

**Town of Kittery Maine
 Town Planning Board Meeting
 January 28, 2021**

76 Chauncey Creek Road—Shoreland Development Plan Review

Action: Accept or deny plan as complete; continue application to a subsequent meeting, schedule site walk and/or public hearing; approve or deny plan: Pursuant to §16.7.3.3.B *Nonconforming structure repair and/or expansion* and §16.10.3.4 *Shoreland Development Review* of the Town of Kittery Land Use Development Code, owner/applicant Sarah Bartlett Upton Rollins requests approval to expand a legally nonconforming dwelling unit on a legally nonconforming lot by 440-sf 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.

PROJECT TRACKING

REQ'D	ACTION	COMMENTS	STATUS
No	Sketch Plan	Not pursued	No filing on record
No	Site Visit	At the Board's discretion	To be determined—PB discretion
Yes	Completeness/Acceptance	Scheduled for the 12/10/20	Ongoing
No	Public Hearing	At the Board's discretion	To be determined—PB discretion
Yes	Plan Approval		Pending

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, minor accessory structures 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 above, the Project’s existing conditions reveal both a legally nonconforming lot and dwelling unit, as the lot’s area totals 20,950-sf and the single-family dwelling unit occupies land below the 25-ft. setback to an area below the 75-ft. setback within the Shoreland Overlay Zone. As time progressed, the lot was developed piecemeal: a garage was constructed in the front yard at a date that appears to have preceded the Town’s enactment of its zoning ordinance; a 75-sf addition, which received Board of Appeals (“BOA”) approval on August 2, 1989; a dock and pier, which was approved by the Kittery Port Authority (“KPA”) on October 12, 2012, and a 84-sf shed, which initially was approved administratively by the Code Enforcement Officer, pursuant to §16.3.2.17.D(2)(e) in 2015; however, no record of a building permit for the shed was on file. Moreover, it was discovered that the shed exceeded the size limitation as prescribed in the aforementioned ordinance and ultimately required Planning Board approval if it were to remain. On September 10, 2020, the applicant filed for an approval after-the-fact shoreland development plan application to allow the 84-sf shed and a 269-sf patio to remain in situ and was denied categorically by the

Board, as the patio fell short of fulfilling the 75-ft setback requirement¹ and the shed failed to satisfy the dimensional requirement as well as the test within the zoning provision requiring demonstration that the shed was the only accessory structure on the lot.^{2,3}

The applicant returned to the Board at their December 10, 2020 meeting requesting approval for a shoreland development plan to expand a legally nonconforming structure by adding a 440-sf addition to the dwelling unit's front façade and to construct a walking paths both in front and behind the house along with a new front patio. The application included the removal of both the rear patio and shed as required in Board's Findings of Fact, dated September 24, 2020, and incorporates areas of revegetation to offset the addition devegetation added to the lot. The Board was tasked to determine if the application satisfies the requirements under §16.3.2.3.D, §16.3.2.17, §16.7.3.3.B, and §16.10.8.3(D) and any other zoning ordinance relative thereto.

The Planning Board reviewed the revised plan and determine more information on the type of pavers was required before making a final decision. Furthermore, the patio that was proposed in front of the house had sections below the 75-ft setback from the high water mark, which conflicted with §16.3.2.17.D(2)(b) and required a revision.

The Board is now in receipt of a revised plan that depicts a revised location of the front patio and provides information on the pavers to be used within the walking path behind the house.

Analysis and Staff Commentary

January 28, 2021 Update:

As described above, the only outstanding items from the December 10, 2021 meeting were the constitution of the pavers and the relocation of the front patio outside the 75-ft setback from the high water mark. As regards the devegetation percentage, the Board may want to inquire which porch/overhangs are to be removed as indicated on the devegetation calculations section.

