

**Town of Kittery
Planning Board Meeting
January 14, 2021**

21 Litchfield Road—Sketch Plan Review, Cluster Subdivision

Action: Accept or deny plan as complete; continue application to a subsequent meeting; approve or deny plan; Pursuant to Title 30-A M.R.S.A. §4401-4408 *Municipal Subdivision Law* and §16.10.4.2 *Sketch Plan Review Phase* of the Town of Kittery Land Use Development Code, the Planning Board shall consider an application from owner Brenda Haley and applicant Chingburg Development, LLC requesting approval for a sketch plan cluster subdivision development proposing seven (7) lots with appurtenant infrastructure on real property with an address of 21 Litchfield Road (Tax Map 46, Lot 6) located in the Residential-Rural (R-RL) Zone and Shoreland-Stream Protection (OZ-SL-75) Overlay Zone.

PROJECT TRACKING

| REQ'D | ACTION | COMMENTS | STATUS |
|--|---|------------------|---------|
| YES | Sketch Plan Acceptance/Approval | January 14, 2021 | PENDING |
| NO | Site Visit | TBD | TBD |
| NO | Master Site Development Plan | TBD | TBD |
| YES | Preliminary Plan Review Completeness/Acceptance | TBD | TBD |
| YES | Public Hearing | TBD | TBD |
| YES | Preliminary Plan Approval | TBD | TBD |
| YES | Final Plan Review and Decision | TBD | TBD |
| <u>Applicant: Prior to the signing of the approved Plan any Conditions of Approval related to the Findings of Fact along with waivers and variances (by the BOA) must be placed on the Final Plan and, when applicable, recorded at the York County Registry of Deeds. PLACE THE MAP AND LOT NUMBER IN 1/4" HIGH LETTERS AT LOWER RIGHT BORDER OF ALL PLAN SHEETS. As per Section 16.4.4.L - Grading/construction final plan required. Grading or construction of roads, grading of land or lots, or construction of buildings is prohibited until the original copy of the approved final plan endorsed has been duly recorded in the York County registry of deeds when applicable.</u> | | | |

Project Introduction

This is the first procedural step in the approval process for a cluster development subdivision. 21 Litchfield Road (“Project”) is located on the northern side of Interstate 95 and abuts a recreational field owned by the Town of Kittery (“Town”), properties with wooded areas and lot with a CMP power station. Across the street from the project is a church and single-family dwelling unit and further up the road heading north, merging onto Picott Road, are single-family dwelling units. The project’s site has a large presence of wetlands and wooded natural features. The project appears to concentrate the proposed cluster development in an area so as to avoid disturbing the wetland and wooded vegetation area and to provide access to recreational areas along Litchfield Road. In short, the applicant seeks sketch plan approval from the Planning Board (“Board”) to permit a seven (7)-lot, nine (9) units subdivision to move forward with preliminary review.

Analysis & Staff Commentary

The application before the Board seeks approval for a conceptual design of a seven (7) lot, nine (9) unit cluster subdivision with appurtenant infrastructure and dedicated open space. During the course of this sketch plan review, the Board’s primary concerns are to determine the adequacy of the proposed layout and infrastructure of the cluster subdivision, establish the density and open space requirements thereof, and identify sensitive areas requiring additional protection, if any. In addition to the aforementioned objectives, the Board is assigned the opportunity to work with the applicant to incorporate concepts and additional elements into the plan, such as landscaping, recreation areas, and environmentally advantageous natural and built infrastructure that provide positive benefits to both the natural and anthropic communities.

ITEM 2

The first area of concern for the Board is to determine the proposed use's permissibility in the base zone. 21 Litchfield Road, is located in the residential rural zone. §16.3.2.1 *Residential-Rural (R-RL)* states that a cluster residential development is a permitted use. Reviewing the zone's dimensional standards, the proposed development is electing to reduce the frontage (40-ft.), lot size (20,012-sf.), and the front (20-ft.), side (10-sf.) and rear (10-ft.) setbacks in order to preserve as much open and community space as possible. Given this is a cluster development, the applicant may achieve such dimensional reductions, pursuant to Title 30-A, M.R.S.A., c.187, §4353(4-C), §16.3.2.1.D(3)(a) and §16.8.11.3 *Dimension standards modifications* of the Town of Kittery Land Use and Development Code^{1,2,3}. The exception, in this application, is the lot that hosts the original dwelling units, which satisfies the required standards under §16.3.2.1.D *Standards* and is not seek dimensional relief from the Board. Given the information provided, it appears that the standards under §16.3.2.1 have been met as a result of the Board's delegated power from both state statute and the Land Use and Development Code to reduce certain dimension standards for cluster development applications.

After determining the permissibility of the land use and the basic dimensional standards, the Board is directed to ascertain the density and open space requirements for the development. Turning to the density question, the Board should review §16.7.8.2 *Net residential acreage calculation* to ensure that all of the enumerated variables were included into the calculation. A preliminary review of the calculations by staff found that all the pertinent variables were included into the net residential calculation, yielding a total of 8.6-ac (374,616-sf.). After factoring in the minimal land area per dwelling unit⁴, it appears that the applicant is correct in their calculation of a maximum dwelling count of nine (9) residential units.

As regards the open space preservation, the applicant appears to be in compliance with those requirements, pursuant to §16.8.11.6.E *Open space requirements*.⁵ The applicant is proposing to dedicate the common open space to recreational trails and a community garden. The Board may want to delve deeper into the intended use of the common open space in order to establish expectations as the application moves forward in the review process and to allow the applicant to provide more detail of the proposed uses in future renditions of the plan.

¹ Title 30-A, M.R.S.A., c. 187, §4353(4-C), . . . *Under its home rule authority, a municipality may, in an ordinance adopted pursuant to this subsection, adopt additional limitations on the granting of a variance from the dimensional standards of a zoning ordinance. A zoning ordinance also may explicitly delegate to the municipal reviewing authority the ability to approve development proposals that do not meet the dimensional standards otherwise required, in order to promote cluster development, to accommodate lots with insufficient frontage or to provide for reduced setbacks for lots or buildings made nonconforming by municipal zoning. As long as the development falls within the parameters of such an ordinance, the approval is not considered the granting of a variance. This delegation of authority does not authorize the reduction of dimensional standards required under the mandatory shoreland zoning laws, Title 38, chapter 3, subchapter 1, article 2-B.*

² Land Use and Development Code, Town of Kittery, §16.3.2.1.D(3): *Subdivision types and standards. Subject to net residential acreage and net residential density per § 16.2.2. (a) Cluster residential development. In a cluster residential development, the above standards may be modified in accordance with special provisions of Article XI of Chapter 16.8, including that there is no minimum lot size, and with the conditions that: [1] Minimum principal building separation as required by the Fire Chief, but not less than 20 feet.*

³ Land Use and Development Code, Town of Kittery, §16.8.11.3 *Dimension standards modifications: Tracts or parcels of land involved in a development proposed under this article must be in single ownership; or must be the subject of an application filed jointly by the owners of all properties included; or must have an applicant with vested interest in all property included. Pursuant to the requirements of this article, mobile home parks or mobile homes on individual lots are not eligible for cluster residential development.*

⁴ Land use and Development Code, Town of Kittery, §16.3.2.1.D(2)(a), Minimum land area per dwelling unit: 40,000 square feet.

⁵ Land Use and Development Code, Town of Kittery, §16.8.11.E.6, Open space requirements:

(1) *Open space must contain at least 50% of the total area of the property and no less than 30% of the total net residential acreage, as defined.*
(2) *Total calculated open space must be designated as follows (see open space definitions in Chapter 16.2): (a) Open space, reserved; (b) Open space, common; and/or (c) Open space, public. (3) The use of any open space may be further limited or controlled by the Planning Board at the time of final approval, where necessary, to protect adjacent properties or uses. (4) Open space must be deeded in perpetuity for the recreational amenity and environmental enhancement of the development and be recorded as such. Such deed provisions may include deed/plan restrictions, private covenants, or arrangements to preserve the integrity of open spaces and their use as approved by the Planning Board. (5) Open space must also be for preserving large trees, tree groves, woods, ponds, streams, glens, rock outcrops, native plant life, and wildlife cover as identified in the applicant's written statement. In the Mixed Use – Neighborhood Zone, open space may be both man-made and natural. Man-made open space must be for the development of recreational areas, pedestrian ways and aesthetics that serve to interconnect and unify the built and natural environments. (6) Open space should be in a contiguous form of unfragmented land to protect natural resources, including plant and wildlife habitats. (7) A portion of the open space should be in close proximity to other open spaces used for recreation (e.g., a common green, multipurpose athletic field, gardens, and playgrounds).*

ITEM 2

Focusing on the site infrastructure, it appears that the proposed road's dimensional standards are in compliance with 16.8.4.3 *Street Classification* as road seems to have the elements and a layout of a minor street, which is required pursuant to §16.8.4.3.G⁶. Although, after reviewing Table 1. *Design and Construction Standards for Streets and Pedestrians*, the absence of a sidewalk was identified. The Board should inquire whether or not the applicant intends to construct a sidewalk. If it is revealed that no sidewalk is planned for construction, the Board should discuss whether or not a sidewalk will be useful for the new development and the neighborhood as a whole. To wit: will the sidewalk lead to any areas along Litchfield Road that will create pedestrian foot traffic? After discussing the sidewalk matter, if the applicant still intends not to build a sidewalk, a waiver request shall be submitted with the preliminary review filing in the instance sketch plan approval is granted. Concerning utilities, the proposed water infrastructure plan seems adequate (located in narrative). The water district will need to confirm—during preliminary review—that the dwelling units can be served adequately by the propose lines.

As regards natural resource, archeological and wildlife protection, the narrative stated that further research and confirmation with state agencies is ongoing to determine if cottontail habitats exist anywhere on the property. This information, while not necessary to present during this phase of the review, shall be provided with the filing of the preliminary review application. There was also a dearth of information concerning the stormwater infrastructure design. The Board should have a discussion with the applicant on the anticipated challenges that might arise while designing stormwater plan and request the applicant to design the system to accommodate a 100-year, 24-hr event design storm. In addition, the Board may want to inquire where the development plans to add any sustainable, environmental friendly elements to the site (e.g., roof-mounted solar systems, pollinator flora [in open space], rain gardens, etc.).

The narrative also stated the presence of two cemeteries on the property. While one is clearly located on both existing and proposed condition plans, it is unclear the location of the second cemetery. The Board should confirm its location and make sure the applicant factors the buffer area into a revised net residential calculation, if proven absent therein. After reviewing the criteria, pursuant to §16.10.4.2 *Sketch plan review phase*, the following site plan content and information was not provided for which the Board should request:

Site Plan

1. 16.10.4.2.B(e)[7]: proposed utilities.

General information

2. 16.10.4.2.B(e)[3]: price range of housing units;

As the Board is well aware, the Town recently passed a zoning ordinance relating to affordable housing. The proposed cluster development application before the Board compels the inclusion of an affordable unit in the development nor the submission of a payment in-lieu fee to be provided or a payment in-lieu to the Town, pursuant to §16.12 *Affordable Housing*. The Board should confirm the intension of the applicant on how they plan to proceed in fulfilling this requirement.

In summary, the application is in relative good standing with both the requirements for sketch plan review and the purpose and design standards for a cluster residential development. If the Board does not have any further information requests, nor require additional time to review the application, it is recommended that the sketch plan application be accepted, approved and allow to proceed to the preliminary review phase.

⁶ Land Use and Development Code, Town of Kittery, §16.8.4.3.G: *Private streets function exclusively as residential streets serving high-density housing developments, including clustered housing, apartments, elderly housing, and mobile home parks, and may not be dedicated for public acceptance. Maintenance and improvements must be controlled by proprietorship, corporation, association or deed covenants. The ADT would be 72 to 800 trip ends. Design and construction is to be in accordance with the applicable standards and specifications for minor streets or secondary collectors.*

Planning Board Procedural Steps & Considerations

Before the Board moves forward with a motion, a determination on contour interval and the subdivision class (major or minor) must be made, pursuant to §16.10.4.2.A(2)⁷. Thereafter, the Board can move a vote.

Recommended Motions

Below are recommended motions based on how the Board would like to proceed.

Continuing the sketch plan application

Move to continue the sketch plan cluster subdivision application to the February 11, 2021, Planning Board meeting from owner Brenda Haley and applicant Chingburg Development, LLC requesting approval to create seven (7) lots with appurtenant infrastructure on real property with an address of 21 Litchfield Road (Tax Map 46, Lot 6) located in the Residential-Rural (R-RL) Zone and Shoreland-Stream Protection (OZ-SL-75) Overlay Zone.

Vote to accept and approve sketch plan cluster subdivision application

Move to accept and approve the sketch plan cluster subdivision application from owner Brenda Haley and applicant Chingburg Development, LLC requesting approval to create seven (7) lots with appurtenant infrastructure on real property with an address of 21 Litchfield Road (Tax Map 46, Lot 6) located in the Residential-Rural (R-RL) Zone and Shoreland-Stream Protection (OZ-SL-75) Overlay Zone.

Vote to not accept and deny sketch plan

Move to not accept and deny the sketch plan cluster subdivision application from owner Brenda Haley and applicant Chingburg Development, LLC requesting approval to create seven (7) lots with appurtenant infrastructure on real property with an address of 21 Litchfield Road (Tax Map 46, Lot 6) located in the Residential-Rural (R-RL) Zone and Shoreland-Stream Protection (OZ-SL-75) Overlay Zone

⁷Land Use and Development Code, Town of Kittery, §16.10.4.2.A(2) If the concept is approved, inform subdivision applicants in writing of the contour interval which will be required for the plans; and classify the sketch plan into one of two categories defined herein, as a minor subdivision or a major subdivision.

Sketch Plan Review Application

Residential Cluster Subdivision

Tax Map 46, Lot 6

**21 Litchfield Road
Kittery, Maine**

December 23, 2020

Prepared For:

Chinburg Development, LLC

3 Penstock Way
Newmarket, NH 03857
(603)-868-5995

Prepared By:

Altus Engineering, Inc.

133 Court Street
Portsmouth, NH 03801
Phone: (603) 433-2335
Fax: (603) 433-4194



**Civil
Site Planning
Environmental
Engineering**

133 Court Street
Portsmouth, NH
03801-4413

December 22, 2020

Bart McDonough, Town Planner
Town of Kittery
200 Rogers Road
Kittery, Maine 03904

Re: **Cluster Subdivision
Map 46, Lot 6
Litchfield Road
Kittery, Maine
P-5131**

Dear Mr. McDonough:

Altus Engineering, Inc. is pleased to submit on behalf of the applicant, Chinburg Properties, an *Application for Subdivision – Sketch Plan Review* to the Kittery Planning Board for a proposed clustered subdivision at the subject 16.7(±) acre property located on the east side of Litchfield Road. This Sketch Plan submission includes the 15 copies of the following documents:

- Application for Cluster Development - Sketch Plan Review
- Application fee check for the sum of \$300.00
- Letter of Authorization from Ms. Brenda Haley, dated 12/18/20
- Letter of Authorization from Chinburg Properties, dated 12/18/20
- Project Narrative supporting documents
 - GIS Tax Map 46
 - Aerial plan
 - Zoning Map
 - GIS Wetlands Map
 - Significant vernal pool map
 - GIS Water System Map
 - GIS NRCS Soils Map
 - GIS Natural Resources Map
 - GIS FEMA Map
 - Copy of FIRM map panel 4 of 10
 - Beginning of Habitat – High Value Plants and Animal Habitat
 - Water Resources and Riparian Habitats map
 - Stream Buffers in Kittery Map
 - Copy of deed

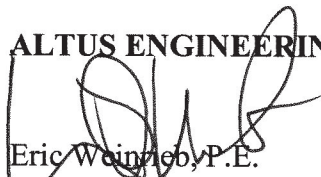
- Test Pit Logs
- Class A High Intensity Soil Survey report (by Joseph Noel) – waiver requested – see narrative
- Sketch Review Plans – (5 full size and 10 half size sets)
 - Preliminary Existing Conditions Plan (Easterly)
 - Sketch Review – Conceptual Subdivision Plan

The wetlands have been flagged and surveyed located. The Class A soils survey has not been completed. To allow for initial discussion of the project, we request the Board temporarily waive this submission requirement with the understanding that the soils survey will be completed and submitted prior to approval of the Sketch Plan. However, the wetlands and somewhat poorly drained soils have been evaluated as well as test pits.

