

**Town of Kittery
 Planning Board Meeting
 August 24, 2017**

Huntington Run - Cluster Subdivision Preliminary Plan Review

Action: Hold a public hearing. Approve or deny preliminary plan. Owner, Landmark Properties, LTD. And Kingsbury and Veronica Bragdon, and applicant, Chinburg Builders, Inc., request consideration of a 20-lot cluster subdivision on 86.6 +/- acres located on Betty Welch Road (Tax Map 66 Lots 2A, 8 & 8A) in the Residential Rural Zone (R-RL) and a portion located in the Shoreland Overlay (SH-250'-OZ) Zone. Agent is Jeff Clifford, P.E., Altus Engineering.

PROJECT TRACKING

REQ'D	ACTION	COMMENTS	STATUS
Yes	Sketch Plan Review / Concept Approval	4/13/2017	APPROVED
No	Site Visit	8/15/2017	HELD
Yes	Preliminary Plan Review Completeness/Acceptance	7/13/2017	ACCEPTED
Yes	Public Hearing	Scheduled for 8/24/2017. Legal advertisement 8/9 and 8/16/2017 Portsmouth Herald	PENDING
Yes	Preliminary Plan Approval		PENDING
Yes	Final Plan Review		TBD

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.** 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 has been duly recorded in the York County registry of deeds, when applicable.

BRING PACKET INFORMATION FROM JULY 13 MEETING

Background

Planning Board review of the proposed development is required by 16.10.3.1, General Development as a subdivision plan. The applicant is under a purchase and sales agreement with the owners of three abutting vacant parcels that, once combined, will result in an 86.6 acre vacant parcel with frontage along Betty Welch Road. The proposed development is a 20-lot cluster subdivision containing a 60-foot wide right of way, 1200-feet in length.

The proposed development was previously reviewed by the Board in 2014-2015. The Board approved a sketch plan on 11/12/2015 however, prior to submitting a preliminary plan application, the applicant found a discrepancy between the Town’s tax map and deed references for Lot 8A. In the process of resolving the issue, the 6-month allowance between sketch plan approval and the submittal of a preliminary plan application expired. The applicant resubmitted a sketch plan, with little variation from the 2015 approved plan, which the Board approved on 4/13/2017 (minutes attached).

The preliminary plan application was scheduled for 7/13/2017, however, that meeting was postponed to 7/27, where a public hearing was scheduled. A site walk was held on 8/15/2017 (minutes attached).

Staff Review

In addition to the initial preliminary plan review (attached) by the Town’s peer-review engineer, CMA, Staff has the following comments:

1. **Flag Lot.** At the completeness review for the application it was brought to the attention of the applicant by the Board that proposed lot 12 may be an issue due to its ‘flag lot’ shape. With review of the minutes and the archived video for the April 13, 2017 sketch plan review meeting, it is clear the Board did reach consensus that they could, through the cluster development provisions, modify the shape of the lot, and thereby allowing a flag lot. Though the consensus vote the Board held at the meeting is not binding on the preliminary plan review and approval, the reasoning presented for the modification seems to be reasonable.

Title 16.8.16.2.A addresses the lot’s width and length dimensions as well as ‘flag-shaped lots.’ With consideration of the definition of dimensional standards and provision 16.8.11.3 Dimension Standards Modifications, it’s staff’s opinion that lot shape is a dimensional standard and thus can be modified when subject to the cluster development provisions (16.8.11.3).

2. **Street Standard Modification.** The applicant is proposing in lieu of the required paved shoulder that a gravel shoulder is constructed to similar, but not exactly the same dimensions. After reviewing with the DPW Commissioner and CMA, staff recommends attaining at least 2-foot paved shoulders in addition to the gravel. See CMA’s email dated 8/17/2017.
3. **Peer Review of Common Subsurface Wastewater System.** CMA has engaged Wright Pierce engineers to review the applicant’s proposed common septic design per the Board’s request. Mike Giggey’s initial review is attached to CMA’s review letter and does not raise any large issues at this point. However, before finalizing his review, Mr. Giggey is waiting for more information that is likely to come with the agent’s permitting process with the state. Jeff Clifford, the applicant’s agent has submitted a letter commenting on Mr. Giggey’s memorandum, that is also attached, and addressing some of the questions and comments raised.
4. **Final Plan Submittal.** The Board should indicate if there are final plan submittal items (16.10.7.2) they do not want to consider waiving. In the past the Municipal Impact Analysis has been waived. Staff recently spoke to the School Superintendent and School Committee Chair where they have expressed interest in receiving the information likely to result from an impact analysis. Information they are interested in includes: the target population the proposed housing is aimed for, the likely price of the homes/lots, if the development has restrictions, such as age, and other information to help get an understanding of the students that might be added to the Kittery’s school district. The Applicant should identify any submittal waivers at this meeting.