Concerning the pavers, the information that was submitted for this review appear to promote water infiltration and vegetation growth, which is desirable for the location the rear path is being proposed. As for the front patio, it appears to be outside the 75-ft setback and in compliance with §16.3.2.17.D(2)(b). The Board may want direct the applicant which pavers they find most appropriate for that area based on the information provided.

Waivers

The proposed shoreland development plan is not seeking any relief from the Planning Board.

Conclusion

It appears that the proposed expansion and walkways comply with Title 16 standards. All the outstanding items from the December 11, 2021 meeting appear to have been satisfied and may proceed with final approval.

¹ §16.3.2.17.D(2)(b), Town of Kittery Land Use and Development Code: *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*

² 16.3.2.17.D (2)(e), Town of Kittery Land Use and Development Code: *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.*

³ It was the opinion of the Board that the garage was the initial accessory structure of the lot and its presence prohibited additional accessory structures from being built within the base zone setback of the Shoreland Overlay Zone.

Planning Board Procedural Steps

After the Board has been presented with the application and deliberation has exhausted, the following procedural sequence must take place:

1. Move to continue the application to a subsequent meeting if more time for consideration is required by the Board,
2. Approve with or without conditions; or
3. deny the application.

Recommended Motions

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

Motion to continue application

Move to continue the shoreland development plan application to the February 11, 2021 Planning Board meeting from owner/applicant Sarah Bartlett Upton Rollins requesting approval to expand a legally nonconforming dwelling unit on a legally nonconforming lot by 440-sf 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.

Motion to approve with conditions

Move to approve the shoreland development plan application from owner/applicant Sarah Bartlett Upton Rollins requesting approval to expand a legally nonconforming dwelling unit on a legally nonconforming lot by 440-sf 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

Motion to deny

Move to deny the shoreland development plan application from owner/applicant Sarah Bartlett Upton Rollins requesting approval to expand a legally nonconforming dwelling unit on a legally nonconforming lot by 440-sf 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

**Kittery Planning Board
 Findings of Fact
 For 76 Chauncey Creek Road
 Shoreland Development Plan Review**

**UNAPPROVED
 M45 L66**

WHEREAS: Owner/applicant Sarah Bartlett Upton Rollins requests approval to expand a legally nonconforming dwelling unit on a legally nonconforming lot by 440-sf 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.

REQ'D	ACTION	COMMENTS	STATUS
No	Sketch Plan	Not pursued	Not applicable
No	Site Visit	At the Board's discretion	Not pursued
Yes	Completeness/Acceptance	December 10, 2020	Approved
No	Public Hearing	At the Board's discretion	Not pursued
Yes	Plan Approval	May take place at the January 28, 2021 meeting	Pending

And pursuant to the application and plan and other documents considered to be a part of a plan review decision by the Planning Board in this Finding of Fact consisting of the following (hereinafter the "Plan"):

1. Shoreland Development Plan Application, dated 5/28/2020
2. Shoreland Development Site Plan, Easterly Surveying Inc., dated 5/20/20 and last revised 12/31/20

NOW THEREFORE, based on the entire record before the Planning Board and pursuant to the applicable standards in the Land Use and Development Code, the Planning Board makes the following factual findings and conclusions:

FINDINGS OF FACT

Chapter 16.3 LAND USE ZONE REGULATIONS

16.3.2.3.D(e)
Standard: <i>Maximum building coverage: 20%</i>
Findings: The proposed shoreland development plan illustrates a building coverage rate of 13.6%
Conclusion: The standard appears to be met.
Vote: <u> </u> in favor <u> </u> against <u> </u> abstaining
16.3.2.17.D(1)(d)
Standard: <i>The total footprint of devegetated area must not exceed 20% of the lot area located within the Shoreland Overlay Zone, except in the following zones:</i>
<i>[1] Mixed-Use – Badgers Island (MU-BI) and Mixed-Use – Kittery Foreside (MU-KF) Zones, where the maximum devegetated area is 60%. The Board of Appeals may approve a miscellaneous appeal application to increase allowable devegetated area in the Mixed-Use – Badgers Island (MU-BI) Zone to 70% where it is clearly demonstrated that no practicable alternative exists to accommodate a water-dependent use.</i>
<i>[2] Commercial (C1, C-2, C-3), Business – Local (B-L and B-L1) and Industrial (IND) Zones where the maximum devegetated area is 70%.</i>