The applicant seeks to be placed on the next Planning Board agenda. Please call if you have any questions or require additional information.

Sincerely,

ALTUS ENGINEERING, INC.



Eric Weinreb, P.E.
President

RMB/edw/5131.01 cover.ltr.docx

Enclosures

e-copy (w/encl.):

Eric Chinburg, Chinburg Properties
Scott Gove, The Gove Group
Peter L. Agrodnia, LLS, Plans only



TOWN OF KITTEERY MAINE

TOWN PLANNING AND DEVELOPMENT DEPARTMENT

200 Rogers Road, Kittery, Maine 03904

Phone: (207) 475-1323

Fax: (207) 439-6806

www.kittery.org

CLUSTER DEVELOPMENT - SKETCH PLAN REVIEW

| | | | | | | | |
|--------------------------------------|------------------|--|------------------------------|---------------|-------------------------|--|-----------|
| Application Fee: | | <input checked="" type="checkbox"/> \$300.00 | Amount Paid: \$ _____ | | Date: _____ | | |
| PROPERTY DESCRIPTION | Parcel ID | Map | 46 | Zone(s)-Base: | R-RL | Total Land Area | 16.73 Ac. |
| | | Lot | 6 | | Overlay: | N/A | MS4 |
| | Physical Address | | | | | | |
| PROPERTY OWNER'S INFORMATION | Name | Brenda Haley | | | Mailing Address | 21 Litchfield Road Kittery, Maine 03904 | |
| | Phone | 207-475-5375 | | | | | |
| | Fax | | | | | | |
| | Email | brendashaley@gmail.com | | | | | |
| APPLICANT'S AGENT INFORMATION | Name | Eric Chinburg | | | Name of Business | Chinburg Development, LLC | |
| | Phone | 603-868-5995 | | | | | |
| | Fax | | | | Mailing Address | 3 Penstock Way Newmarket, New Hampshire 03857 | |
| | Email | echinburg@chinburg.com | | | | | |

| | | |
|--------------------------------------|---|--|
| CLUSTER DEVELOPMENT CHECKLIST | Article XI, Chapter 8 – Cluster Residential and Cluster Mixed-Use Development (The following information is required at sketch plan submittal) | |
| | <p>See Title 16.8.11.5:</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Dimensional Modifications/Standards Required <input checked="" type="checkbox"/> Non-buildable Areas <input checked="" type="checkbox"/> Net Residential Acreage/Net Residential Density <input checked="" type="checkbox"/> Open Space Calculations (see Title 16.8.11.6) | <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Development Constraints Map <input checked="" type="checkbox"/> Written Statement <input checked="" type="checkbox"/> Building Envelopes Located |

| | |
|--|---|
| <input checked="" type="checkbox"/> | Property ownership (Title 16.8.11.4) |
| Existing use(s) of land (describe): | |
| <p>The lot with existing 2-family residence building and barn to be subdivided. The lot is abutted by I-95 to the south; Town of Kittery ballfields to the north and a church with housing to the west. A large swath of area adjacent to the ballfields is an open field.</p> | |

MINIMUM PLAN SUBMITTAL REQUIREMENTS – SKETCH PLAN

- 15 Copies of this Application and Required Information , Vicinity Map, and the Sketch Plan
(5 of which must be 24"X 36")

Sketch Plan format and content:

- A) Paper Size; no less than 11" X 17" or greater than 24" X 36"
 B) Plan Scale
 Under 10 acres: no greater than 1" = 30'
 10 + acres: 1" = 50'
- C) Title Block
 Applicant's name and address
 Name of preparer of plan with professional information
 Parcel's Kittery tax map identification (map – lot) in bottom right corner

Vicinity Map – map or aerial photo showing 1,000 feet around the site.

In addition to the Cluster Development Checklist requirements, the Sketch Plan must include the following existing and proposed information:

| | |
|--|--|
| <p>Existing:</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Land Use Zone and boundary <input checked="" type="checkbox"/> Topographic map (optional) <input checked="" type="checkbox"/> Wetlands and flood plains <input checked="" type="checkbox"/> Water bodies and water courses <input checked="" type="checkbox"/> Parcel area <input checked="" type="checkbox"/> Lot dimensions <input checked="" type="checkbox"/> Utilities (Sewer/septic, water, electric, phone) <input checked="" type="checkbox"/> Streets, driveways and rights-of-way <input checked="" type="checkbox"/> Structures | <p>Proposed: (Plan must show the lightened existing topography under the proposed plan for comparison.)</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Recreation areas and open space <input checked="" type="checkbox"/> Number of lots and lot areas <input checked="" type="checkbox"/> Setback lines and building envelopes <input type="checkbox"/> Lot dimensions <input checked="" type="checkbox"/> Utilities (Sewer/septic, water, electric, phone) <input checked="" type="checkbox"/> Streets, driveways and rights-of-way <input type="checkbox"/> Structures <p>Distance to:</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Nearest driveways and intersections <input checked="" type="checkbox"/> Nearest fire hydrant <input checked="" type="checkbox"/> Nearest significant water body |
|--|--|

AN APPLICATION THE TOWN PLANNER DEEMS SUFFICIENTLY LACKING IN CONTENT WILL NOT BE SCHEDULED FOR PLANNING BOARD REVIEW.


**NOTE TO APPLICANT:
 PRIOR TO A PLANNING BOARD SITE WALK, TEMPORARY MARKERS MUST
 BE ADEQUATELY PLACED THAT ENABLE THE PLANNING BOARD TO
 READILY LOCATE AND EVALUATE THE DEVELOPMENT'S DESIGN.**

I certify, to the best of my knowledge, the information provided in this Application is true and correct, abutters to the project have been notified, and I will not deviate from the approved plan without following code requirements. Permission is granted to Town Staff to access the property associated with this application to aid in the regulatory review.

| | | | |
|-------------------------------|--|---------------------------|--|
| Applicant's Signature: | Eric Weinrieb for Chinburg Properties see Letter of Authorization | Owner's Signature: | Eric Weinrieb for Ms. Haley _____ see Letter of Authorization |
| Date: | 12/22/20 _____ | Date: | 12/22/20 _____ |

Letter of Authorization

Chinburg Development, LLC of 3 Penstock Way, Newmarket, New Hampshire have entered into a Purchase and Sales Agreement with Brenda Haley, land owner of Kittery Tax Map 46 Lot 6 located at 21 Litchfield Road in Kittery, Maine. I, Eric Chinburg of Chinburg Development, LLC, hereby authorize Altus Engineering, Inc. of Portsmouth, New Hampshire to represent me in all matters concerning engineering and related permitting for the property.


Signature

Paul J. Kavanagh
Print Name

12-18-20
Date


Witness

Andrew McCarty
Print Name

12-18-20
Date

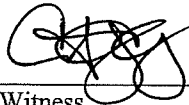
Letter of Authorization

I, Brenda Haley, the owner of Kittery Tax Map 46 Lot 6 located at 21 Litchfield Road in Kittery, Maine have entered into a Purchase and Sales Agreement with Chinburg Development, LLC of 3 Penstock Way, Newmarket, New Hampshire. I hereby authorize Chinburg Development, LLC and Altus Engineering, Inc. of Portsmouth, New Hampshire to represent me in all matters concerning engineering and related permitting for the property.

Brenda Haley
Signature

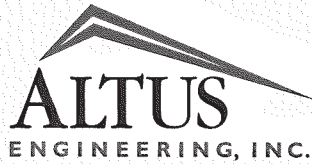
BRENDA HALEY
Print Name

12/18/20
Date


Witness

COLTON GOVE
Print Name

12/18/20
Date



**Civil
Site Planning
Environmental
Engineering**

133 Court Street
Portsmouth, NH
03801-4413

SKETCH PLAN - PROJECT NARRATIVE

CLUSTER SUBDIVISION

Map 46 Lot 6
21 Litchfield Road

Kittery, Maine
December 22, 2020

The applicant, Chinburg Properties, LLC of Newmarket, NH proposes a cluster subdivision at a 16.73 acre property located on the northeasterly side of Litchfield Road in Kittery, Maine. The property is abutted by Interstate Highway I-95 to the east, Central Maine Power (CMP) property to the northeast, and Town of Kittery Recreation field land to the north. On the opposite side of Litchfield Road is the Faith Baptist Church and residential single family properties. The parcel has over 820-feet of roadway frontage on Litchfield Road. There is an existing two family residence on the eastern portion of the site with a barn. Other than the area around the existing farmhouse and barn, the land is vacant woodlands and fields.

The proposed clustered subdivision includes 7 single family residential lots with the existing farmhouse as an eighth lot (ninth unit). The project has been designed to fit harmoniously into the landscape and maintain the rural woodland character of the surrounding area using concepts and guidelines developed for conservation subdivision design. Through the flexibility provided in the ordinance's cluster provisions, the project team found that carefully locating the house lots close to Litchfield Road allows for us to respect the land's natural features, and provided a community atmosphere. A large open space will be partially used as a community garden and is conveniently located adjacent to the Town recreation fields, are ideal for a cluster development.

The project will provide over 8.6 acres of protected common open space, encompassing 51.8% of the total site. The open space is configured to maximize sensitivity to the natural resources within and near the property by providing significant buffers to wetlands. The open space provides abundant opportunities for foot trails, community gardens and access to the adjacent recreation fields. Covenants and deeded conservation easements will ensure that the common open space will remain protected from further development. A homeowners association will preside over open space and facility maintenance. There are two cemeteries on the property. With the homeowners association, the cemetery will be maintained and with the new roadway, public access will be improved.

The project maximizes the allowed density. Based on the Kittery Land Use and Development Code (LUDC), the Net Residential Acreage calculation allows for 9 dwelling units.

Each 20,000+ square foot lot will have its own septic tank and subsurface sanitary waste disposal system. Municipal water is located near the existing farmhouse, the water main will be extended along Litchfield Road and the proposed roadway to service the lots and provide hydrants for fire protection. Electric and communication utilities will be installed underground.

Under a clustered subdivision proposal, the Kittery Land Use and Development Code Zoning Ordinance allows the Planning Board to modify certain design standards. This proposal will include dimensional modifications, most notably in lot size, yard setbacks, and road standards. The modifications will allow for the efficient and desirable cluster lot configurations presented on Plan CC-1, thereby maximizing the function and effectiveness of the common open space. The applicant proposes a 20-foot wide paved roadway to maintain the rural character of the area and to minimize impervious surfaces.

The proposed roadway measures approximately 415 feet from the property line to the end of the roadway. The proposed roadway enters onto Litchfield Road approximate 230 feet south the recreate field driveway to minimize conflicts and to provide access to the site in favorable location avoiding wetland impacts and steep grades.


No wetlands or wetland buffer impacts are proposed.

Initial reviews of federal, state and local documents and maps were made of the site. Flood Insurance Rate Maps and Town maps indicate that the site is not in designated floodplain area. The *Beginning with Habitat – High Value Plant and Animal Habitat* shows a potential corridor of New England Cottontail habitat on the easterly portion of the property near I-95. Joseph Noel has scheduled a sitewalk with Maine Department of Inland Fisheries and Wildlife to confirm the absence or presence of New England Cottontail Rabbits. The findings will be presented to the Town as part of the preliminary application. Mr. Noel has performed a vernal pool assessment for the site and found none to be present.

The project will require a MDEP Stormwater License for the construction of the roadway, lot development and stormwater management treatment devices. The project will include “woodland buffer easements” and other stormwater best management practices (BMPs) to address both the stormwater quality and quantity requirements of the state regulations.

The project team believes that this development concept has been developed with the utmost sensitivity to the environment and is pleased to present it to the Planning Board for consideration and discussion.

Legend

 21 Litchfield Rd

N43°07'27.84"

21 Litchfield Rd 

Google Earth

© 2020 Google

1000 ft





Zoning Map

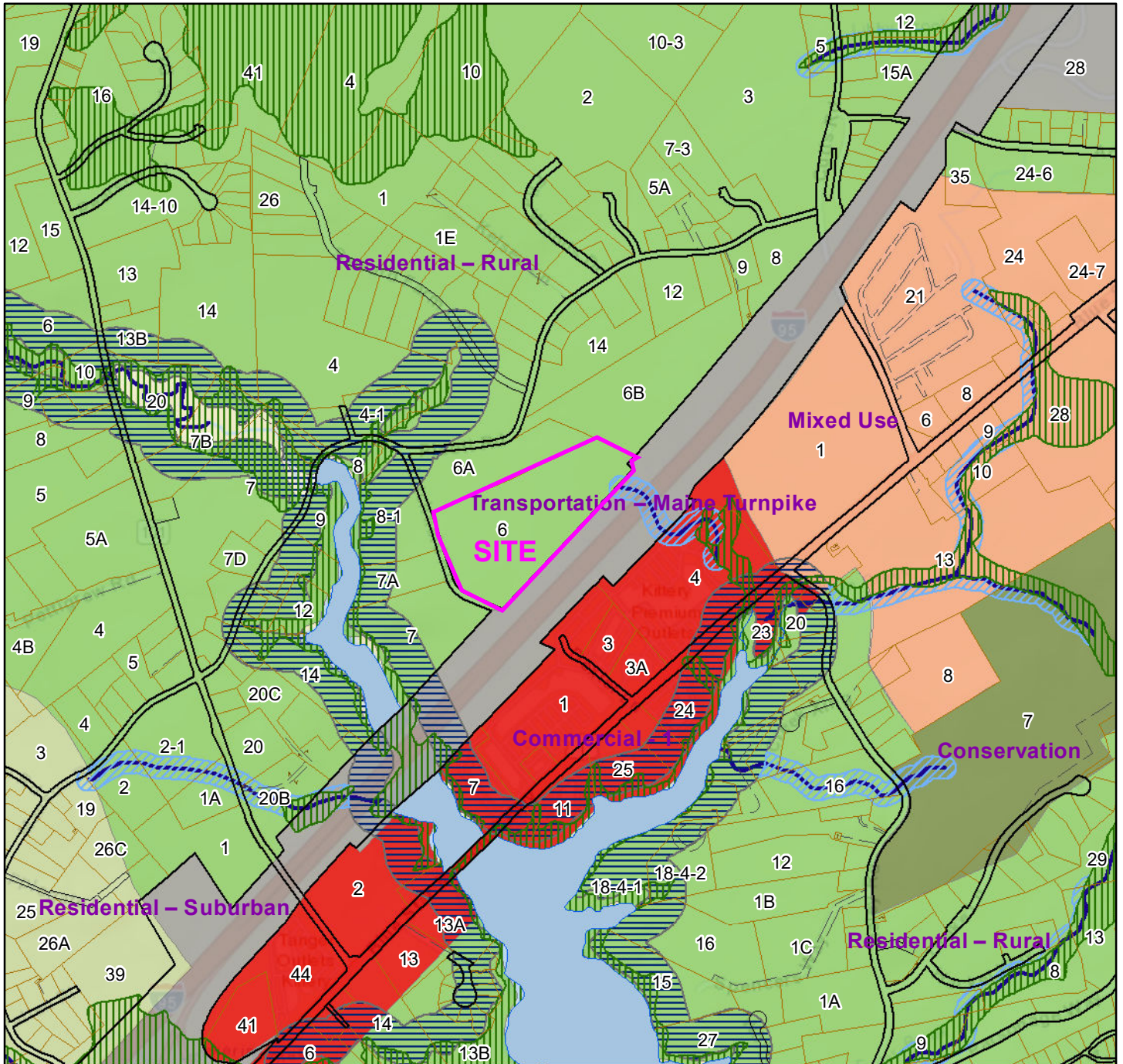
Kittery, ME



1 inch = 1000 Feet



December 3, 2020



| | | | |
|---------------|--|--|---------------------------------|
| PWater | Private Road ROW | Shoreland Protection Overlay Zone 250' | Transportation - Maine Turnpike |
| Private Road | Property Hook | Protected Streams | Commercial - 1 |
| Property Line | RoadNotPar | Conservation | Mixed Use |
| Public Road | WaterLines | Residential - Rural | Residential - Suburban |
| Tract Line | Water-poly | Resource Protection Overlay Zone | |
| Right of Way | Shoreland - Stream Protection Overlay Zone | | |
| Cemetery | | | |

Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.