Recommendation

With consideration of the recent site walk, staff and CMA comments and testimony from the Public Hearing, the Board can consider either to grant preliminary approval with conditions, addressing staff and peer review comments to date, or look for additional information to address issues the Board may need resolved prior to preliminary approval. Both Staff and CMA find the issues to date can be addressed as part of the final plan submission, when the state permitting process will likely be nearly completed.

Action

- A. *Move to continue the preliminary subdivision plan dated June 22, 2017 from Owners Landmark Properties & Kingsbury and Veronica Bragdon, and applicant, Chinburg Development, for a 20-lot cluster subdivision located on Betty Welch Road (Tax Map 66 Lots 2A, 8 & 8A) in the Residential Rural and Shoreland Overlay Zones, not to exceed 90-days.*
- B. *Move to approve with conditions the preliminary subdivision plan dated June 22, 2017 from Owners Landmark Properties & Kingsbury and Veronica Bragdon, and applicant, Chinburg Development, for a 20-lot cluster subdivision located on Betty Welch Road (Tax Map 66 Lots 2A, 8 & 8A) in the Residential Rural and Shoreland Overlay Zones..*

Earldean Wells asked about the median strip. Mr. Harmon stated it will be greenspace. She also asked the applicant to look at storm water management system with regard to snow events because sediment will impact effectiveness. Mr. Harmon replied there will be a catch basin.

Vice Chair Kalmar moved to continue the preliminary site plan dated February 16, 2017 from owner Landmark Properties, LTD and applicant, Michael Brigham, for 518 U.S. Route 1 (Tax Map 67 Lot 2) in the Mixed-Use Zone, not to exceed 90 days.

Ms. Day seconded the motion.

The motion carried 7-0-0.

OLD BUSINESS

ITEM 3 – ITEM 3 – Town Code Amendment – 16.3.2.13 Mixed Use Zone

Action: Review Amendment. Schedule a public hearing. Applicant, Landmark Hill LLC, requests several amendments to the Mixed-Use Zone to reduce the required front yard and landscape planting strip standards.

The Chair requested Item 3 moved after Item 5 if time allows. The Board agreed.

NEW BUSINESS

ITEM 4 – Betty Welch Road Cluster Subdivision - Sketch Plan Review

Action: Accept or deny application. Approve or deny sketch plan. Owner, Landmark Properties, LTD., and applicant, Chinburg Builders, Inc., request consideration of a 20-lot cluster subdivision on 86.6 +/- acres located on Betty Welch Road (Tax Map 66 Lots 2A, 8 & 8A) in the Residential Rural and Shoreland Overlay Zones. Agent is Jeff Clifford, P.E., Altus Engineering.

Robert Harris recused himself due to being an abutter.

Jeff Clifford, P.E. Altus Engineering, explained they had previous sketch plan approval but the time has expired due to studies being completed. He explained the surveyors discovered an error with the tax map for one lot. Chinburg Builders is in the process of purchasing the parcels. Mr. Clifford has permission from the owner to represent them tonight. He further explained the upland is not far above adjacent wetlands and he reviewed the location of the proposed septic systems, which will be community leech field. Because of the size of the open space is 76 acres, Mr. Clifford stated he did not map the wetlands.

The following staff comments were addressed:

- Comment 3 – the boundary survey is almost completed.
- Comment 5 - after discussion, the Board was in consensus the area was developable.
- Comment 7- the applicant needs to get State approval

- Comment 8 – the applicant is asking for a modification of a 50-ft. right of way. The Board is unable to modify the width of the road because it is a cluster. The Board decided the road should be 60-ft. but they can modify the setback.
- Comment 9 - sidewalks – a waiver was granted to not include sidewalks. The applicant agreed place a sign for walk against traffic, bike ride with traffic.
- Comment 11 - applicant will be submitting a wetland alternation application and is talking with the Army Corps of Engineers.
- Comment 13 - Lot 12 and Lot 13 – applicant asked for a waiver for the lot shape. The Board was in consensus to allow the lot shape requested for both lots.
- Comment 14 – applicant will ask for the language from Town Planner.
- Comment 15 – a snow removal plan will be added.