<p><i>[3] Residential – Urban (R-U) Zone where the lot is equal to or less than 10,000 square feet, the maximum devegetated area is 50%.</i></p> <p>Findings: The proposed shoreland development plan depicts a devegetation rate of 20.0%</p> <p>Conclusion: The standard appears to be met.</p>
Vote: __ in favor __ against __ abstaining
16.3.2.17.D(2)(b)
<p>Standard: <i>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.</i></p> <p>Findings: The proposed shoreland development proposes a patio that is outside the 75-ft from the high-water line of Chauncey Creek.</p> <p>Conclusion: The standard appears to be met.</p>
Vote: __ in favor __ against __ abstaining
16.3.2.17.D(2)(g)
<p>Standard: <i>Stairways or similar structures may be allowed with a permit from the Code Enforcement Officer to provide shoreline access in areas of steep slopes or unstable soils, provided the:</i></p> <p><i>[1] Structure is limited to a maximum of four feet in width;</i> <i>[2] Structure does not extend below or over the normal high-water line of a water body or upland edge of a wetland (unless permitted by the Department of Environmental Protection pursuant to the Natural Resources Protection Act, 38 M.R.S. § 480-C); and</i> <i>[3] Applicant demonstrates that no reasonable access alternative exists on the property</i></p> <p>Findings: The proposed shoreland development plan depicts a walkway originating from the rear egress of the dwelling unit to the foot of the dock that is located in Chauncey Creek. The proposed walkway does not appear to cross the high-water mark.</p> <p>Conclusion: The standard appears to be met.</p>
Vote: __ in favor __ against __ abstaining

Chapter 16.7 GENERAL DEVELOPMENT REQUIREMENTS
Article III Nonconformance

16.7.3.1 Prohibitions and Allowances
<p>Standard: <i>A. Except as otherwise provided in this Article, a nonconforming condition must not be permitted to become more nonconforming</i></p> <p>Finding: The applicant is proposing an expansion to a legally nonconforming structure that complies with the standards within the Article.</p> <p>Conclusion: The requirement appears to be met.</p>
Vote: __ in favor __ against __ abstaining
16.7.3.3.B(3)(e)[5][a]
<p>Standard: <i>For structures located less than the base zone setback from the normal high-water line of a water body, tributary stream, or upland edge of a coastal or freshwater wetland, the maximum combined total footprint for all structures may not be expanded to a size greater than 1,000 square feet, or 30% larger than the footprint that existed on January 1, 1989, whichever is greater. The maximum height of</i></p>

any portion of a structure that is located in the base zone setback may not be made greater than 20 feet, or the height of the existing structure, whichever is greater.

Finding: The applicant is proposing an expansion of the legally nonconforming dwelling unit by 440-sf, which is a 19.4% increase in area from the original footprint that existed on January 1, 1989 of all structures (2,043-sf) below the base zone setback of the Kittery Point Village (R-KPV) zoning district. Factoring the 75-sf (3.3%) approved expansion, dated August 2, 1989, the collective expansion rate to date sums to 22.7%, which is below the 30% expansion threshold.

Conclusion The requirement appears to be met.

Vote: ___ in favor ___ against ___ abstaining

Chapter 10 DEVELOPMENT PLAN APPLICATION AND REVIEW

Article X Shoreland Development Review

16.10.10.2 Procedure for Administering Permits

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

Standard: 1. *Maintain safe and healthful conditions;*

Finding: The proposed development as represented in the plans and application does not appear to have an adverse impact.