Wetlands Map

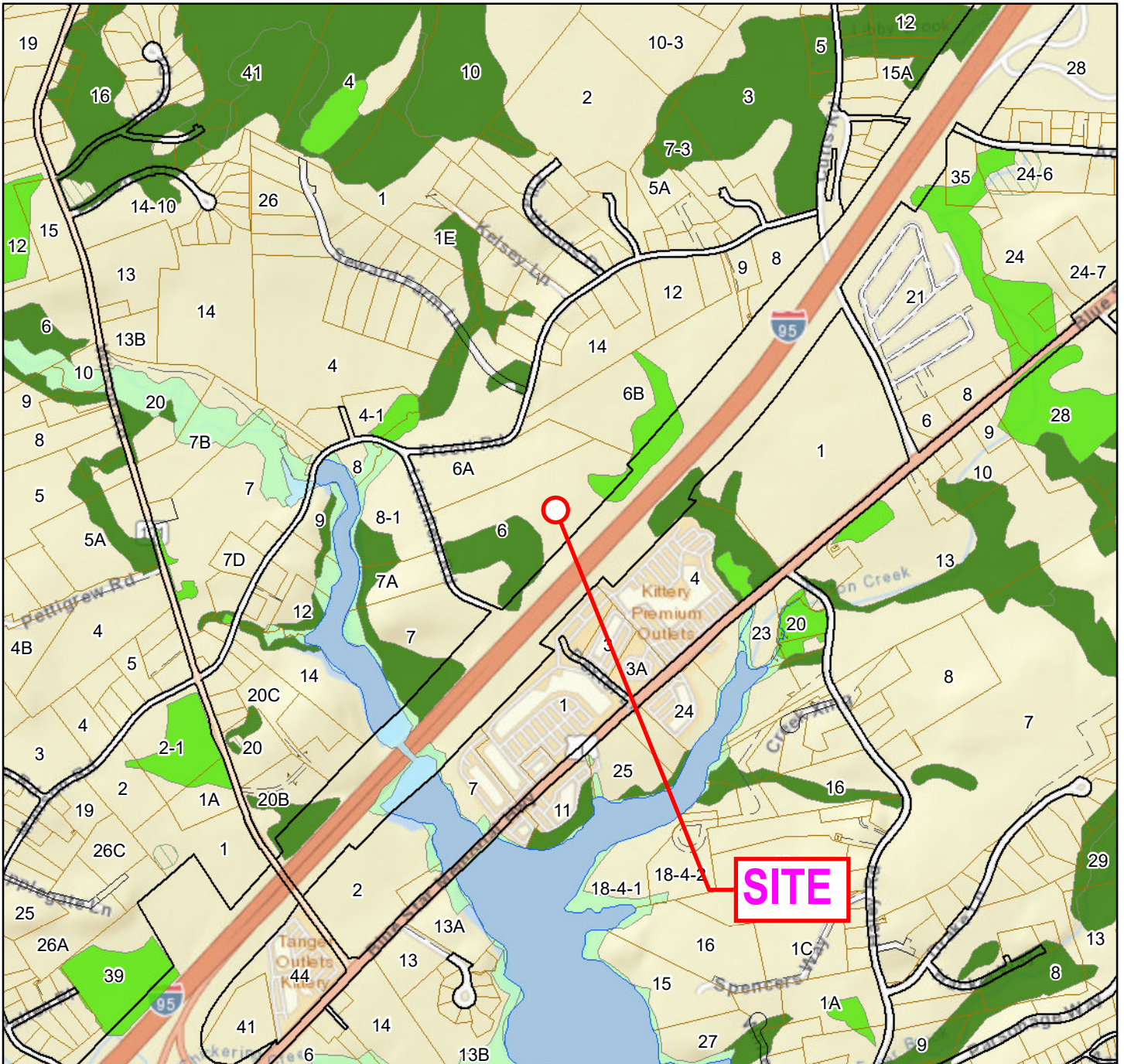
Kittery, ME



1 inch = 1000 Feet



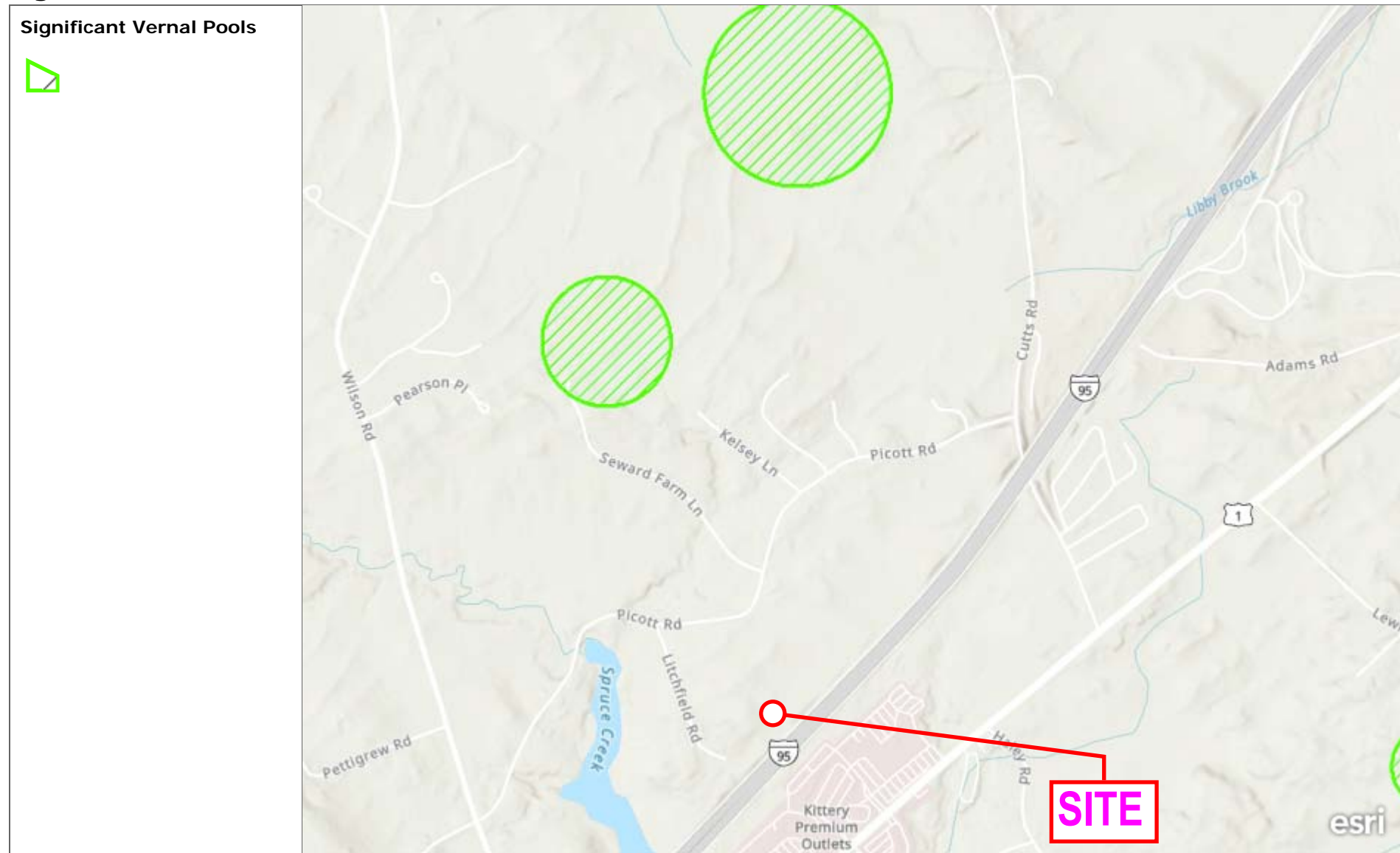
December 3, 2020



| | | |
|---------------|------------------|-----------------------------------|
| PWater | Cemetery | Estuarine and Marine Deepwater |
| Private Road | Private Road ROW | Estuarine and Marine Wetland |
| Property Line | Property Hook | Freshwater Emergent Wetland |
| Public Road | RoadNotPar | Freshwater Forested/Shrub Wetland |
| Tract Line | WaterLines | Freshwater Pond |
| Right of Way | Water-poly | |

Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.

Significant Vernal Pools



Significant Vernal Pools (SVP) is a Significant Wildlife Habitat defined under Maine's Natural Resources Protection Act (NRPA).

0.2mi

Esri, NASA, NGA, USGS, FEMA | Esri Community Maps Contributors, Town of York, Esri, HERE, Garmin, SafeGraph, INCREMENT P, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA | Maine Inland Fisheries and Wildlife



Water System Map

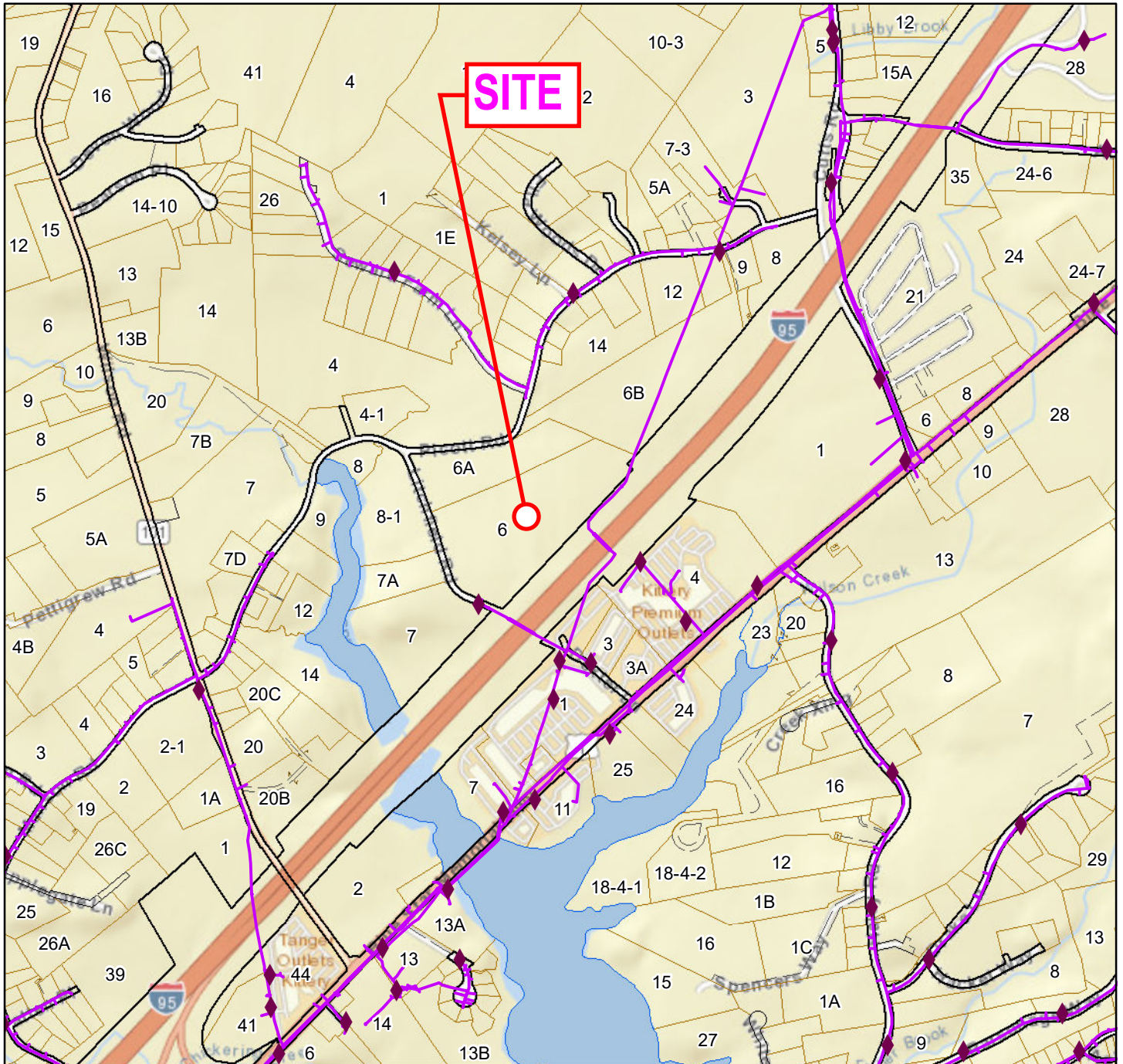
Kittery, ME



1 inch = 1000 Feet



December 3, 2020



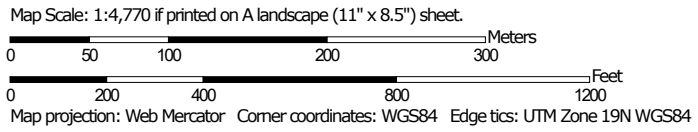
| | | | | | | | |
|--|-----------------|--|---------------|--|------------------|--|------------|
| | Hydrant | | Property Line | | Cemetery | | WaterLines |
| | Water Main Pipe | | Public Road | | Private Road ROW | | Water-poly |
| | PWater | | Tract Line | | Property Hook | | |
| | Private Road | | Right of Way | | RoadNotPar | | |

Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.

Soil Map—York County, Maine
(21 Litchfield Road, Kittery, ME)



Soil Map may not be valid at this scale.