Mr. Dunkelberger moved to accept the sketch plan application dated March 2, 2017 from Owners Landmark Properties and Kingsbury and Veronica Bragdon, and applicant Chinburg Builders, for a 20-lot cluster subdivision located on Betty Welch Road (Tax Map 66 Lots 2,4,8 & 8A) in the Residential Rural and Shoreland Overland Zones.

Vice Chair Kalmar seconded the motion.

The motion carried 6-0-1.

Earldean Wells stated community septic systems do not take out substances, such as nitrates, that can harm the wetland. She further explained these systems require a lot of maintenance and it takes a while to get them back on line. The proposed plan has the systems crossing the large wetland three times and the potential of impacting the wetland is high. Mr. Clifford responded that there is redundancy in the system because there is more than one septic system in place and explained the safeguards.

Mr. Dunkelberger moved to approve the sketch plan (CC-3) dated March 2, 2017 From Owners Landmark Properties and Kingsbury and Veronica Bragdon, and applicant, Chinburg Builders, for a 20-lot cluster subdivision located on Betty Welch Road (Tax Map 66 Lots 2A, 8 & 8A_ in the Residential Rural and Shoreland Overlay Zones.

Vice Chair Kalmar seconded the motion.

The motion carried 6-0-0.

Ms. Wells requested her comments and concerns of the use of the septic and the contaminants be in the Minutes.

ITEM 5 – 118 Rogers Rd –Cluster Subdivision Preliminary Plan - Completeness Review
Action: Accept or deny application. Schedule a public hearing. Owner Dorothy Fitzpatrick and applicant Murat Ergin requests consideration of plans of a lot split and 4-unit cluster subdivision located at 118 Rogers Road (Tax Map 15 Lot 92) in the Residential-Urban Zone. Agent is Joseph Mulledy, Ambit Engineering.



August 16, 2017

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

**RE: Town of Kittery, Planning Board Services
Huntington Run Cluster Subdivision
40 Betty Welch Road, Tax Map 66, Lots 2A, 8, & 8A
CMA #591.108**

Dear Chris:

CMA Engineers has received the following information for Assignment #108, review of the Huntington Run Cluster Subdivision at 40 Betty Welch Road Road (Tax Map 66, Lots 2A, 8, & 8A).

- 1) Subdivision Review Application, 40 Betty Welch Road, Kittery, ME, Tax Map 66, Lots 2A, 8, & 8A by Altus Engineering, Inc of Portsmouth, NH dated June 22, 2017.
- 2) Drainage Analysis for 412 Huntington Run Kittery, ME, Tax Map 66, Lots 2A, 8, & 8A, by Altus Engineering, Inc of Portsmouth, NH dated June 2017.
- 3) Drawings titled Huntington Run Subdivision , preliminary submission, 23 sheets, by Altus Engineering, Inc of Portsmouth, NH dated June 22, 2017.

We have reviewed the information submitted for conformance with the Kittery Land Use and Development Code (LUDC) and general engineering practices, and offer the comments below that correspond directly to the Town's Ordinances.

The proposed project includes a 20-lot clustered residential subdivision of combined parcels between Betty Welch Road and I-95 in Kittery. Access to the property is proposed by a new 1,200-foot roadway from Betty Welch Road. The project is located in the rural residential zone, and has significant wetland areas on the site. Some wetland impacts are proposed near the entrance of the access road, and along the route of a sewage force main. As a cluster subdivision, the residential units are clustered on smaller lots in one part of the site, and proposed to be served by individual aerated septic tanks. Effluent from all 20 units is proposed to be pumped through force mains to a remote community leachfield system.

16.3 Zoning Regulations

16.3.2.1 Residential-Rural (R-RL)

The proposed use (dwellings) is a permitted use, and cluster residential development is specifically included in the permitted uses.

Land area: A common wastewater system is proposed. For a cluster subdivision, there apparently is no minimum land area per dwelling unit if a common wastewater system is used. (If no common wastewater system the minimum is 20,000 sf). The applicant describes that they have chosen 10,000 sf minimum. For other residential zones in Kittery with sewerred lots, the minimum land area per dwelling unit ranges from 30,000 sf (Residential—Suburban), to 20,000 sf (Residential-Urban), to 6,000 sf (Residential Village).