Conclusion: This requirement appears to be met.

Vote: ___ in favor ___ against ___ abstaining

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

Finding: The proposed development appears to be designed in a manner that does not result in an increase of water pollution, erosion, or sedimentation to surface waters

Conclusion: This requirement appears to be met.

Vote: ___ in favor ___ against ___ abstaining

Standard: 3. *Adequately provide for the disposal of all wastewater;*

Finding: The proposed development does not include an increase in the number of bedroom units, thereby not requiring an upgrade to the subsurface wastewater disposal system at this time.

Conclusion: This requirement appears to be met.

Vote: ___ in favor ___ against ___ abstaining

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

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

Conclusion: This requirement appears to be met.

Vote: ___ in favor ___ against ___ abstaining

<p>Standard: 5. <i>Conserve shore cover and visual, as well as actual points of access to inland and coastal waters;</i></p> <p>Finding: The application is proposing a small walkway from the rear egress of the dwelling unit to the dock, which will prevent further erosion and vegetation degradation of shore cover by pedestrian traffic.</p> <p>Conclusion: This requirement appears to be met.</p>
Vote: <input type="checkbox"/> in favor <input type="checkbox"/> against <input type="checkbox"/> abstaining
<p>Standard: 6. <i>Protect archaeological and historic resources;</i></p> <p>Finding: There appears to be no archaeological and historical resources located on the lot.</p> <p>Conclusion: This requirement appears to be met.</p>
Vote: <input type="checkbox"/> in favor <input type="checkbox"/> against <input type="checkbox"/> abstaining
<p>Standard: 7. <i>Not adversely affect existing commercial fishing or maritime activities in a commercial fisheries/maritime activities district;</i></p> <p>Finding: The application is proposing a building expansion that is oriented away from Chauncey Creek, and the proposed walkway improves access to the lot's dock. Both elements of the development appear not to affect any commercial fishing or maritime activities, nor the district that they are active.</p> <p>Conclusion: This requirement appears to be met.</p>
Vote: <input type="checkbox"/> in favor <input type="checkbox"/> against <input type="checkbox"/> abstaining
<p>Standard: 8. <i>Avoid problems associated with floodplain development and use;</i></p> <p>Finding: Portions of the property and dwelling unit are located in the FEMA Flood Zone (AE-100 year). The proposed development appears to be outside this zone, albeit the rear walkway is located in the flood zone; however, the walkway purpose is to connect to a water dependent use. Accordingly, the proposed expansion does not appear to have an impact on the current floodplain or flood-prone area.</p> <p>Conclusion: This requirement appears to be met.</p>
Vote: <input type="checkbox"/> in favor <input type="checkbox"/> against <input type="checkbox"/> abstaining
<p>Standard: 9. <i>Is in conformance with the provisions of this code;</i></p> <p>Finding: The proposed development complies with the applicable standards of Title 16.</p> <p>Conclusion: This requirement appears to be met.</p>
Vote: <input type="checkbox"/> in favor <input type="checkbox"/> against <input type="checkbox"/> abstaining
<p>Standard: 10. <i>Be recorded with the York county Registry of Deeds.</i></p> <p>Finding: The proposed shoreland development plan shall be recorded at the York County Registry of Deeds.</p> <p>Conclusion: This standard appears to be met.</p>
Vote: <input type="checkbox"/> in favor <input type="checkbox"/> against <input type="checkbox"/> abstaining

NOW THEREFORE the Kittery Planning Board adopts each of the foregoing Findings of Fact and based on these Findings determines the proposed Development will have no significant detrimental impact, and 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:

1. None.

Conditions of Approval (to be depicted on final plan to be recorded):

1. No changes, erasures, modifications or revisions may be made to any Planning Board approved final plan unless conforming with the provision under §16.10.9.2 and §16.10.9.3.
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. With the exception of the vegetation identified on the plan for removal, no vegetation will be removed without prior approval by the Code Enforcement Officer or the Shoreland Resource Officer. Efforts to protect existing vegetation must be in place prior to grading or construction. The rock fill shall not replace existing vegetation.
4. Prior to the commencement of onsite construction, areas to remain undisturbed must be clearly marked with stakes and caution tape. All stakes, caution tape, silt fences, and other materials used during construction must remain until all onsite work is completed. Prior to removal, written permission to remove such materials must be given by the Code Enforcement Officer.
5. All Notices to Applicant contained herein (Findings of Fact dated 12/10/2020).