MAP LEGEND

Area of Interest (AOI)

 Area of Interest (AOI)

Soils

 Soil Map Unit Polygons

 Soil Map Unit Lines

 Soil Map Unit Points

Special Point Features



Blowout



Borrow Pit



Clay Spot



Closed Depression



Gravel Pit



Gravelly Spot



Landfill



Lava Flow



Marsh or swamp



Mine or Quarry



Miscellaneous Water



Perennial Water



Rock Outcrop



Saline Spot



Sandy Spot



Severely Eroded Spot



Sinkhole



Slide or Slip



Sodic Spot



Spoil Area



Stony Spot



Very Stony Spot



Wet Spot



Other



Special Line Features

Water Features



Streams and Canals

Transportation



Rails



Interstate Highways



US Routes



Major Roads



Local Roads

Background



Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:20,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: York County, Maine
Survey Area Data: Version 19, May 29, 2020

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Dec 31, 2009—Sep 9, 2017

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

| Map Unit Symbol | Map Unit Name | Acres in AOI | Percent of AOI |
|------------------------------------|--|--------------|----------------|
| BuB | Buxton silt loam, 3 to 8 percent slopes | 34.8 | 29.9% |
| HeC | Hermon sandy loam, 8 to 15 percent slopes | 4.5 | 3.9% |
| LnB | Lyman loam, 3 to 8 percent slopes, rocky | 8.4 | 7.2% |
| LnC | Lyman loam, 8 to 15 percent slopes, rocky | 10.3 | 8.8% |
| Sc | Scantic silt loam, 0 to 3 percent slopes | 48.3 | 41.5% |
| Su | Pemaquid, Todds point, and Damariscotta soils, 0 to 2 percent slopes | 5.7 | 4.9% |
| W | Water bodies | 4.3 | 3.7% |
| Totals for Area of Interest | | 116.2 | 100.0% |



Natural Resource

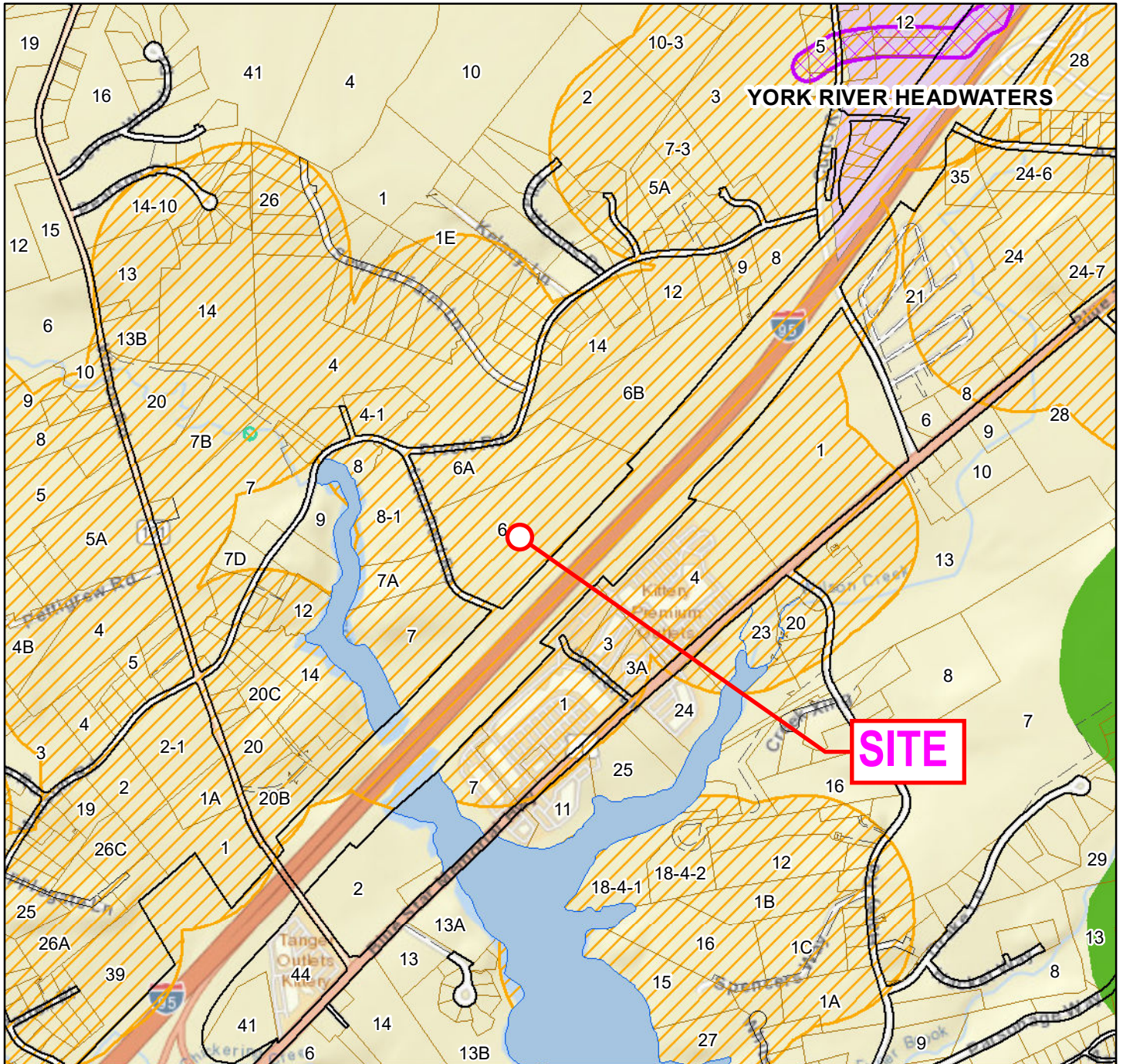
Kittery, ME



1 inch = 1000 Feet



December 3, 2020



| | | |
|---------------|------------------|------------------------------|
| PWater | Cemetery | Brook Trout Habitat - MDIFW |
| Private Road | Private Road ROW | Deer Wintering Areas - MEGIS |
| Property Line | Property Hook | IFW Rare Animals - MDIFW |
| Public Road | RoadNotPar | MNAP Focus Area |
| Tract Line | WaterLines | Rare Plant Habitat - MDAP |
| Right of Way | Water-poly | |

Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.



FEMA Map

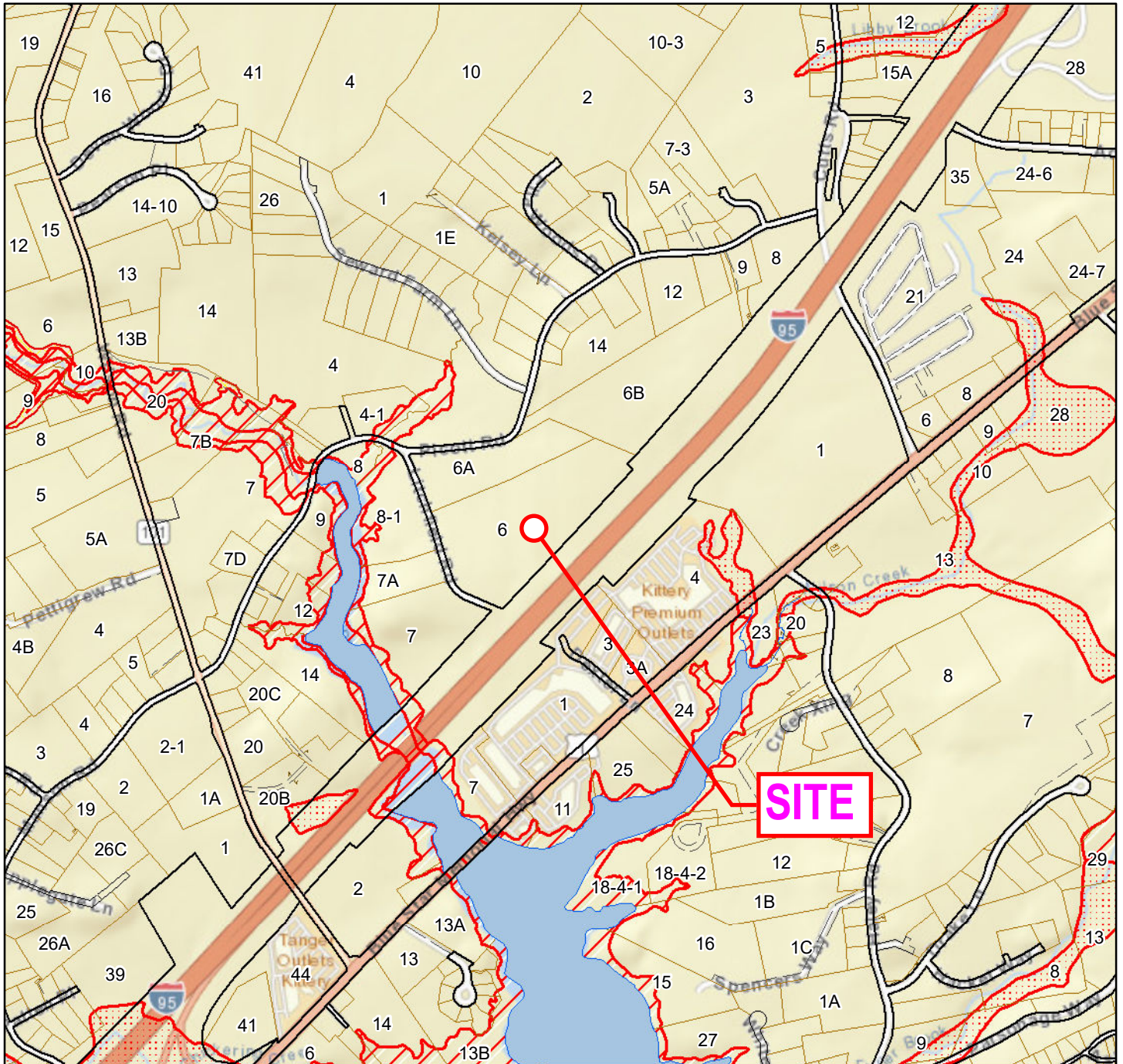
Kittery, ME



1 inch = 1000 Feet

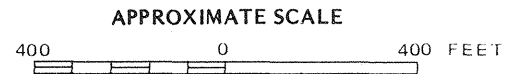
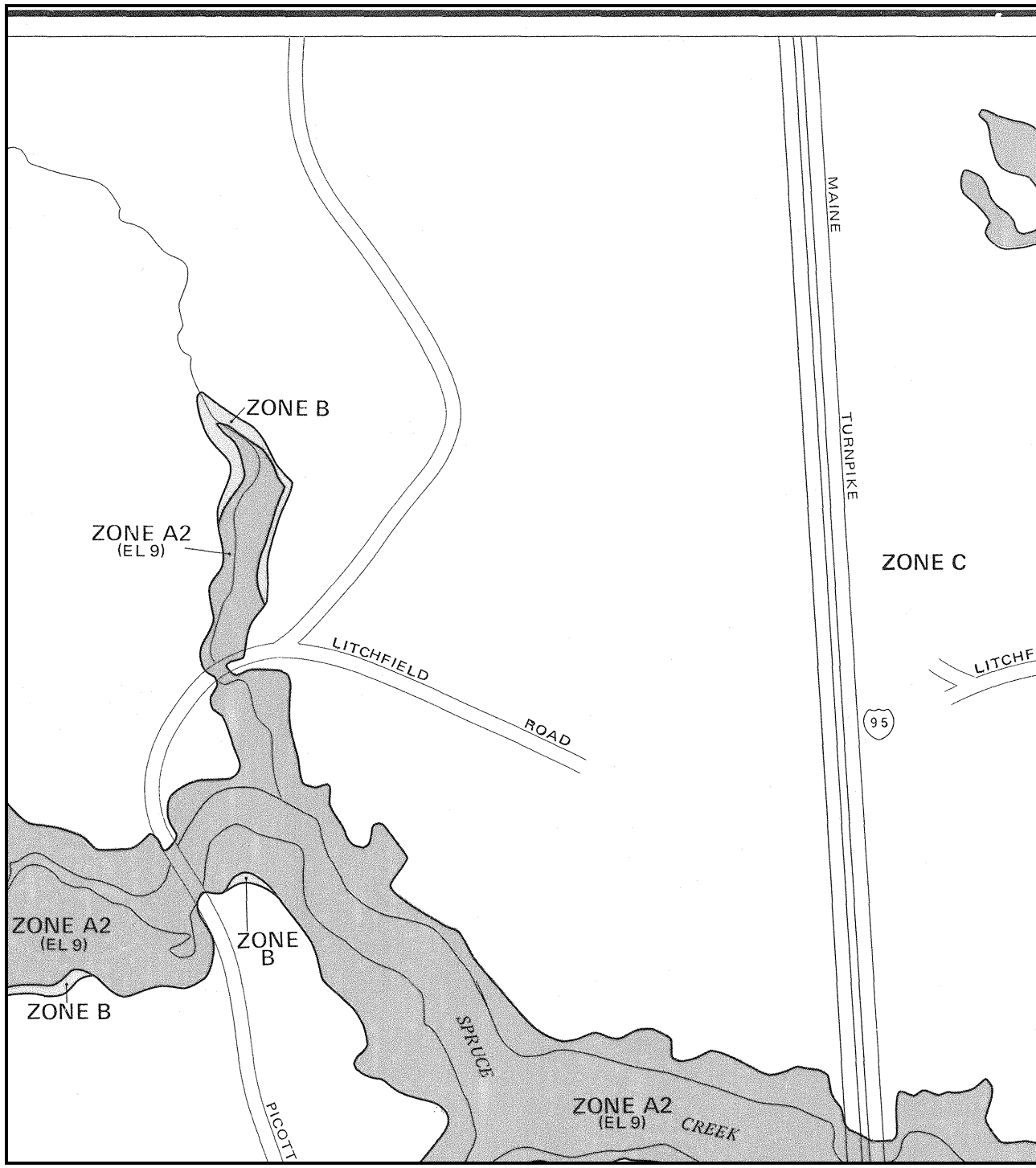


December 3, 2020



| | | | |
|---------------|------------------|---------------|--------------------------------------|
| PWater | Tract Line | Property Hook | A (100 YEAR- no flood elevations) |
| Private Road | Right of Way | RoadNotPar | AE (100 YEAR- with flood elevations) |
| Property Line | Cemetery | WaterLines | X500 (500 YEAR-0.2 % annual chance) |
| Public Road | Private Road ROW | Water-poly | |

Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.



NATIONAL FLOOD INSURANCE PROGRAM

FIRM
FLOOD INSURANCE RATE MAP

TOWN OF
KITTERY, MAINE
YORK COUNTY

PANEL 4 OF 10
(SEE MAP INDEX FOR PANELS NOT PRINTED)