Does the Planning Board accept the 10,000 sf minimum land area proposed by the applicant?

16.7 General Development Requirements

Article VIII Net Residential Acreage

The Cluster Residential and Cluster Mixed Use Development ordinance (Article XI section 16.8) provides that the number of residential units on a clustered lot can be the same as the number of lots that are allowable with a conventional subdivision, subject to various requirements in that section. (See separate discussion of cluster residential considerations later in this letter).

The applicant presents a calculation that reduces the 86.55 acre total lot area to 19.72 acres of potential net residential area. It is difficult to verify each of the areas subtracted to yield the 19.72 acres. It would be helpful if a plan (perhaps color-coded) provided that shows each subtracted land area.

For the Residential-Rural zone, the minimum lot size is 40,000 ft.². Assuming physical access can be established to all the net residential area, yields yield 21 residential units. The project proposes 20 units.

At several locations in the plans and narrative, the applicant represents states that 79.38 acres of the 86.55 total acreage is common open space. We question whether 79.38 acres is accurate. What are the land areas excluded from the total land area, and therefore not included in the 79.38 acre open space? For example, does the 79.38 acres of open space exclude:

- The drainage and stormwater control ponds and swales?
- The 50-foot utility easement for the water main?
- Access to the community leach fields?
- The community leachfields and appurtenances?

Clarification of this issue is requested.

16.8 Design and Performance Standards-Built Environment

Article IV. Streets and Pedestrian Ways

There is also a proposed cul-de-sac roadway that the Applicant is proposing to build as a Minor Street classification as a private road. On *Street Design Standards. Table 1* the minor street portion of the roadway does not meet the following standards:

Street Width Design:

- c) Sidewalk/Pedestrian way-The Applicant has not included the 5' sidewalk in the roadway design.
- d) Paved Shoulder-The Applicant has included 1' paved shoulders on each side of the road not 8' on the opposite side.

The applicant proposes these differences as part of the variation from dimensional requirements allowed for a cluster development. The standards for modifications in dimensional requirements in cluster section appear to refer to lot size and configuration. As such, the changes to roadway standards are performance standards, and would require need waivers under Article IV of section 16.7.

Does the planning Board accept the dimensional modifications presented, or require waivers?

16.8.4.8.D. The sight distances on Betty Welch Road should be indicated.

General: Near the intersection with Betty Welch Rd., Road slopes are steeped (2:1). The applicant should consider guardrail, or other barrier.

Article VI Water Supply

The applicant should provide input from the Kittery water district regarding review of the design, placement of hydrants, and confirmation of ability to serve.

Are there any remaining obligations regarding the public water system that should/must be addressed by a homeowner's association?

Article VII Sewage Disposal

A separate review is being completed by Michael Giggey, PE of Wright Pierce Engineers, and should be referred to regarding certain aspects of the proposed wastewater disposal system.

It is recognized that the project is being reviewed currently as a "preliminary" submittal. Significant further detail will be prepared and presented on many aspects of the project, including on the proposed wastewater system in the future final review process. The purpose of the issues raised in Mr. Giggey's memo, and this letter, is to frame issues for effective addressing by the applicant's engineering team as part of that final submittal.

We provide the following questions/comments independent of Mr. Giggey's comments:

1. A summary of the design criteria for the wastewater system should be provide as part of the final submittal, including:
 - Wastewater flow estimates.
 - Summary of design criteria for treatment units at each dwelling.

