



TOWN OF KITTERY, MAINE

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KITTERY PLANNING BOARD – NOTICE OF DECISION & FINDINGS OF FACT AMENDMENT TO ADDRESS FINAL PLAN CONDITION

March 12, 2020

Michael Brigham
DSS Land Holdings, LLC
PO Box 242
York, Maine 03903

Mr. Brigham,

This letter serves as the Notice of Decision by the Planning Board to approve the grade change major amendment to the Homestead mixed-use development, located at 459 Route 1 in Kittery, Maine.

The following motion was made at the February 27, 2020 Planning Board meeting:

Motion by Ron Ledgett to accept and approve the major modification dated 2/6/2020 to a mixed-use development site plan/subdivision plan originally approved on February 14, 2019 prepared by Attar Engineering, Inc. for owner DSS Land Holdings LLC, for 459 U.S. Route 1 (Tax Map 60 Lot 24) in the Mixed-Use Zone.

- The motion passed 5-0-0.

FINDINGS OF FACT

- The Homestead Development site & subdivision final plan was approved by the Planning Board on February 14, 2019.
- The applicant's engineer determined that approximately 25,000 cubic yards of soil would need to be removed using the previously approved finished grade.
- The applicant submitted a major modification application to add two feet to the finished grade, citing environmental and financial concerns over removing that amount of soil.
- A revised grading plan and a revised stormwater report were also submitted.
- Planning staff reviewed the plans for completeness per Title 16.

- CMA Engineers, Inc. reviewed the plans and stormwater report on the Town's behalf and found them satisfactory.
- The Planning Board found that the grade change meets the requirements of Title 16 by a unanimous vote of the members present.

The Planning Board authorizes the Planning Board Chair, or Vice Chair, to sign the Final Plan and the Findings of Fact upon confirmation of compliance with any conditions of approval.

Vote of ___ in favor ___ against ___ abstaining

APPROVED BY THE KITTERY PLANNING BOARD ON March 12, 2020

Dutch Dunkelberger, Planning Board Chair