COMMUNITY-PANEL NUMBER
230171 0004 C

EFFECTIVE DATE:
JULY 5, 1984

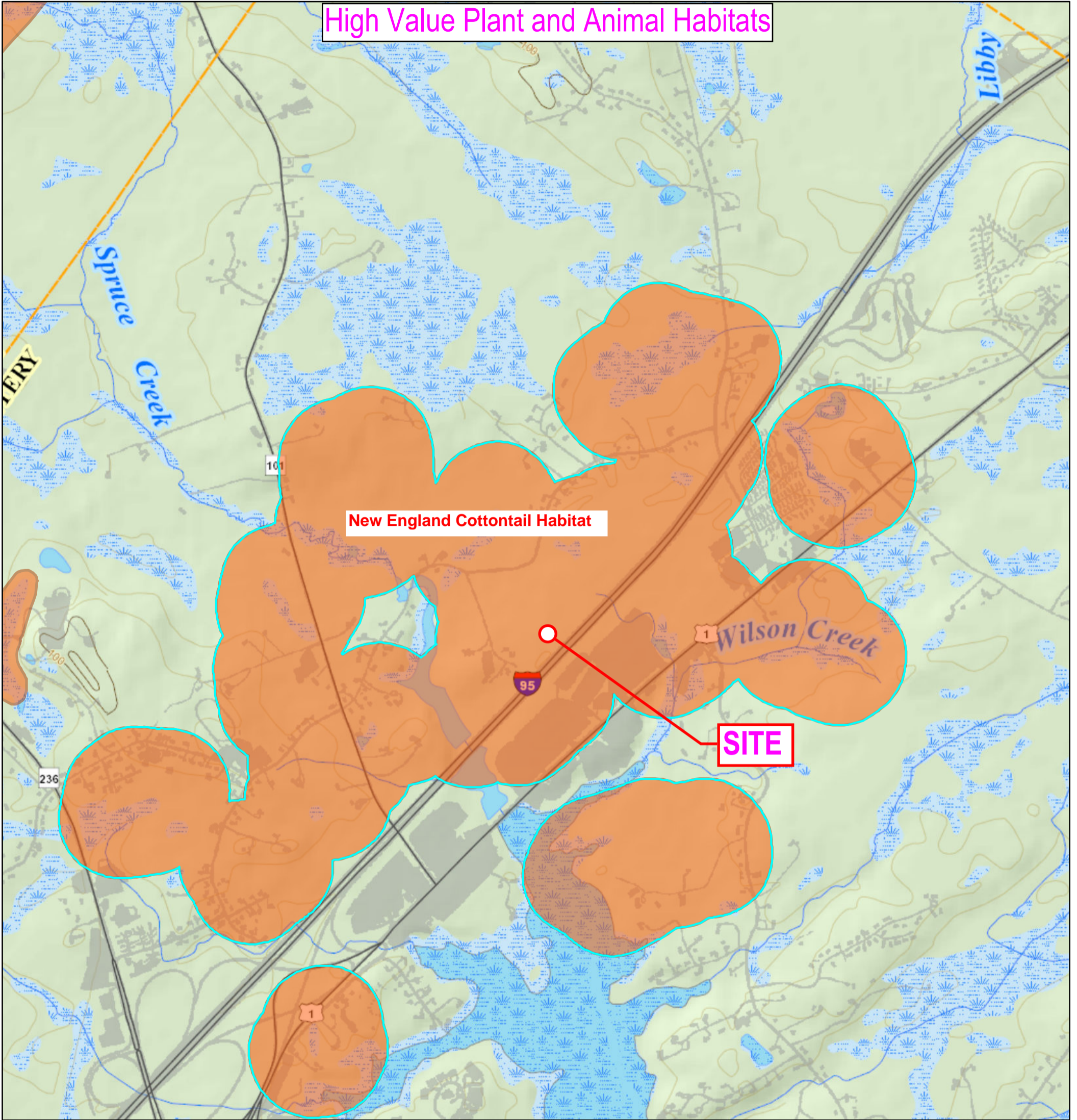


Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.msc.fema.gov

Beginning With Habitat

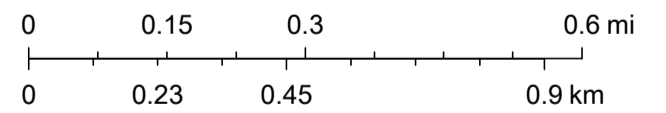
High Value Plant and Animal Habitats



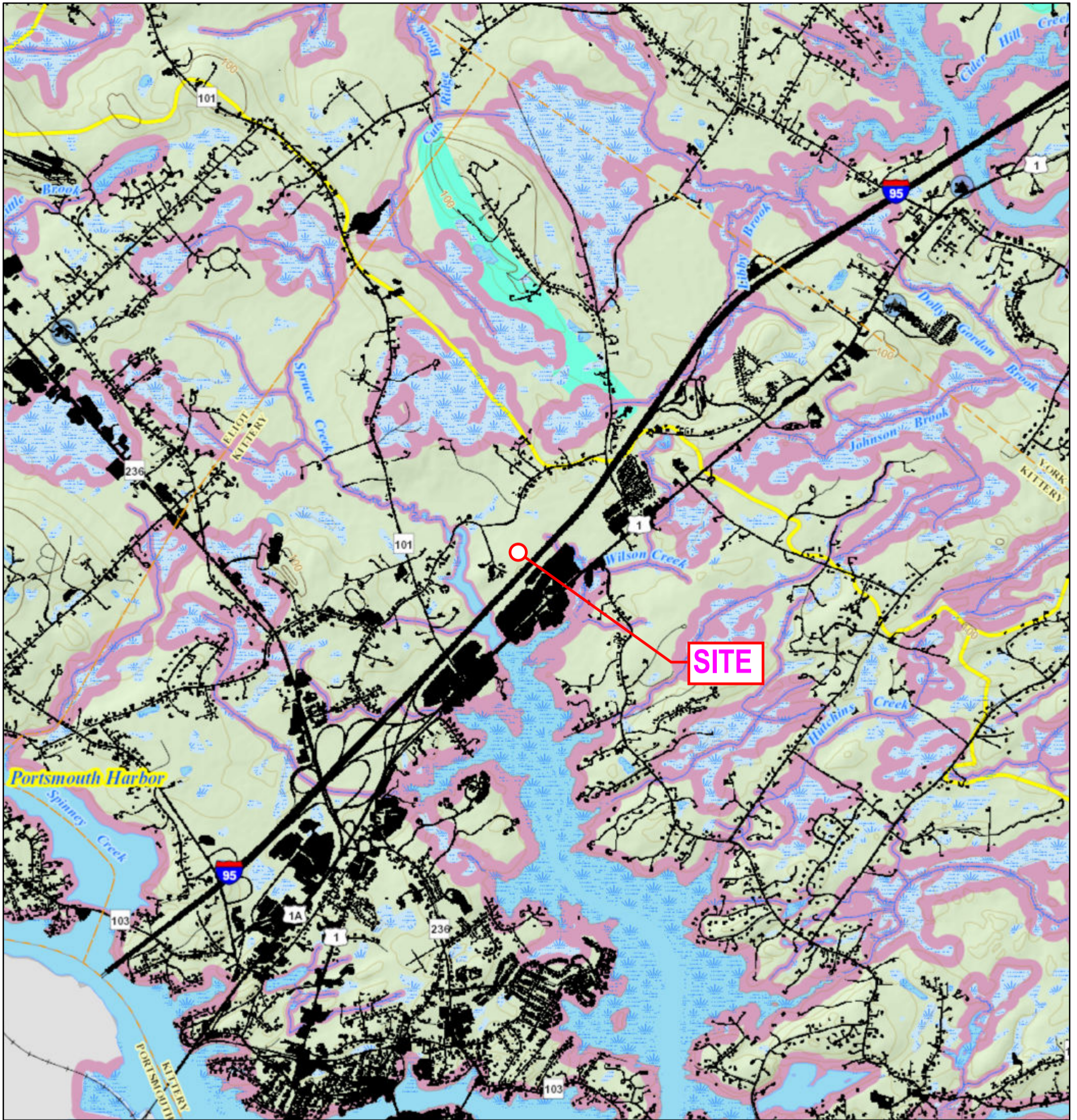
December 3, 2020

ETSC Animal Habitat Buffers

1:18,056



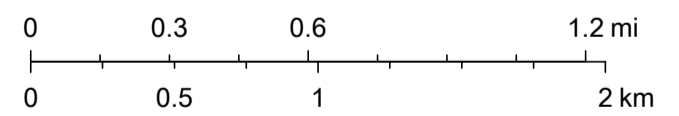
Water Resources and Riparian Habitats



December 3, 2020

Watershed Divide (HUC 12)

1:36,000



LEGEND

This map depicts riparian areas associated with major surface water features and important public water resources. This map does not depict all streams or wetlands known to occur on the landscape and should not be used as a substitute for on the ground surveys. This map should be used as a planning reference only and is intended to illustrate the natural hydrologic connections between surface water features. Protecting riparian habitats protects water quality, maintains habitat connections, and safeguards important economic resources including recreational and commercial fisheries.



Selected Town or Area



Organized Township Boundary



Unorganized Township



Developed- Impervious surfaces including buildings and roads



Drainage divides - These are the smallest hydrologic units mapped in Maine. They contain watershed boundaries for most ponds and rivers in Maine.



NWI Wetlands - National Wetlands Inventory (NWI) uses aerial photographs to approximate wetland locations. NWI data is not a comprehensive mapping of wetland resources and typically under represents the presence of wetlands on the landscape. The presence of wetlands needs to be determined in the field prior to conducting activities that could result in wetland disturbance.



Riparian Habitat - depicted using common regulatory zones including a 250-foot-wide strip around Great Ponds (ponds ≥ 10 acres), rivers, coastline, and wetlands ≥ 10 acres and a 75-foot-wide strip around streams. Riparian areas depicted on this map may already be affected by existing land uses.



Shellfish Growing Areas - The Maine Department of Marine Resources maps growing areas for economically important shellfish resources. This map depicts softshell and hard clam resources in order to illustrate the relation of these resources to streams and shoreline areas vital to their conservation.



Brook Trout Habitat - Streams and ponds, buffered to 100 feet, where wild Brook Trout populations have been documented, or managed to enhance local fisheries.



Public Water Supply Wells



Source protection area - Buffers that represent source water protection areas for wells and surface water intakes that serve the public water supply. Their size is proportional to population served and/or by the type of water supply system. These buffers range from 300 to 2,500 feet in radius.

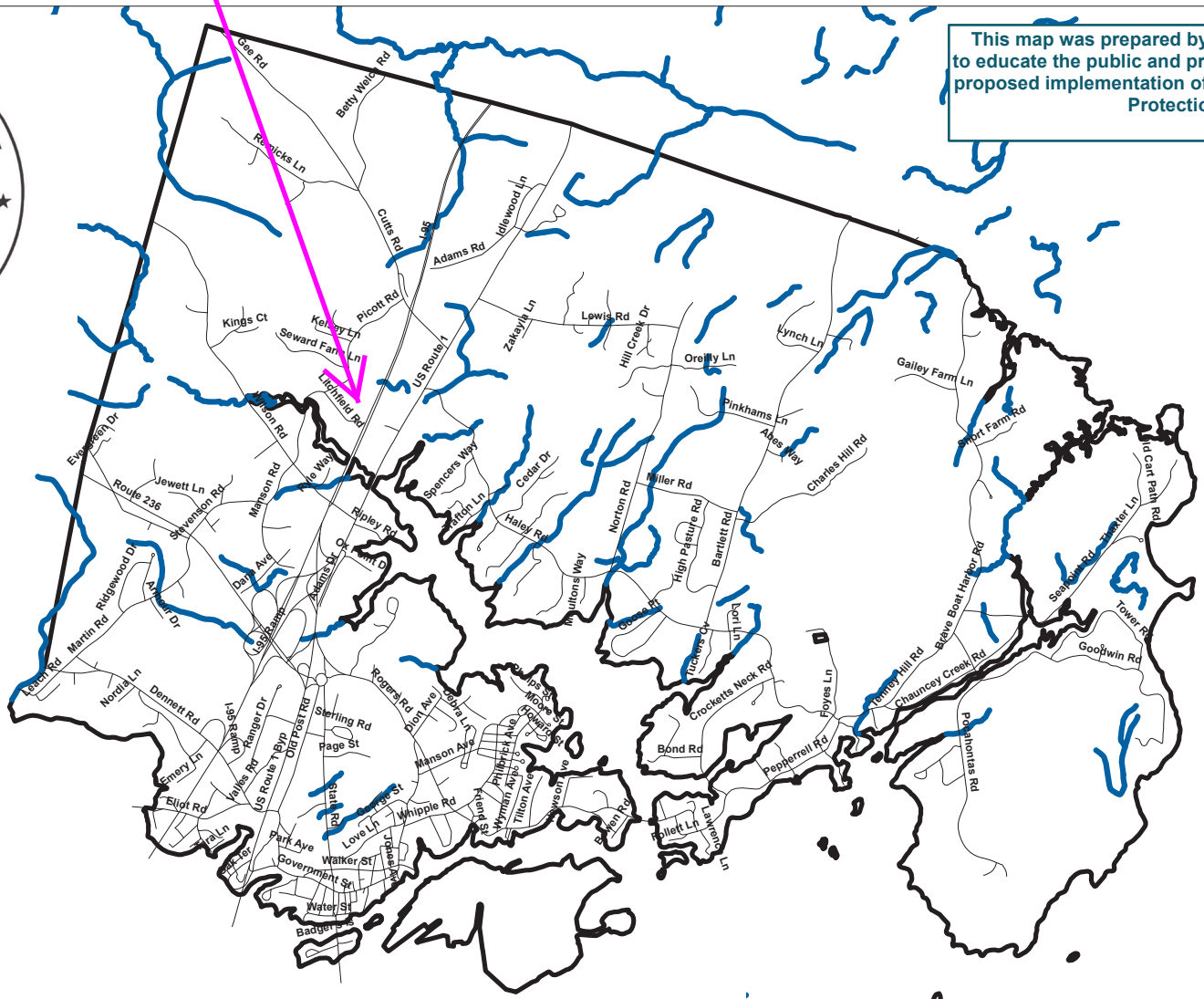


Aquifers - flow of at least 10 gallons per minute

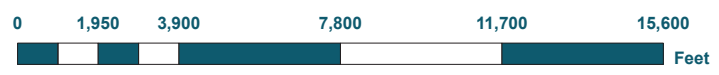
SITE



This map was prepared by the Kittery Planning Department to educate the public and provide a better understanding of the proposed implementation of the new Zoning Map and Resource Protection Overlay Zone.
November 19, 2009 - maa



1 inch = 1,500 feet



Stream Buffers in Kittery

STATUTORY SHORT FORM
DEED OF PERSONAL REPRESENTATIVE (TESTATE)

I, Janeth L. Beckert, of 8 River Road, Eliot, Maine, duly appointed and acting personal representative of the Estate of Phyllis Mae Norton, deceased, testate, as shown by the probate records of York County, Maine, and having given notice at least 10 days prior to the sale to, or, in the alternative, having received a waiver of such notice from, each person succeeding to an interest in the real property described below, by the power conferred by the Probate Code, and every other power, for consideration paid, grant to Charles W. Kuehl of 90 Haley Road, Kittery, Maine, the real property in Kittery, County of York, and State of Maine, described as follows:


A certain lot or parcel of land, situate at Spruce Creek, so-called, in the Town of Kittery, County of York, and State of Maine, and containing one (1) acre, more or less, and bounded by the "Old Road" leading from Spruce Creek to York and by land now or formerly of Blaisdell Heirs and by Spruce Creek.

Being the same premises conveyed to Delwyn U. Norton (a/k/a Delwyn E. Norton) and Phyllis M. Norton by warranty deed of Luella A. Remick, dated July 27, 1933 and recorded at the York County Registry of Deeds in Book 941, Page 421. The said Delwyn E. Norton having passed away on February 12, 1976, leaving Phyllis M. Norton as the surviving joint tenant. The said Phyllis M. Norton having passed away on December 1, 1990, reference York County Probate Docket No. 1991-0569.

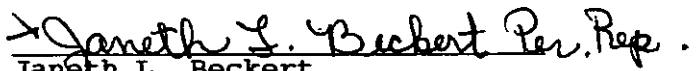
Also, a certain lot or parcel of tillage land, situate in the Town of Kittery, County of York, and State of Maine, and located at the junction of Picott Road and Litchfield Road, so-called, and bounded northerly by said Picott Road; easterly by said Litchfield Road; southerly by land now or formerly of Willard E. Chick; and westerly by Spruce Creek. Containing six and one-quarter (6 1/4) acres, more or less.

Being the same premises conveyed to Delwyn E. Norton and Phyllis M. Norton by warranty deed of Selwyn E. Caswell, dated April 3, 1951 and recorded at the York County Registry of Deeds in Book 1179, Page 253. The said Delwyn E. Norton having passed away on February 12, 1976, leaving Phyllis M. Norton as the surviving joint tenant. The said Phyllis M. Norton having passed away on December 1, 1990, reference York County Probate Docket No. 1991-0569.

WITNESS my hand and seal this 20 day of February, 1996.



Witness

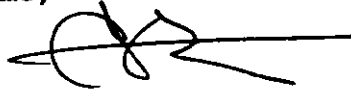

Janeth L. Beckert
Personal Representative of the
Estate of Phyllis Mae Norton

STATE OF NEW HAMPSHIRE
COUNTY OF ROCKINGHAM

DATED: February 20, 1996

Then personally appeared the above-named Janeth L. Beckert in her said capacity and acknowledged the foregoing instrument to be her free act and deed.

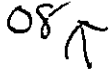
Before me,



~~Notary Public~~

P.J. STILES, ESQ.
Justice of the Peace
My Commission Expires January 7, 1997

Granite Title Services
60 Farmington Road
Rochester, NH 03867
603-332-7333



RECEIVED YORK S.S.

96 FEB 21 PH 2:42

ATTEST: *Louis M. Messer*

REGISTER OF DEEDS

BK 12400PG091

WARRANTY DEED

002968

KNOW ALL MEN BY THESE PRESENTS that effective on the 30th day of December, 2002, Brenda S. Haley, Leslie Burton Haley, and Cheryl Haley MacAuley (A.K.A. Cheryl Mack) as owners in common (Grantors), with a mailing address of 21 Litchfield Road, Kittery, County of York, State of Maine 03904-5521, for consideration paid, grant to **CENTRAL MAINE POWER COMPANY** (Grantee), whose mailing address is 83 Edison Drive, Augusta, County of Kennebec, State of Maine 04336, with Warranty Covenants a lot of land situated at Picott Road in Kittery, County of York, State of Maine, said lot being more particularly bounded and described as follows:

SEE EXHIBIT A ATTACHED HERETO AND A PART HEREOF

The above described lot being conveyed by Grantors is a part of the premises conveyed to them by the following deeds, all recorded in the York County Registry of Deeds:

Deed of Evelyn M. Haley dated July 13, 1984, Book 3337, Pages 208, 210 and 211.

Deed of Leslie Burton Haley, Personal Representative of the Estate of Evelyn M. Haley, dated January 26, 1987, Book 4169, Page 30.

Deed of Flora M. Watts dated June 29, 1988, Book 4764, Page 070.

This conveyance is made subject to easement rights previously granted by Ralph P. Haley to Kittery Electric Light Company by deed dated October 7, 1960, recorded in said Registry in Book 1447, Page 292.

The conveyance is also subject to an easement granted to Kittery Water District by deed dated March 22, 1920 recorded in said Registry in Book 1074, Page 509.