- Sizing of the leachfields, and other design criteria for each unit.
 - Sequencing of flow distribution among the leachfields.
 - Any factors of safety or other elements of conservative design.
2. The applicant should describe in detail the permitting process (with Maine Division of Environmental Health, Maine DEP, and locally) that is anticipated in the final development of the community wastewater disposal system. Please summarize the performance standards that will be part of those regulatory processes, including any performance monitoring that will likely be included, and the operation, maintenance, and reporting requirements of the system. The applications for applicable wastewater permits should be provided to the Town when prepared.
 3. The system appears to be designed for 6,000 GPD. This represents 300 GPD per residential unit. How many bedrooms per unit, and what controls on future additional occupancy are provided?
 4. It has been described that individual homeowners are to be responsible for the operation and maintenance of the individual septic tanks and treatment units; and that a homeowner's association will be responsible for the common elements, including the force mains and community leachfields. In final submittals, descriptions of how this will be reflected in anticipated permits, including operationally and financial assurance will be critical. What local or State regulatory control is anticipated?
 5. Electric power. There will be wastewater treatment performance ramifications if the individual treatment systems are without power for appreciable periods of time, in terms of secondary treatment of wastewater, and potential carry-over of biological solids to the leachfield. In the final submittal description should be included of how this is proposed to be managed: commitments for auxiliary power, assuming the risk, or other means.
 6. On the wastewater disposal cross-sections (C-4.1):
 - What is the surface of the mounded systems? Loam and seed? Other?
 - The Sweet Associates mounding analysis concludes that fill should extend 38' from the center of the leaching chambers. How is that recommendation carried through the design of each mounded field?
 - The Sweet Associates mounding analysis assumes a horizontal base for each leach field. The bases for these leach fields are all sloped. Does that change the mounding analysis?

Article VIII. Surface Drainage

The project will require a ME DEP Chapter 500 permit. That application should be provided to the town when prepared.

The overall drainage and stormwater management system appears to be prudently conceived and reflected in the preliminary design. The Stormwater Management Facility O & M Manual is a symbol similarly well-conceived and presented.

Final design should address, similar to the wastewater system, or delineation of the responsible parties for these functions.

16.8.8.2 The Applicant should meet the requirements of post-construction stormwater management. Please clarify.

Article XI. Cluster Residential and Cluster Mixed-Use Development

16.8.11.6.E.2. Open space should be calculated as reserved, common or public as specified in this section.

16.8.11.6.E.6. The Applicant should demonstrate how the open space is contiguous and unfragmented.

16.8.11.6.E.7. Is a portion of the open space in close proximity to other open spaces used for recreation?

16.8.11.6.I.4. No buffering is proposed for the development. This may be appropriate.

Should you have any questions, please do not hesitate to call.

Very truly yours,
CMA ENGINEERS, INC.



William A. Straub, P.E.
Project Manager

cc: Jeff Clifford, P.E. Altus Engineering
Mike Giggey, P.E. Wright-Pierce Engineers

TO:	Bill Straub, P.E., CMA Engineers	DATE:	17 August 2017
FROM:	Mike Giggey, P.E.	PROJECT NO.:	13856A
SUBJECT:	Huntington Run Subdivision in Kittery Initial Review Comments on Proposed Wastewater Facilities		

The purpose of this memorandum is to provide initial review comments on the wastewater treatment and disposal aspects of the proposed Huntington Run subdivision in Kittery, in accordance with our agreement dated 10 August 2017.

DOCUMENTS REVIEWED

My review has been limited to these documents:

1. Subdivision Review Application, dated 22 June 2017, prepared by Altus Engineering on behalf of Chinburg Development LLC
2. Construction drawings dated 22 June 2016, also prepared by Altus for Chinburg (24 drawings)
3. Seven additional and/or revised drawings by Altus, dated 14 August 2017.

It is understood that this project is in the early stages of Planning Board review and that more details on the wastewater systems will be provided as the review process proceeds. Specific comments on project details must wait for additional submittals by the developer.

SITE VISIT

I conducted a brief site visit on Tuesday afternoon, 15 August 2017 to understand the general setting of the project; an additional visit to the interior of the site may be needed in the future.

TELEPHONE CONVERSATION WITH DEVELOPER'S CONSULTANTS

I participated in a telephone conference on 16 August with representatives of Altus and its soil science subconsultant Longview Partners. The developer's representatives provided an overview of the wastewater aspects of the project and answered some general questions I posed. It became clear from this conversation that the Planning Board will benefit from a clearer understanding of the reasons for providing wastewater treatment, and that the associated regulatory constraints must be better defined. This conclusion guides the comments and questions presented below.

INITIAL COMMENTS AND QUESTIONS

From information provided in the August 16 teleconference, it appears that the effluent disposal system may be conservatively sized in accordance with the Maine Plumbing Code; the developer's consultants will be providing design data in the future to confirm that understanding and we are prepared to provide specific review comments at that time.

The proposed project includes individually-owned aerobic wastewater treatment systems leading to a common set of leaching facilities. An important first question is: “What is the intended purpose(s) of the wastewater treatment systems?”