Conditions of Approval (not to be depicted on final plan):

1. None.

The Planning Board authorizes the Planning Board Chair, or Vice Chair, to sign the Final Plan and the Findings of Fact upon confirmation of required plan changes.

Vote: __ in favor __ against __ abstaining

APPROVED BY THE KITTERY PLANNING BOARD ON _____

Dutch Dunkelberger, Planning Board Chair

Notices to Applicant:

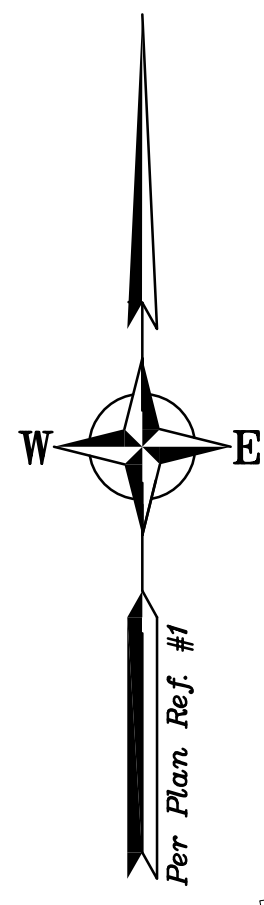
1. Incorporate any plan revisions on the final plan as required by Planning Board and submit for Staff review prior to presentation of final mylar.
2. Prior to the release of the signed plans, the applicant must pay all outstanding fees associated with the permitting, including, but not limited to, Town Attorney fees, peer review, newspaper advertisements and abutter notification.
3. One (1) mylar copy of the final plan and any and all related state/federal permits or legal documents that may be required, must be submitted to the Town Planning Department for signing. Date of Planning Board approval shall be included on the final plan in the Signature Block. After the signed plan is recorded with the York County Registry of Deeds, a mylar copy of the signed original must be submitted to the Town Planning Department.
4. This approval by the Town Planning Board constitutes an agreement between the Town and the Developer, incorporating as elements the Development Plan and supporting documentation, the Findings of Fact, and any Conditions of Approval.

Appeal of Decision:

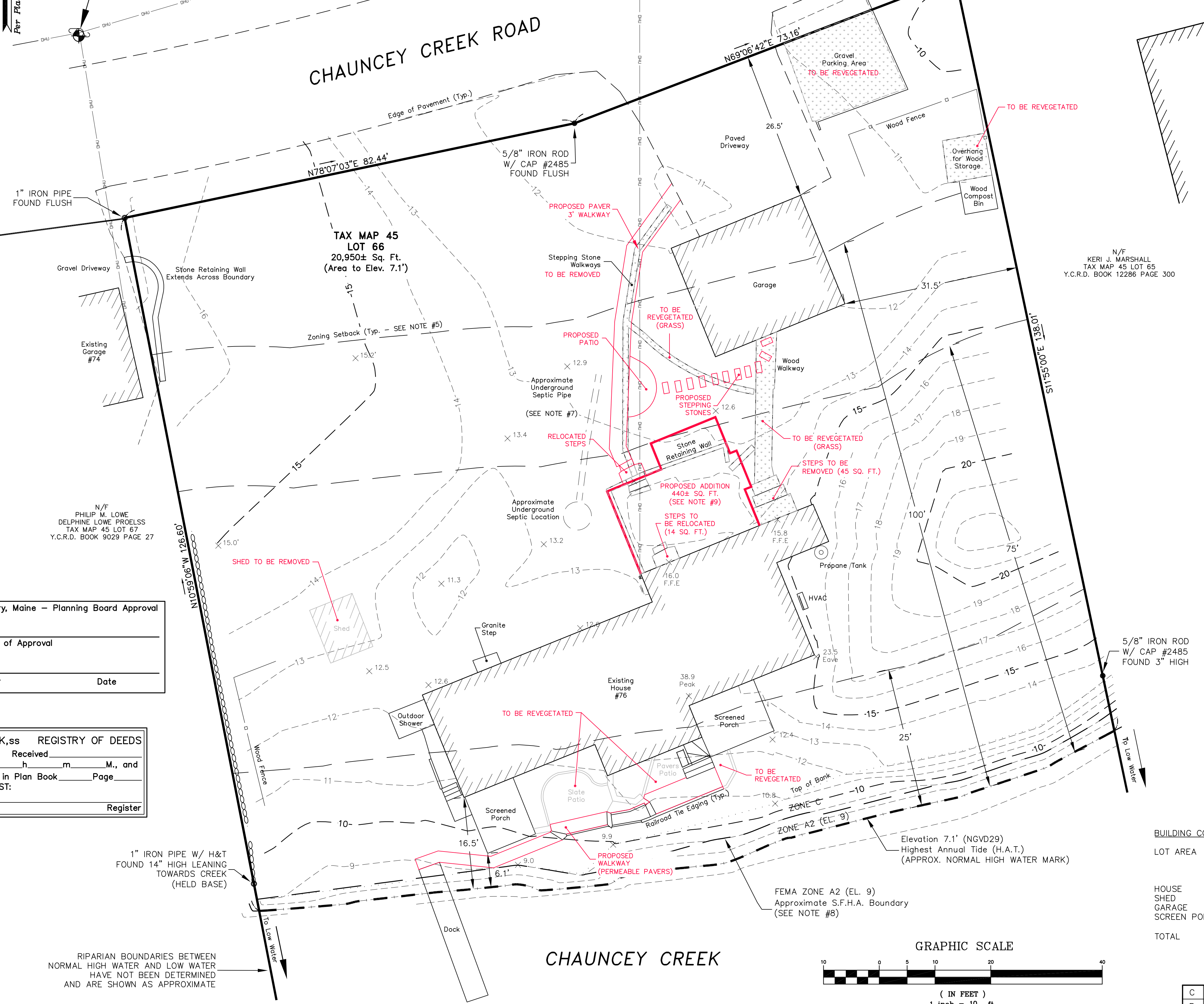
1. Per Title 16.6.2.A - An aggrieved party with legal standing may appeal a final decision of the Planning Board to the York County Superior Court in accordance with Maine Rules of Civil Procedures Section 80B, within forty-five (45) days from the date the decision by the Planning Board was rendered.

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.



TBM #1
SPIKE SET IN UP CMP #51
NGVD29 ELEV. = 18.76'



DIMENSIONAL TABLE:

LOT	REQUIRED		EXISTING/PROPOSED	
	AREA	DEVELOPED COVERAGE	20,950± SQ. FT.	19.8%/20.0%
STREET FRONTAGE	40,000 SQ. FT.	20%	20,950± SQ. FT.	19.8%/20.0%
SHORE FRONTAGE	150 FT.	20% MAX	155.60 FT.	19.8%/20.0%
BUILDING COVERAGE	159± FT.		159± FT.	
DEVEGETATED COVERAGE	20%		11.5%/13.6%	
STRUCTURE	20% MAX		19.8%/20.0%	
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
HOUSE	1,653± SQ. FT. +440	2,093± SQ. FT.
PAVEMENT	715± SQ. FT.	715± SQ. FT.
WALKWAYS	167± SQ. FT. (-17)	157± SQ. FT.
FRONT/SIDE 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.
SHED	84± SQ. FT. (-84)	0± SQ. FT.
GRAVEL	274± SQ. FT. (-274)	0± SQ. FT.
PORCHES/OVERHANG	285± SQ. FT. (-60)	225± SQ. FT.
PATIOS	269± SQ. FT. (-228)	41± SQ. FT.
REAR STEPS	25± SQ. FT.	25± SQ. FT.
REAR WALKWAY	0± SQ. FT. (+161)	161± SQ. FT.
DOCK	20± SQ. FT.	20± SQ. FT.
OTHER (T.B.D.)	0± SQ. FT.	67± SQ. FT. (OTHER T.B.D.)
STEPPING STONE WALK	0± SQ. FT. (+20)	20± SQ. FT.
TOTAL	4,241± SQ. FT. (20.2%)	4,190± SQ. FT. (20.0%)

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.
FRONT/SIDE STEPS	183± SQ. FT. (-45)	138± SQ. FT.
REAR STEPS	25± SQ. FT.	25± SQ. FT.
TOTAL	2,085± SQ. FT. +395	2,480± SQ. FT. (18.9% INCREASE THIS PROPOSAL)
	2,010± SQ. FT. (+75, +395)	2,480± SQ. FT. (23.4% INCREASE)*

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

PRELIMINARY

BUILDING COVERAGE:

LOT AREA	EXISTING	PROPOSED
HOUSE	1,653± SQ. FT.	2,093± SQ. FT.
SHED	84± SQ. FT.	0± SQ. FT.
GARAGE	528± SQ. FT.	528± SQ. FT.
SCREEN PORCHES	224± SQ. FT.	224± SQ. FT.
TOTAL	2,489± SQ. FT. (11.9%)	2,845± SQ. FT. (13.6%)