The Grantee, its successors and assigns, by acceptance of this deed, covenant and agree that when locating and constructing its access road, electric power lines and electric substation on the lot, Grantee will be sensitive to and take reasonable precautions to minimize the visual impact of said facilities as viewed from adjacent land being retained by Grantors in order to retain its existing rural nature to the extent practical. To mitigate the said visual impact, Grantee will retain existing vegetation as an undisturbed vegetative buffer strip 100 feet wide outside the fence surrounding any electric substation constructed by Grantee, except for:

- a. The Grantee's access road to the substation and
- b. A five feet (5') wide gravel strip immediately outside the said fence and
- c. The existing or new corridors where aerial electric transmission or distribution lines enter and exit the substation location. Where said aerial electric transmission and distribution lines enter and exit the substation location, Grantee will maintain the existing vegetation that does not exceed ten feet in height for a distance of forty five feet (45') outside the gravel strip in b above, or if said vegetation is removed, it will be replaced with planted screening not to exceed ten feet in height. Said screening to be a strip at least ten (10) feet wide of densely planted shrubs or trees at least four (4) feet high at the time of planting, of an evergreen type that will grow to a year round dense screen at least six (6) feet high in three years, to be maintained in good condition at all times, with the limit of the height of said screening to be a maximum of ten feet.

MAINE R.E. TRANSFER TAX PAID

BK 12400PG092

Grantors realize that in spite of the above reasonable precautions and screening efforts by Grantee, some portions of Grantee's facilities will be visible from adjacent land of Grantors.

The Grantors reserve for themselves, their heirs and assigns, an easement, over a portion of the premises herein conveyed, for uses that will not interfere with the Grantee's use of the area encumbered by said easement, such uses to include, but are not limited to, an access road and storm water runoff infiltration strip. Said easement to be located only over the most westerly portion of the lot being conveyed and to be limited to the 110 feet wide area parallel to and southerly of the most southeasterly 70 feet long portion of the stone wall on the property boundary of land of Collins and Humiston, said area being between the easterly boundary of the Picott Road and a line located fifty feet southeasterly of the centerline of the now current location of Grantee's Kittery Point Distribution Line. Said reservation of easement rights shall only be valid in the event the Grantors convey their ownership abutting the premises herein conveyed to the Town of Kittery for use as an athletic field.

IN WITNESS WHEREOF, the above named Brenda S. Haley, has hereunto set her hand and seal effective this 30th day of December, 2002.

Harold M. Klaiber
Witness

Brenda S. Haley
Brenda S. Haley

STATE OF Maine
County of York

December 30, 2002.

The above named Brenda S. Haley personally appeared before me and acknowledged the foregoing instrument to be her free act and deed.

My Commission expires 8/10/08

Harold M. Klaiber
Notary Public/Attorney
HAROLD M. KLAIBER
Printed Name

HAROLD M. KLAIBER
NOTARY PUBLIC, MAINE
MY COMMISSION EXPIRES AUGUST 10, 2008

61119

BK 12400PG093

Signature Page
Leslie Burton Haley to Central Maine Power Company Deed

IN WITNESS WHEREOF, Leslie Burton Haley has hereunto set his hand and seal effective this 30th day of December, 2002.

Harold M. Klaiber
Witness

Leslie B. Haley
Leslie Burton Haley

STATE OF Maine
County of York December 30, 2002

The above named Leslie Burton Haley personally appeared before me and acknowledged the foregoing instrument to be his free act and deed.

My Commission expires 8/10/08 Harold M. Klaiber

Notary Public/Attorney

HAROLD M. KLAIBER
Printed Name

HAROLD M. KLAIBER
NOTARY PUBLIC, MAINE
MY COMMISSION EXPIRES AUGUST 10, 2008

BK 12400PG094

Signature Page

Cheryl Haley MacAuley (A.K.A. Cheryl Mack)
to Central Maine Power Company Deed ^{cm}

IN WITNESS WHEREOF, Cheryl Haley MacAuley (A.K.A. Cheryl Mack) has hereunto
set her hand and seal effective this 30th day of December, 2002.

Witness

Cheryl Haley MacAuley Cheryl Mack
Cheryl Haley MacAuley (A.K.A. Cheryl Mack)
^{MacAuley cm}

STATE OF California
COUNTY OF Nevada

December 28, 2002

The above named Cheryl Haley MacAuley (A.K.A. Cheryl Mack) personally appeared
before me and acknowledged the foregoing instrument to be her free act and deed.

My Commission expires 12-31-03

Teri Kelly
Notary Public/Attorney

Teri Kelly
Printed Name

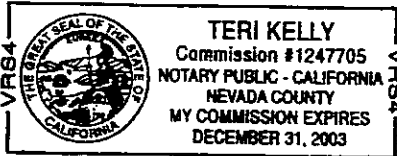


EXHIBIT A - HALEY DEED TO CENTRAL MAINE POWER COMPANY

The description of the lot conveyed is as follows:

A 15.5 +/- acre lot with frontage at two locations on the Picott road and located generally easterly of the said road and westerly of the Maine Turnpike, more particularly described as follows:

Beginning at a point at the southeasterly corner of the lot, said point being the intersection of the southerly boundary of the 100 feet wide electric line easement (originally conveyed by Ralph P. Haley to Kittery Electric Light Company, October 7, 1960 recorded in the York County Registry of Deeds Book 1447, Page 292) with the northwesterly boundary of the Maine Turnpike Authority; thence North 43 degrees East along the easterly property line of the Grantors and the westerly property line of the Maine Turnpike Authority a distance of 1265 +/- feet to the northeasterly corner of the Grantors, said corner also being the southwesterly corner of other land of the Grantee; thence along the common boundary of the Grantors and other land of the Grantee North 14 degrees East a distance of 265 +/- feet to a point in a stone wall; thence continuing along the common boundary of the Grantors, easement rights of the Grantee, and land now or formerly of Ayer, North 16 degrees West a distance of 267 +/- feet to the southeasterly boundary of the Picott Road; thence southwesterly along the said road boundary a distance of 40 +/- feet to the most northerly corner of the Grantors, said corner also being the northeasterly corner of land now or formerly of Dugas; thence South 17 degrees East along the common boundary of the Grantors and said Dugas 276 +/- feet to a point in a stone wall at the southeastriy corner of said Dugas; thence along said stone wall being the northwesterly boundary of the Grantors and the southeasterly boundaries of land of said Dugas, land now or formerly of Hayes, and land now or formerly of Collins and Humiston a distance of 543 +/- feet to a point; thence along the said boundary of said Grantors and Collins and Humiston South 60 degrees West a distance of 1081 +/- feet to a point; thence westerly along the said boundary a distance of 17 +/- feet to the easterly boundary of the Picott Road; thence South 14 degrees West along the boundary of the Picott Road 169 +/- feet to a point at the most southwesterly corner of the lot being conveyed; thence North 60 degrees East 110 feet distant from , measured at a right angle, and parallel to a stone wall marking a portion of the common property line between the Grantors and Collins and Humiston a distance of 265 +/- feet to the southerly boundary of said 100 feet wide previously referenced electric line easement; thence along the said southerly boundary 555 +/- feet to the point of beginning. The lot description is subject to a final survey.

Meaning and intending to describe the fee ownership in a 15.5 +/- acre lot which includes approximately 1.5 +/- acres of the underlying fee land in the previously referenced electric line easement conveyed to the Kittery Electric Light Company in 1960 and now occupied by Grantee's so-called "Kittery Point Distribution Line".

RECEIVED YORK S.S.
2003 JAN 14 PM 3: 15

ATTN: MARCO M. KAPLAN

WARRANTY DEED

NOW COMES **BRENDA HALEY** of 21 Litchfield Road, Kittery, Maine 03904, **LESLIE B. HALEY** of 114 Mooar Hill Road, Hollis, New Hampshire, and **CHERYL MACK f/k/a Cheryl MacAuley** of 12449 Thistle Loop, Penn Valley, California, and for consideration paid, with **WARRANTY COVENANTS**, grant to **THE INHABITANTS OF THE TOWN OF KITTERY**, a municipality located in the State of Maine, the following real property:

The land located on Picott Road and Litchfield Road in Kittery, Maine, being further bounded and described as follows:

Beginning at a point on the northwesterly corner of the land herein conveyed, and at the point where Picott Road intersects with Litchfield Road at a stone wall; thence running North 79 degrees, 49 minutes, 19 seconds East 276.99 feet along said stone wall to a rebar; thence running North 83 degrees, 00 minutes, 38 seconds East 330.21 feet along said stone wall to a rebar; thence running North 83 degrees, 00 minutes, 4 seconds East 131.74 feet along land owned by the Grantee as part of Picott Road to a point; thence running North 60 degrees, 2 minutes, 57 seconds East 266.18 feet along land owned by Central Maine Power to a point; thence turning and running South 57 degrees, 6 minutes, 29 seconds East 232.32 feet along land owned by Central Maine Power to a point, thence turning and running South 61 degrees, 43 minutes, 12 seconds West 556.43 feet along land being retained by the Grantors to a point; thence running South 68 degrees, 54 minutes, 25 seconds West 575.22 feet along land being retained by the Grantors to a point located at a stone wall; thence turning and running North 19 degrees, 38 minutes, 11 seconds West 175.38 feet along a stone wall to a point; thence running North 23 degrees, 56 minutes, 17 seconds West 154.12 feet along a stone wall to a point; thence running North 10 degrees, 32 minutes, 40 seconds West 53.23 feet along a stone wall to the point of beginning. Said land containing 6.57 acres and being further described in a Standard Boundary Survey & Division of Land of Leslie Burton Haley, Cheryl Haley McCaulay and Brenda Haley prepared by Civil Consultants and to be recorded in the York County Registry of Deeds.

This property is burdened by the following restrictive covenants, which shall run with the land for 50 years from the date of this transfer: "The property herein conveyed shall be used by the Town of Kittery for general recreational purposes, including any uses or structures on site that are appurtenant to recreational uses. Part of the deeded property may be used by the Town of Kittery to widen or increase Picott Road in any way."

This property is further burdened by the following restrictive covenant, which shall run with the land forever: "The grantee shall construct and maintain in good working order on the property deeded to it a four foot high fence along the boundary line between the Grantors' property and the property deeded to the Town of Kittery, which is represented by the line which goes South 68 degrees, 54 minutes, 25 seconds West for 575.22 feet, whenever constructing fields in these areas, but no fence is required where the natural vegetative buffer exists at the

MAINE R.E. TRANSFER TAX PAID

time of this transfer."

By accepting this deed the grantee also agrees to the following: The field shall be known as the Evelyn Haley field. Furthermore, the grantee shall plant some trees on the grantors' property and along the line where the fence is located to screen the property, but in such a way that the trees do not cross the fence or onto the property purchased by the Town of Kittery. After planting such trees any trees that die shall be replaced by the Town of Kittery within the first two years after planting; thereafter, the grantors, their heirs, successors and assigns, shall be responsible for the care and maintenance of these trees. The trees that are planted shall be 6-7 foot high Colorado Spruce.

Furthermore, the parties agree and acknowledge that this property is being purchased, in whatever part is necessary, for the purpose of replacing part or all of the Emery Field land located at Cole Street, Kittery, Maine, in case Emery Field will no longer be available for recreational use. This purpose of this is to convert the Emery Field, or part of it, to all or part of the Evelyn Haley Field, for National Park Service laws and rules, specifically, but not limited to, Rule 6(f).

The above described premises subject to any easements of record, including an easement to Central Maine Power for transmission lines, if applicable.

Meaning and intending to convey part of the premises described in a deed to Leslie Burton Haley, Cheryl Haley MacAuley, and Brenda S. Haley dated January 26, 1987 and recorded at Book 4169, Page 30 of the York County Registry of Deeds.

Signed and witnessed this ^{May} 22nd day of ~~March~~, 2003.

Walter Reed
Witness

Brenda Haley
Brenda Haley

Walter Reed
Witness

Leslie B. Haley
Leslie B. Haley

Carolyn Baumel
Witness

Cheryl Mack
Cheryl Mack

STATE OF MAINE
YORK, SS.

^{May}
~~March~~ 22, 2003

Personally appeared the above named Brenda Haley and ~~her~~ Leslie B. Haley and ~~or~~ Cheryl Mack and acknowledged the foregoing instrument to be her/their free act and deed.

Before me, Walter Reed
Notary Public/Attorney-at-Law
My Commission Expires:
Patrick S. Bedon, Esq.

RECEIVED YORK S S.
2003 JUN -6 PM 2: 23

WARRANTY DEED

051359

NOW COMES **BRENDA HALEY** of 21 Litchfield Road, Kittery, Maine 03904, **LESLIE B. HALEY** of 114 Mooar Hill Road, Hollis, New Hampshire, and **CHERYL MACK** f/k/a Cheryl MacAuley of 12449 Thistle Loop, Penn Valley, California, and for consideration paid, with **WARRANTY COVENANTS**, grant to **BRENDA HALEY** of 21 Litchfield Road, Kittery, County of York, State of Maine, the land with buildings thereon situated in Kittery, Maine and more particularly described as follows:

The land and buildings on Litchfield Road, Kittery, County of York and State of Maine, being bounded as described as follows:

BEGINNING at the southwesterly corner of the parcel herein conveyed, as this parcel intersects with the land owned by the Maine Turnpike Authority, thence running North 62 degrees, 35 minutes 41 seconds West 61.52 feet to a point, thence running North 68 degrees, 17 minutes, 00 seconds West 175.51 feet along Litchfield Road to a point; thence running North 68 degrees, 17 minutes, 00 seconds West 65.19 feet along Litchfield Road to a point; thence running North 48 degrees, 33 minutes, 7 seconds West 30.01 feet along Litchfield Road to a point; thence running North 24 degrees 56 minutes, 58 seconds West 67.22 feet along Litchfield Road to a point; thence running North 21 degrees, 26 minutes, 07 seconds West 33.48 feet along Litchfield Road to a point; thence running North 18 degrees, 23 minutes, 38 seconds West 451.75 feet along Litchfield Road to a point; thence turning and running North 68 degrees, 54 minutes, 25 seconds East 575.22 feet along other land of the Grantors to be owned by the Inhabitants of the Town of Kittery to a point; thence running North 61 degrees, 43 minutes, 12 seconds East 556.43 feet along the same land of the Grantors to be owned by the Inhabitants of the Town of Kittery to a point, thence turning and running South 57 degrees, 06 minutes, 29 seconds East 324.24 feet along land owned by Central Maine Power to a point; thence turning and running South 42 degrees, 49 minutes, 39 seconds West 85.24 feet along land owned by the Maine Turnpike Authority to a point; thence turning and running South 17 degrees, 10 minutes, 21 seconds East 49.77 feet along said land of the Maine Turnpike Authority to a point; thence turning and running South 42 degrees, 49 minutes, 39 seconds West 1,167.49 feet to the point of beginning.

Meaning and intending to convey a parcel of land with buildings thereon being approximately 16.73 acres. Meaning and intending to convey a portion of the premises described in a deed to Leslie Burton Haley, Cheryl Haley MacAuley, and Brenda S. Haley dated January 26, 1987 and recorded at Book 4169, Page 30 of the York County Registry of Deeds. Said land herein conveyed being more particularly described in "Standard Boundary Survey & Division of Land of Leslie Burton Haley, Cheryl Haley McCauley & Brenda S. Haley" prepared for the Town of Kittery, Maine by Civil Consultants, dated March 10, 2003 to be recorded in the York County Registry of Deeds, Alfred, Maine.

NOR.E. TRANSFER TAX PAID

Excepting an easement conveyed from Newbury Haley to Daniel P. Leach for a cemetery/burying ground as described in a deed recorded at Book 274, Page 180 of the York County Registry of Deeds.

Witnessed and signed this ^{22nd} day of ~~April~~^{May}, 2003.

Mary Allen
Witness

Brenda Haley
Brenda Haley

Mary Allen
Witness

Leslie B. Haley
Leslie B. Haley

Carolyn Baumer
Witness

Cheryl Mack
Cheryl Mack

STATE OF MAINE
YORK, SS.