Fundamentally, wastewater treatment can be provided at three levels:

- Primary treatment (that is, septic tanks in this case)
- Secondary treatment (usually aerated biological system designed reduce readily-degradable organics and suspended solids), and
- Tertiary treatment (generally designed to provide higher removals of organics and solids, but often to also remove nitrogen).

Providing secondary treatment has the benefits of:

- Allowing a smaller leaching area under Maine regulations, and
- Increasing the useful life of the leaching system by significantly lowering the potential for biomat formation at the leaching surface.

Providing tertiary treatment (specifically nitrogen removal) has these benefits:

- Ensuring that effluent-impacted groundwater is below the drinking water standard of 10 mg/l nitrate at the property to protect water supply wells on adjacent properties.
- Reducing the nitrogen loading to poorly-flushed coastal embayments where excess nitrogen loading can cause significant water quality problems, especially algal blooms.

(Many municipalities also require nitrogen removal to protect nearby wetlands, but that is not a universally-agreed-upon need.)

With the understanding that the leaching field sizing is likely to be appropriate, current focus should be on the need for secondary or tertiary treatment. Specific questions are:

1. Will DHS or DEP require sampling to confirm any leaching area reductions that are proposed based on treatment?
2. Are there state or local requirements for keeping property-line nitrate concentrations below 10 mg/l (or any other limit)?
3. How far away are public and private drinking water wells?
4. What is the direction of groundwater flow leaving the site?
5. Is there the demonstrated need to reduce nitrogen loading to the York River and its tributaries?

Once the driving force behind the proposed wastewater treatment systems is understood, there are many other questions to be answered, and we will defer most of those questions until we more fully understand the regulatory situation.

Regardless of the drivers, it is appropriate to better understand how the proposed wastewater systems will be owned and operated. At one end of the spectrum, the treatment systems provide a subjective benefit and there is no real need to optimize their performance or demonstrate that performance. At the other end of the spectrum, the systems must be well-designed and operated, periodically sampled to document compliance with a standard, and repaired/upgraded as necessary. Once the rationale for these systems is better understood, we will know where this

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17 August 2017
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project falls on that spectrum. If, say, there is a regulatory or environmental reason to reduce nitrogen loading to a low level, the developer should demonstrate that

- individual systems are a better choice than a shared system,
- the proposed OxyPro system is the best one, and
- there will be the financial resources to ensure routine maintenance and sampling.

Chris DiMatteo

From: William Straub <wstraub@cmaengineers.com>
Sent: Thursday, August 17, 2017 4:53 PM
To: Chris DiMatteo
Cc: Jeff Clifford; David Rich; Jodie Bray Strickland; MAP 66 LOT 2A
Subject: Huntington Run Cluster Subdivision Roadway

Chris,

This email follows our discussion a few minutes ago with Dave Rich, Kittery Public Works Commissioner, and modifies our review letter No 1.

Regarding the roadway section propose for Huntington Lane, assuming a sidewalk is not installed, the preferred minimum section is:

- 10 ' travelled way (20 feet total) plus 2 ' paved shoulders each side for a total of 24' paved width.
- 2 ' gravel shoulders beyond the paved shoulders.

This would result in 28 feet width gravel section. The current design has 20' paved, with 2 foot gravel shoulder on one side, and 7 foot gravel on the other (for 29 feet).

The consensus was that there needs to be a 2 -foot paved shoulder beyond the 10 foot paved travel way on both sides. A 2-foot gravel shoulder is necessary beyond any pavement.

Please let me know if any questions,

Best,

Bill

William A. Straub, P.E.
Principal/Project Manager



CMA Engineers, Inc.
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603-431-6196
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Site Planning
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133 Court Street
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03801-4413

August 17, 2017

Chris DiMatteo, Town Planner
Town of Kittery
200 Rogers Road
Kittery, Maine 03904

Re: **Huntington Run Subdivision**
Map 66, Lots 2A, 8, and 8A
40 Betty Welch Road
Kittery, Maine
P-4567

Dear Mr. DiMatteo:

Thank you for forwarding the project review letter prepared by CMA Engineers and the accompanying wastewater review letter prepared by Wright-Pierce. At the August 24, 2017 public hearing, consultants from the design team will discuss the project's technical aspects and respond to comments received. We will be preparing written responses to comments received as the subdivision approval process moves forward. So the design team and reviewers can respond timely on specific technical issues, it will be helpful at the Planning Board meeting to confirm the extent of design information that is appropriate for preliminary approval and that which is needed for final approval.

