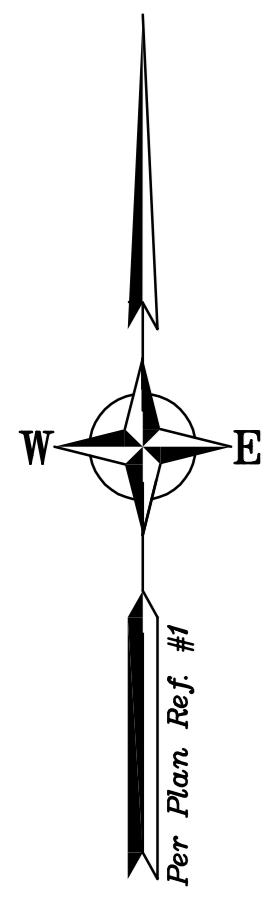
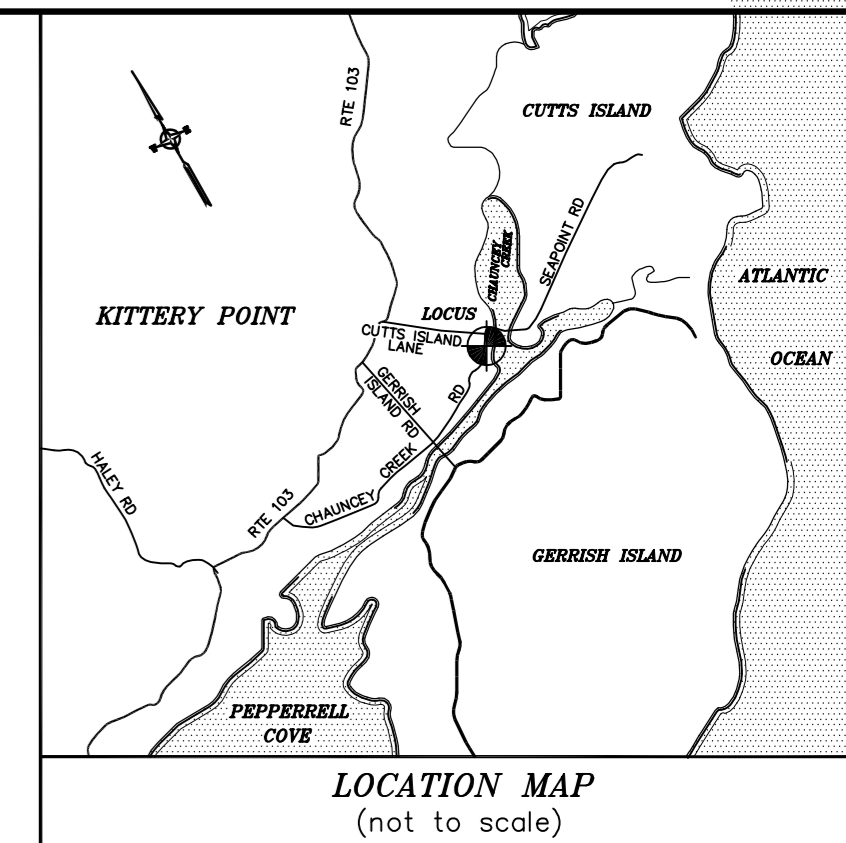
DEVEGETATED COVERAGE CALCULATION:

LOT AREA	EXISTING	PROPOSED
LOT AREA	20,950± SQ. FT.	
HOUSE	1,653± SQ. FT. +440	2,093± SQ. FT.
PAVEMENT	715± SQ. FT.	715± SQ. FT.
WALKWAYS	167± SQ. FT. (-67)	100± SQ. FT.
STEPS	183± SQ. FT. (-45)	138± SQ. FT.
FRONT RETAINING WALL / STEP	38± SQ. FT. (-38)	0± SQ. FT.
GARAGE	528± SQ. FT.	528± SQ. FT.
GRAVEL	274± SQ. FT. -274	0± SQ. FT.
PORCHES/OVERHANG	285± SQ. FT. -60	225± SQ. FT.
SHED	84± SQ. FT.	84± SQ. FT.
PATIOS	294± SQ. FT.	294± SQ. FT.
DOCK	20± SQ. FT.	20± SQ. FT.
OTHER (T.B.D.)	0± SQ. FT.	44± SQ. FT. (OTHER T.B.D.)
TOTAL	4,241± SQ. FT. (20.2%)	4,241± SQ. FT. (20.2%)

PRINCIPAL STRUCTURE NONCONFORMANCE WITHIN 100' SETBACK:

	EXISTING	PROPOSED
HOUSE	1,653± SQ. FT. +440	2,093± SQ. FT.
SCREEN PORCHES	224± SQ. FT.	224± SQ. FT.
STEPS	169± SQ. FT. (-45)	124± SQ. FT.
PATIO	294± SQ. FT.	294± SQ. FT.
TOTAL	2,340± SQ. FT. +395	2,735± SQ. FT. (16.9% INCREASE THIS PROPOSAL)
	2,265± SQ. FT. (+75, +395)	2,735± SQ. FT. (20.8% INCREASE)*

*PER PLANNER COMMENTS THIS HOME WAS PREVIOUSLY GRANTED A MISCELLANEOUS VARIANCE TO EXPAND BY 75 SQ. FT.



Kittery, Maine - Planning Board Approval

Date of Approval _____

Chair _____ Date _____

YORK,ss REGISTRY OF DEEDS

Received _____

at _____ h _____ m _____ M., and

Filed in Plan Book _____ Page _____

ATTEST: _____

Register _____

PROPOSED SITE PLAN
 FOR PROPERTY AT
76 Chauncey Creek Road
 Kittery Point, York County, Maine
 OWNED BY
Sarah Bartlett Upton Rollins
 76 Chauncey Creek Road, Kittery Point, ME 03905

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

SCALE: 1" = 10' PROJECT NO. 13652 DATE: 4/16/2020 SHEET: 1 OF 1 DRAWN BY: J.D.S. CHECKED BY: A.M.P.

DRAWING No: 13652_SITE_APRIL_2020
 FIELD BOOK No: "Kittery Point #15"

Tax Map 45 Lot 66

REV.	DATE	STATUS	BY	CHKD	APPD.
A	5/20/2020	REVISIONS PER PLANNER COMMENTS	A.H.P.	A.M.P.	A.M.P.