^{May 22}
~~April~~, 2003

Personally appeared the above named Brenda Haley and/or Leslie B. Haley and/or Cheryl Mack and acknowledged the foregoing instrument to be her/their free act and deed.

Before me,

Mary Allen
Notary Public/Attorney-at-Law
My Commission Expires:

Patrick S. Bedard, Esq.

\\Pat's pc\pat's docs\haleydeed10.wpd

RECEIVED YORK S.S.
2003 JUL 11 PH 3:02

QUIT-CLAIM RELEASE DEED

Know All By These Present that **BAPTIST MID-MISSIONS**, a non-profit religious organization, with a mailing address of 4205 Chester Avenue, Cleveland, Ohio, **Releases** to **FAITH BAPTIST CHURCH**, with a mailing address of 22 Litchfield Road, Kittery, Maine 03904, a certain lot or parcel of land situated in Kittery, County of York and State of Maine, lying on the Southwesterly side of Litchfield Road and being further bounded and described as follows:

Beginning at an iron pipe set in the ground on the Southwesterly sideline of Litchfield Road, said point of beginning being further located at the Southeasterly most corner of land now or formerly of Alfred J. Cichon; thence running S 88° 27' W by and along land of Cichon 300 feet to a point; thence continuing on the same course by and along the same by and along land now or formerly of Thomas W. Buckley 328.35 feet to an iron pipe set in the bank of Spruce Creek; thence turning and running in a Southerly direction by and along the Easterly edge of Spruce Creek 800 feet, more or less, to the intersection of the U.S. Interstate 95 Thruway; thence turning and running N 59° 43' E by and along the Northwesterly sideline of Interstate 95 85 feet, more or less, to an iron post set in the ground; thence continuing on the same course by and along Interstate 95 800 feet, more or less, to an iron pipe set in the ground on the Southwesterly sideline of Litchfield Road; thence turning and running by and along the Southwesterly sideline of Litchfield Road by the following courses and distances: N 43° 23' W 172.29 feet; N 55° 15' 182.16 feet to a point; N 15° 38' W 87.91 feet to an iron pipe set in the ground and the ground and the place of beginning. Containing 11 acres, more or less.

Also conveying all of the Grantor's right, title and interest in and to that area of Spruce Creek lying Westerly of the above-described Westerly boundary.

The courses and distances are derived from a Plan entitled "Property Subdivision for the Baptist Mid-Missions, Litchfield Road, Kittery, Maine" by Charles E. Lawson, Registered Land Surveyor, dated September 1975 and recorded in the York County Registry of Deeds at Plan Book 73, Page 42.

NO R.E. TRANSFER TAX PAID

WITNESS our hands this 18th day of ~~February~~ ^{March}, 2005.

BAPTIST MID-MISSIONS

[Signature]
Witness

By: [Signature]
Name Gary L Anderson
Title President

BAPTIST MID-MISSIONS

[Signature]
Witness

By: [Signature]
Name John W. Boyes Jr.
Title Treasurer

STATE OF Ohio
County of Cuyahoga

March
February 18th, 2005

Then personally appeared the above-named, Gary L. Anderson, John W. Boyes Jr. of **BAPTIST MID-MISSIONS**, and acknowledged the foregoing instrument to be his/her free act and deed in his/her said capacity.

SEAL

Before me,

[Signature]
Attorney-at-Law/Notary Public

Cheryl L. Wright
Notary Public, State of Ohio
Commission Expires 8/15/06
Recorded in Lorain County

Return to:
Justin Kelcourse and Kimberly Goodman
16 Litchfield Road
Kittery, ME 03904

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that Martha E. Rea, of 50 Beacon Street, Bath, ME 04530, for consideration paid grant(s) to Justin Kelcourse and Kimberly Goodman, of 404-406 Pleasant Street, Portsmouth, NH 03801, as joint tenants with rights of survivorship, with WARRANTY COVENANTS:

Parcel A:

A certain lot of land together with the buildings thereon in Kittery, in the County of York and State of Maine, bounded and described as follows, viz:

Beginning at the northeasterly corner of the granted premises at land of Delwyn Norton and at the northwesterly corner of other land now or formerly of Thomas W. Buckley which is shown as a lot of one and four tenths (1.4) acres on a plan hereinafter referred to, and which point bears South 88° 27' West, measured along the line of a stone wall, a distance of two hundred seventy-nine and seven hundredths (279.07) feet from Litchfield Road; thence running North 83° 32' West by land of Delwyn Norton and by the remains of a fence two hundred sixty-one and thirty-three hundredths (261.33) feet to an iron pipe in the ground and continuing on the same course to Spruce Creek; thence turning and running southerly and southwesterly by Spruce Creek two hundred seventy-five (275) feet, more or less, to a point at an iron pin set in the ground at other land of Baptist Mid-Missions; thence turning and running North 88° 27' East, three hundred twenty-eight and thirty-five hundredths (328.35) feet to a corner at other land now or formerly of Thomas W. Buckley said lot shown as 1.4 acres; thence turning and running North 4° 28' East by said lot shown as 1.4 acres, two hundred seventeen (217) feet to the point of beginning.

Parcel A containing one and sixty-eight hundredths (1.68) acres, more or less.

Together with any interest Grantor may have in Spruce Creek lying between the westerly extensions of the sidelines of the above-described lot.

Maine R E Transfer Tax Paid

Together with the benefit of a right of way forty (40) feet in width running from the granted premises over said lot shown as 1.4 acres, along its northerly boundary to Litchfield Road, said right of way to be for all purposes for which a road is normally used, and to be appurtenant to the granted premises.

Subject to an easement for the benefit of the lot shown as 1.4 acres now or formerly of Thomas W. Buckley, said easement being the right to pass and repass over the granted premises from the lot shown as 1.4 acres to Spruce Creek, being a right to travel by foot only to be exercised in such manner as to interfere as little as reasonably possible with the right of the owner of the granted premises to enjoy said lot, and said easement to be appurtenant to said lot shown as 1.4 acres.

All as shown on a plan entitled "Property Subdivision for the Baptist Mid-Missions, Litchfield Road, Kittery, Maine by Charles E. Lawson, C.E." dated September 1975, and recorded November 1975 in the York County Registry of Deeds in Plan Book 73, Page 42.

Parcel B:

A certain lot of land, with improvements thereon, situate in Kittery, in the County of York and State of Maine, bounded and described as follows, viz:

Beginning at a stone wall on the westerly side of Litchfield Road, at land of Delwyn Norton, thence running South 88° 27' West in part by said wall and by land of Norton two hundred seventy-nine and seven hundredths (279.07) feet to a corner at other land of Baptist Mid-Missions, being shown on a plan hereinafter referred to as a lot of one and sixty-eight hundredths (1.68) acres; thence turning and running South 4° 28' West by said lot, two hundred seventeen (217) feet to a hub at other land of Baptist Mid-Missions; thence turning and running North 88° 27' East by land of the Baptist Mid-Missions three hundred (300) feet to an iron pipe at Litchfield Road; thence turning and running North 0° 30' East by Litchfield Road two hundred fifteen and two tenths (215.2) feet to the point of beginning.

Parcel B containing one and four tenths (1.4) acres, more or less.

All as shown on a plan entitled "Property Subdivision for the Baptist Mid-Missions, Litchfield Road, Kittery, Maine by Charles E. Lawson, C.E." dated September 1975, recorded November 1975, in the York County Registry of Deeds in Plan Book 73, Page 42.

Together with the benefit of an easement to pass and repass over said lot shown as one and sixty-eight hundredths (1.68) acres to Spruce Creek, said easement being a right to travel by foot only and to be exercised in such manner as to interfere as little as is reasonably possible with the right of the owner of the lot shown as 1.68 acres to enjoy said lot, and said easement to be appurtenant to the above described lot shown as 1.4 acres.

Subject to a right of way forty (40) feet in width for the benefit of the lot shown as one and sixty-eight hundredths (1.68) acres, now or formerly of Albert C. Cichon, said right of way to be for all purposes for which a road is normally used and to be appurtenant to said lot shown as one and sixty-eight hundredths (1.68) acres, said right of way running along the northerly boundary of the granted premises.

Meaning and intending to describe and convey the same premises conveyed to Martha E. Rea and Diane Rowell by deed dated May 8, 1987 and recorded in the York County Registry of Deeds in Book 4284, Page 267. Martha E. Rea being the surviving joint tenant upon the death of Diane Rowell on March 27, 2001.

Executed this 10 day of January, 2017.

Martha E. Rea
Martha E. Rea

State of Maine
County of SACADAWAC

Then personally appeared before me on this 10 day of January, 2017, the said Martha E. Rea and acknowledged the foregoing to be her voluntary act and deed.

Debra
Notary Public

Notary-Name Printed
Debra Keller
Notary Public, State of Maine
My Commission Expires October 17, 2023

My commission expires:

(seal)

Seal

Atlas Title, LLC
903 Central Ave.
#5
Dover, NH 03820

3pgs →

SOIL PROFILE/CLASSIFICATION INFORMATION

Project Name:

Applicant Name:

Project Location (municipality)

CHINBURG

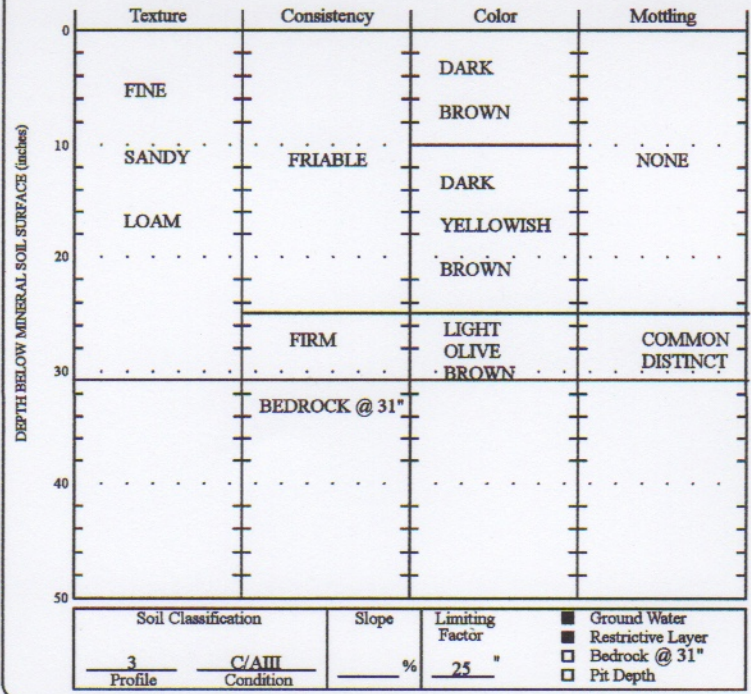
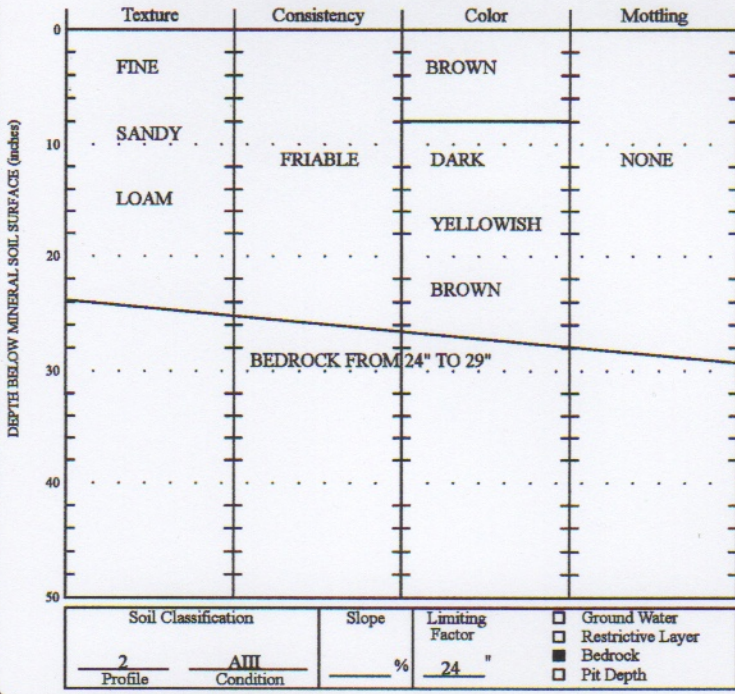
21 LITCHFIELD ROAD - KITTERY, MAINE

Observation Hole 1 Test Pit Boring

Observation Hole 2 Test Pit Boring

1 " Depth of Organic Horizon Above Mineral Soil

1 " Depth of Organic Horizon Above Mineral Soil



TUNBRIDGE SERIES - HYD GRP C - NON-HYDRIC

TUNBRIDGE SERIES VARIANT - HYD GRP C - NON-HYDRIC

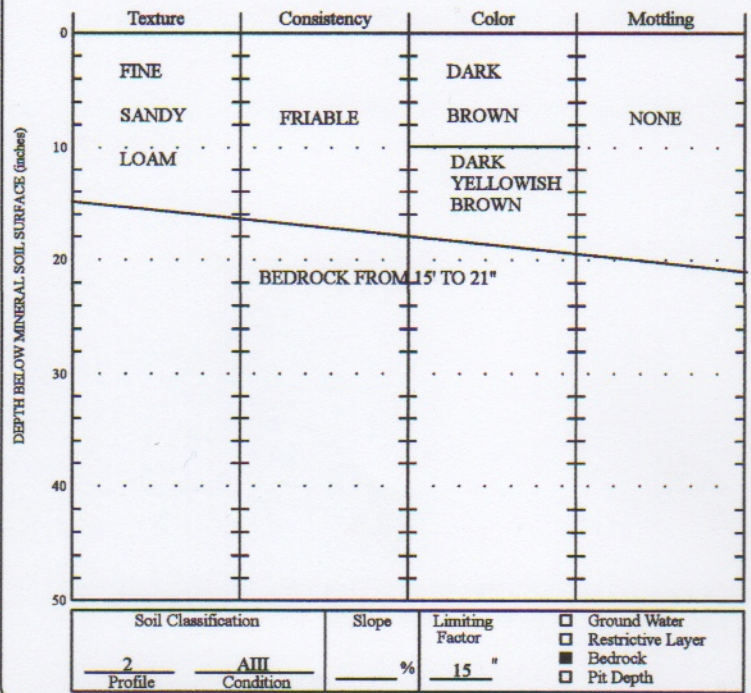
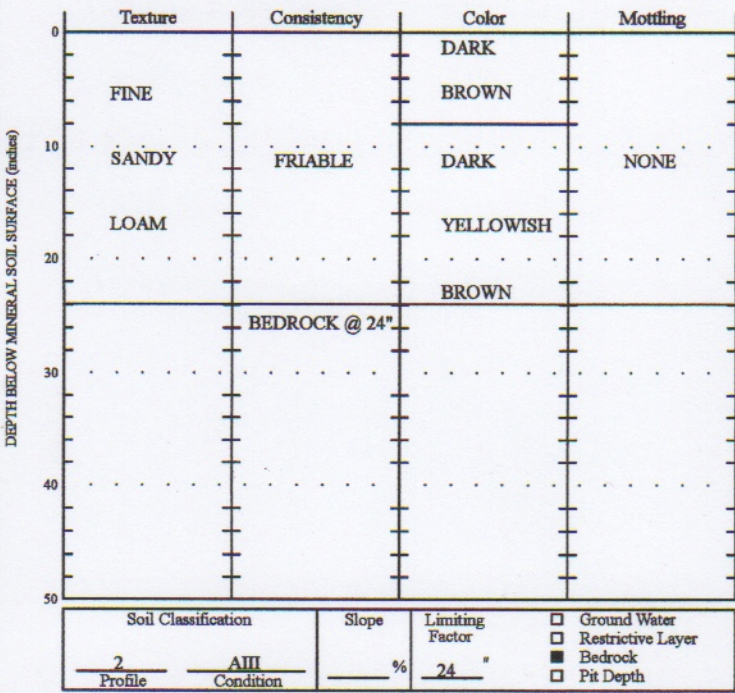
Backhoe excavated test pits were conducted on November 4, 2020. Refer to base map for test pit locations and slope information.