In regards to the wastewater review, we would be pleased to conduct a visit of the site's interior as mentioned in the Wright-Pierce letter. To address a key point raised regarding water quality standards, state law requires that wastewater plumes from on-site disposal systems will not exceed 10 mg/l at the down gradient project boundary line, or at any existing/proposed water supply well located downgradient of the system. The *Groundwater Impact Study* prepared by Chapman Associates for the project indicates that the 10 mg/l standard is met within the property boundaries. Our review of the Section 303(d) list of impaired waters presented in the *2014 Integrated Water Quality Monitoring and Assessment Report*, prepared by the Maine Department of Environmental Protection, indicates that the York River and Libby Brook are not impaired by nitrate and no total maximum daily load (TMDL) has been developed. The Kittery Land Use and Development Code does not include a standard for nitrates.

Please contact me if you have any questions.

Sincerely,

Jeffrey K. Clifford, P.E.
Vice President

JKC/jkc/4567.017.CD.ltr.doc

e-copies: Paul Kerrigan and Matt Assia, Chinburg Development, LLC
Durward Parkinson, Esquire
James Logan, Longview Associates
David Chapman, Sweet Associates

Chris DiMatteo

From: William Straub <wstraub@cmaengineers.com>
Sent: Thursday, August 17, 2017 11:57 AM
To: Chris DiMatteo
Cc: MICHAEL D. GIGGEY; Jodie Bray Strickland; MAP 66 LOT 2A
Subject: RE: Kittery Huntington Run subdivision preliminary review

Chris,

No, we don't have a problem with preliminary approval.

We recognize that the WW system is probably conservative wrt getting the treated wastewater into the ground at the leachfields. Also, that the issues we and Mike Giggey raise regarding the approach and decisions regarding treatment and nitrates will be addressed partly in the permitting process (including DHS and ME DEP SLOD). We expect that the nitrogen issues will be included in a ME DEPO SLOD review.

From my understanding of the PB's questions, these issues should also be addressed outside the State permitting process to the Board's satisfaction, with realistic constraints. Based on the video of the last meeting, and general considerations, it's appropriate to raise them at this time, so the applicant can focus the final submittal accordingly.

Any question, please call,

Best,

Bill

From: Chris DiMatteo [mailto:CDiMatteo@kitteryme.org]
Sent: Thursday, August 17, 2017 11:46 AM
To: William Straub <wstraub@cmaengineers.com>
Cc: MICHAEL D. GIGGEY <mike.giggey@wright-pierce.com>; Jodie Bray Strickland <jstrickland@cmaengineers.com>; MAP 66 LOT 2A <MAP66LOT2A@kitteryme.org>
Subject: RE: Kittery Huntington Run subdivision preliminary review

Bill,

Do you see any issues with preliminary approval?

With regard to the common septic, if there needs to be more information from the state regulatory agencies, presumably through a permit application review, the applicant can return in their final plan review phase to iron out the subsurface wastewater design?

Chris

From: William Straub [<mailto:wstraub@cmaengineers.com>]

Sent: Thursday, August 17, 2017 11:19 AM

To: Chris DiMatteo <CDiMatteo@kitteryme.org>

Cc: Jeff Clifford <jclifford@altus-eng.com>; MICHAEL D. GIGGEY <mike.giggey@wright-pierce.com>; Jodie Bray Strickland <jstrickland@cmaengineers.com>; MAP 66 LOT 2A <MAP66LOT2A@kitteryme.org>

Subject: Kittery Huntington Run subdivision preliminary review

Chris,

Please find attached our first letter of review for the Huntington run cluster subdivision. An attachment to that letter is the memo prepared by Mike delete of right-pierce engineers regarding initial review of the proposed wastewater system.

As in our letter, it is understood that this is the preliminary phase of review, and that significant additional information and documentation is planned to be part of the final submittal process. Accordingly, many of the questions/comments regarding wastewater system are intended to assist Altus and their team in addressing the issues as part of the final submittal process.

Should you have any questions, please do not hesitate to call.

Best,

Bill

William A. Straub, P.E.

Principal/Project Manager



CMA Engineers, Inc.

35 Bow Street

Portsmouth, NH 03801

603-431-6196

www.cmaengineers.com