Kittery, Maine - Planning Board Approval

Date of Approval _____

Chair _____ Date _____

YORK,ss REGISTRY OF DEEDS

Received _____

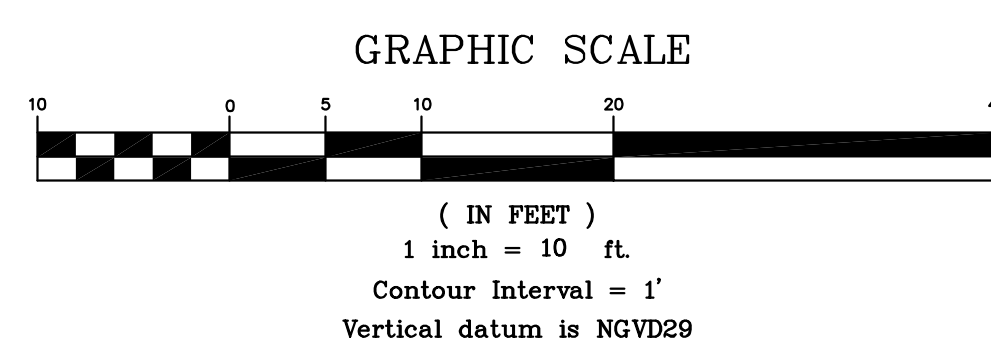
at _____ h _____ m _____ M., and

Filed in Plan Book _____ Page _____

ATTEST: _____

Register _____

CHAUNCEY CREEK



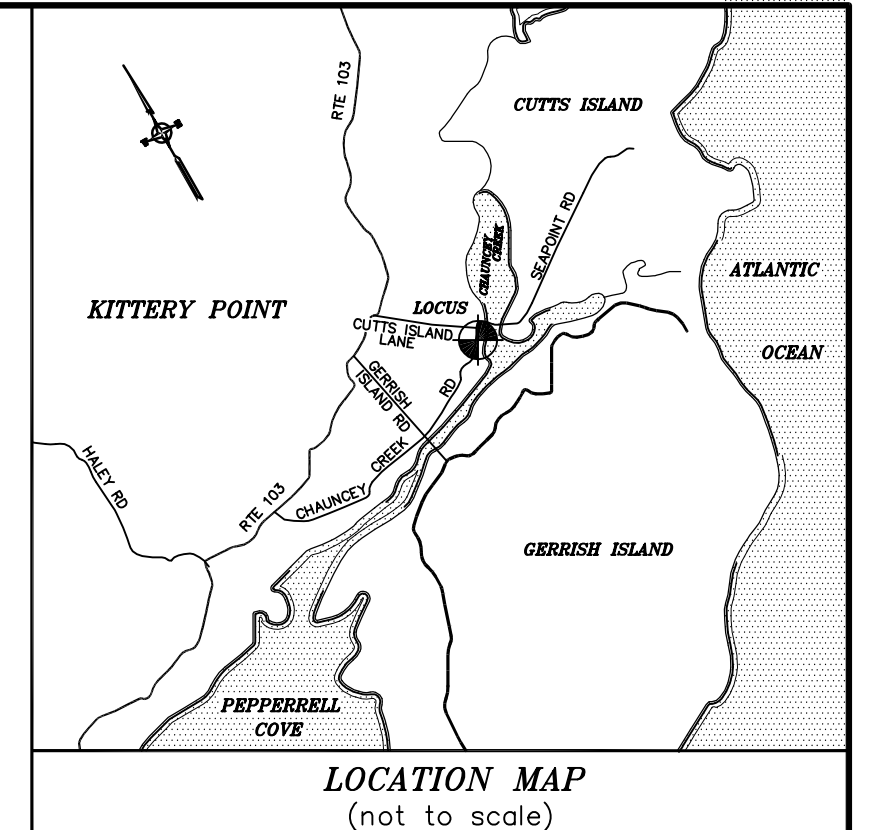
PROPOSED SITE PLAN
 FOR PROPERTY AT
76 Chauncey Creek Road
 Kittery Point, York County, Maine
 OWNED BY
Sarah Bartlett Upton Rollins
 76 Chauncey Creek Road, Kittery Point, ME 03905

North

EASTERLY SURVEYING, Inc.

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

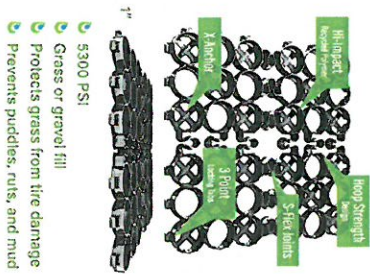
SCALE: 1" = 10'	PROJECT NO. 13652	DATE: 4/16/2020	SHEET: 1 OF 1	DRAWN BY: J.D.S.	CHECKED BY: A.M.P.
DRAWING No: 13652_SITE_APRIL_2020		FIELD BOOK No: "Kittery Point #15"		Tax Map 45 Lot 66	



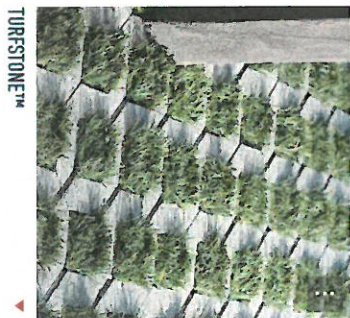
RIPIARIAN BOUNDARIES BETWEEN NORMAL HIGH WATER AND LOW WATER HAVE NOT BEEN DETERMINED AND ARE SHOWN AS APPROXIMATE

Sample Products

Plastic Grid – best suited for driveways and patios. Not barefoot friendly



Cement Grid – best suited for driveways and patios. Not barefoot friendly



Good Solution: Permeable pavers – similar to current paver material, allows water to flow through gaps. Easy on bare feet

Preferred Solution: use of existing pavers with Paver Spacers