Observation Hole 3 Test Pit Boring

Observation Hole 4 Test Pit Boring

1 " Depth of Organic Horizon Above Mineral Soil

1 " Depth of Organic Horizon Above Mineral Soil



TUNBRIDGE SERIES - HYD GRP C - NON-HYDRIC

LYMAN/TUNBRIDGE SERIES - HYD GRP D & C - NON-HYDRIC

Joseph W. Meil
Signature

221 209
SE # SS#

12/21/2020
Date

SOIL PROFILE/CLASSIFICATION INFORMATION

Project Name:

Applicant Name:

Project Location (municipality)

CHINBURG

21 LITCHFIELD ROAD - KITTERY, MAINE

Observation Hole 5 Test Pit Boring

Observation Hole 6 Test Pit Boring

1 " Depth of Organic Horizon Above Mineral Soil

1 " Depth of Organic Horizon Above Mineral Soil

| Texture | Consistency | Color | Mottling |
|----------------------|-------------|-------------------|-----------------|
| FINE | FRIABLE | DARK BROWN | NONE |
| SANDY | | DARK | |
| LOAM | | YELLOWISH BROWN | |
| VERY FINE SANDY LOAM | FIRM | LIGHT OLIVE BROWN | COMMON DISTINCT |
| FINE | | OLIVE BROWN | |
| SANDY LOAM | | BROWN | |

| | | | |
|---------------------|--------------------|----------------------------------|---|
| Soil Classification | Slope | Limiting Factor | <input checked="" type="checkbox"/> Ground Water |
| <u>3</u> Profile | <u>C</u> Condition | <u>19</u> " | <input checked="" type="checkbox"/> Restrictive Layer |
| | % | <input type="checkbox"/> Bedrock | <input type="checkbox"/> Pit Depth |

| Texture | Consistency | Color | Mottling |
|---------------------------------------|-------------|-------------------|-------------------------|
| FINE | FRIABLE | DARK BROWN | NONE |
| SANDY | | DARK | |
| LOAM | | YELLOWISH BROWN | |
| SANDY LOAM | FIRM | LIGHT OLIVE BROWN | COMMON DISTINCT |
| LOAM | | OLIVE BROWN | |
| STRATIFIED FINE SAND & VERY FINE SAND | | FRIABLE | OLIVE & YELLOWISH BROWN |

| | | | |
|---------------------|--------------------|----------------------------------|---|
| Soil Classification | Slope | Limiting Factor | <input checked="" type="checkbox"/> Ground Water |
| <u>3</u> Profile | <u>C</u> Condition | <u>21</u> " | <input checked="" type="checkbox"/> Restrictive Layer |
| | % | <input type="checkbox"/> Bedrock | <input type="checkbox"/> Pit Depth |

PERU SERIES - HYD GRP D - NON-HYDRIC

PERU SERIES - HYD GRP D - NON-HYDRIC

Backhoe excavated test pits were conducted on November 4, 2020. Refer to base map for test pit locations and slope information.

Observation Hole 7 Test Pit Boring

Observation Hole 8 Test Pit Boring

1 " Depth of Organic Horizon Above Mineral Soil

2 " Depth of Organic Horizon Above Mineral Soil

| Texture | Consistency | Color | Mottling |
|------------|-------------|-------------------|-----------------|
| FINE | FRIABLE | DARK BROWN | NONE |
| SANDY | | DARK | |
| LOAM | | YELLOWISH BROWN | |
| SANDY LOAM | FIRM | LIGHT OLIVE BROWN | COMMON DISTINCT |
| LOAM | | OLIVE BROWN | |

| | | | |
|---------------------|--------------------|----------------------------------|---|
| Soil Classification | Slope | Limiting Factor | <input checked="" type="checkbox"/> Ground Water |
| <u>3</u> Profile | <u>C</u> Condition | <u>28</u> " | <input checked="" type="checkbox"/> Restrictive Layer |
| | % | <input type="checkbox"/> Bedrock | <input type="checkbox"/> Pit Depth |

| Texture | Consistency | Color | Mottling |
|------------|-------------|-------------------|-----------------|
| FINE | FRIABLE | DARK BROWN | NONE |
| SANDY | | DARK | |
| LOAM | | YELLOWISH BROWN | |
| SANDY LOAM | FIRM | LIGHT OLIVE BROWN | COMMON DISTINCT |
| LOAM | | OLIVE BROWN | |

| | | | |
|---------------------|--------------------|----------------------------------|---|
| Soil Classification | Slope | Limiting Factor | <input checked="" type="checkbox"/> Ground Water |
| <u>3</u> Profile | <u>C</u> Condition | <u>28</u> " | <input checked="" type="checkbox"/> Restrictive Layer |
| | % | <input type="checkbox"/> Bedrock | <input type="checkbox"/> Pit Depth |

PERU SERIES - HYD GRP D - NON-HYDRIC

PERU SERIES - HYD GRP D - NON-HYDRIC

Joseph W. Neil
Signature

221 209
SE # SS#

12/21/2020
Date

SOIL PROFILE/CLASSIFICATION INFORMATION

Project Name:

Applicant Name:

Project Location (municipality)

CHINBURG

21 LITCHFIELD ROAD - KITTERY, MAINE

Observation Hole 9 Test Pit Boring

Observation Hole 10 Test Pit Boring

1 " Depth of Organic Horizon Above Mineral Soil

1 " Depth of Organic Horizon Above Mineral Soil

| DEPTH BELOW MINERAL SOIL SURFACE (inches) | Texture | Consistency | Color | Mottling |
|---|------------------------------------|-------------|----------------------------|----------|
| 0 | FINE | FRIABLE | DARK | NONE |
| 5 | SANDY | | BROWN | |
| 10 | LOAM | | DARK YELLOWISH BROWN | |
| 20 | VERY FINE FINE SANDY LOAM | FIRM | LIGHT | COMMON |
| 25 | | | OLIVE | DISTINCT |
| 30 | FINE | | BROWN | |
| 35 | SANDY | FIRM | | |
| 40 | LOAM | | | |
| 45 | | | | |
| 50 | | | | |

| | | | |
|---------------------|--------------------|-----------------|--|
| Soil Classification | Slope | Limiting Factor | <input checked="" type="checkbox"/> Ground Water |
| <u>3</u> Profile | <u>C</u> Condition | <u>16</u> " | <input type="checkbox"/> Restrictive Layer |
| | % | | <input type="checkbox"/> Bedrock |
| | | | <input type="checkbox"/> Pit Depth |

| DEPTH BELOW MINERAL SOIL SURFACE (inches) | Texture | Consistency | Color | Mottling |
|---|---------|-------------|-----------------|----------|
| 0 | | FRIABLE | DARK | NONE |
| 5 | FINE | | BROWN | |
| 10 | SANDY | | STRONG BROWN | |
| 20 | LOAM | FIRM | LIGHT | COMMON |
| 25 | | | OLIVE | DISTINCT |
| 30 | | | BROWN | |
| 40 | | | | |
| 45 | | | | |
| 50 | | | BEDROCK @ 46" | |

| | | | |
|---------------------|-------------------------|-----------------|--|
| Soil Classification | Slope | Limiting Factor | <input checked="" type="checkbox"/> Ground Water |
| <u>3</u> Profile | <u>C/AIII</u> Condition | <u>20</u> " | <input type="checkbox"/> Restrictive Layer |
| | % | | <input type="checkbox"/> Bedrock @ 46" |
| | | | <input type="checkbox"/> Pit Depth |

PERU SERIES - HYD GRP D - NON-HYDRIC

PERU SERIES - HYD GRP D - NON-HYDRIC

Backhoe excavated test pits were conducted on November 4, 2020. Refer to base map for test pit locations and slope information.

Observation Hole 11 Test Pit Boring

Observation Hole 12 Test Pit Boring

1 " Depth of Organic Horizon Above Mineral Soil

1 " Depth of Organic Horizon Above Mineral Soil

| DEPTH BELOW MINERAL SOIL SURFACE (inches) | Texture | Consistency | Color | Mottling |
|---|---------|-------------|---------------|----------|
| 0 | | FRIABLE | DARK | NONE |
| 5 | FINE | | BROWN | |
| 10 | SANDY | | DARK | |
| 20 | LOAM | FIRM | YELLOWISH | |
| 25 | | | BROWN | |
| 30 | | | LIGHT | COMMON |
| 35 | | | OLIVE | DISTINCT |
| 40 | | | BROWN | |
| 45 | | | | |
| 50 | | | BEDROCK @ 43" | |

| | | | |
|---------------------|-------------------------|-----------------|--|
| Soil Classification | Slope | Limiting Factor | <input checked="" type="checkbox"/> Ground Water |
| <u>3</u> Profile | <u>C/AIII</u> Condition | <u>30</u> " | <input type="checkbox"/> Restrictive Layer |
| | % | | <input type="checkbox"/> Bedrock @ 43" |
| | | | <input type="checkbox"/> Pit Depth |

| DEPTH BELOW MINERAL SOIL SURFACE (inches) | Texture | Consistency | Color | Mottling |
|---|-----------|-------------|---------------|----------|
| 0 | | FRIABLE | DARK | NONE |
| 5 | FINE | | BROWN | |
| 10 | SANDY | | YELLOWISH | |
| 20 | LOAM | FIRM | BROWN | |
| 25 | | | LIGHT | COMMON |
| 30 | VERY FINE | | OLIVE | DISTINCT |
| 35 | FINE | | | |
| 40 | SANDY | | BROWN | |
| 45 | LOAM | | | |
| 50 | | | BEDROCK @ 34" | |

| | | | |
|---------------------|-------------------------|-----------------|--|
| Soil Classification | Slope | Limiting Factor | <input checked="" type="checkbox"/> Ground Water |
| <u>3</u> Profile | <u>C/AIII</u> Condition | <u>16</u> " | <input type="checkbox"/> Restrictive Layer |
| | % | | <input type="checkbox"/> Bedrock @ 34" |
| | | | <input type="checkbox"/> Pit Depth |

PERU SERIES - HYD GRP D - NON-HYDRIC

PERU SERIES VARIANT - HYD GRP D - NON-HYDRIC

John W. Neil
Signature

221 209
SE # SS#

12/21/2020
Date

SOIL PROFILE/CLASSIFICATION INFORMATION

Project Name:

Applicant Name:

Project Location (municipality)

CHINBURG

21 LITCHFIELD ROAD - KITTERY, MAINE

Observation Hole 13 Test Pit Boring

1 " Depth of Organic Horizon Above Mineral Soil

| DEPTH BELOW MINERAL SOIL SURFACE (inches) | Texture | Consistency | Color | Mottling |
|---|---------|-------------|-----------|----------|
| 0 | | | DARK | |
| 5 | FINE | | BROWN | |
| 10 | | FRIABLE | | NONE |
| 15 | SANDY | | DARK | |
| 20 | | | YELLOWISH | |
| 25 | LOAM | | BROWN | |
| 30 | | | LIGHT | COMMON |
| 35 | | FIRM | OLIVE | DISTINCT |
| 40 | | | BROWN | |
| 45 | | | | |
| 50 | | | | |

| | | | |
|---|------------------|------------------------|---|
| Soil Classification 3 Profile C Condition | Slope % _____ | Limiting Factor 26" | <input checked="" type="checkbox"/> Ground Water <input checked="" type="checkbox"/> Restrictive Layer <input type="checkbox"/> Bedrock <input type="checkbox"/> Pit Depth |
|---|------------------|------------------------|---|

PERU SERIES - HYD GRP D - NON-HYDRIC

Observation Hole 14 Test Pit Boring

1 " Depth of Organic Horizon Above Mineral Soil

| DEPTH BELOW MINERAL SOIL SURFACE (inches) | Texture | Consistency | Color | Mottling |
|---|---------|-------------|-----------|----------|
| 0 | | | DARK | |
| 5 | FINE | | BROWN | |
| 10 | | FRIABLE | | NONE |
| 15 | SANDY | | DARK | |
| 20 | | | YELLOWISH | |
| 25 | LOAM | | BROWN | |
| 30 | WITH | | LIGHT | COMMON |
| 35 | POCKETS | | OLIVE | DISTINCT |
| 40 | OF | FIRM | BROWN | |
| 45 | LOAMY | | | |
| 50 | SAND | | | |

| | | | |
|---|------------------|------------------------|---|
| Soil Classification 3 Profile C Condition | Slope % _____ | Limiting Factor 22" | <input checked="" type="checkbox"/> Ground Water <input checked="" type="checkbox"/> Restrictive Layer <input type="checkbox"/> Bedrock <input type="checkbox"/> Pit Depth |
|---|------------------|------------------------|---|

PERU SERIES - HYD GRP D - NON-HYDRIC

Backhoe excavated test pits were conducted on November 4, 2020. Refer to base map for test pit locations and slope information.

Observation Hole _____ Test Pit Boring

_____ " Depth of Organic Horizon Above Mineral Soil

| DEPTH BELOW MINERAL SOIL SURFACE (inches) | Texture | Consistency | Color | Mottling |
|---|---------|-------------|-------|----------|
| 0 | | | | |
| 10 | | | | |
| 20 | | | | |
| 30 | | | | |
| 40 | | | | |
| 50 | | | | |

| | | | |
|--|------------------|----------------------------|---|
| Soil Classification Profile _____ Condition _____ | Slope % _____ | Limiting Factor " _____ | <input type="checkbox"/> Ground Water <input type="checkbox"/> Restrictive Layer <input type="checkbox"/> Bedrock <input type="checkbox"/> Pit Depth |
|--|------------------|----------------------------|---|

Observation Hole _____ Test Pit Boring

_____ " Depth of Organic Horizon Above Mineral Soil

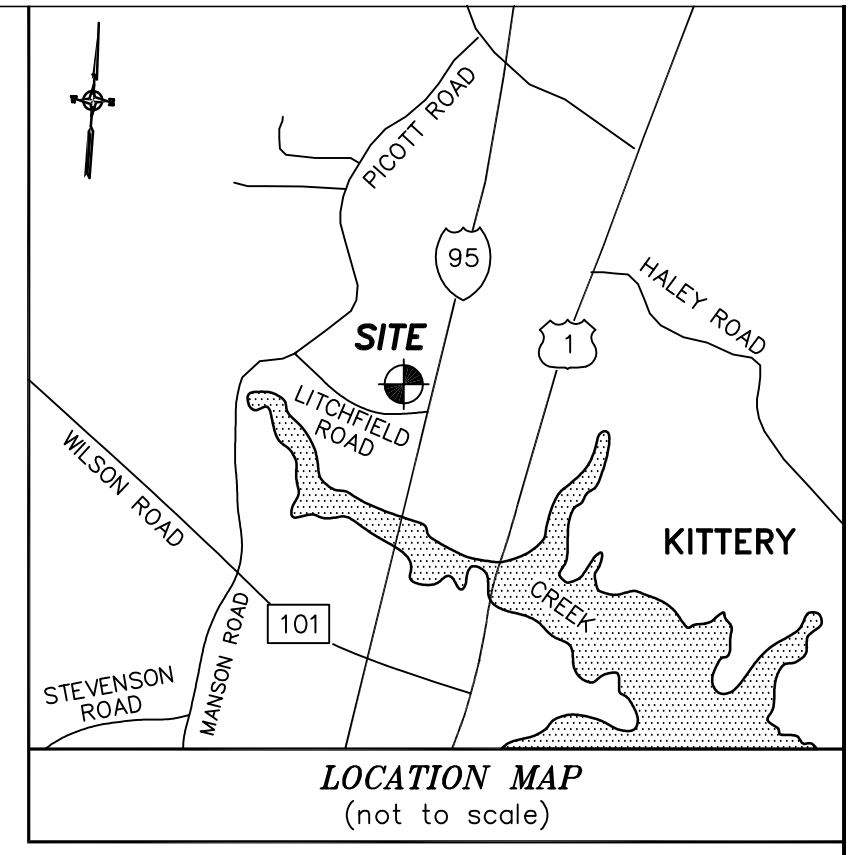
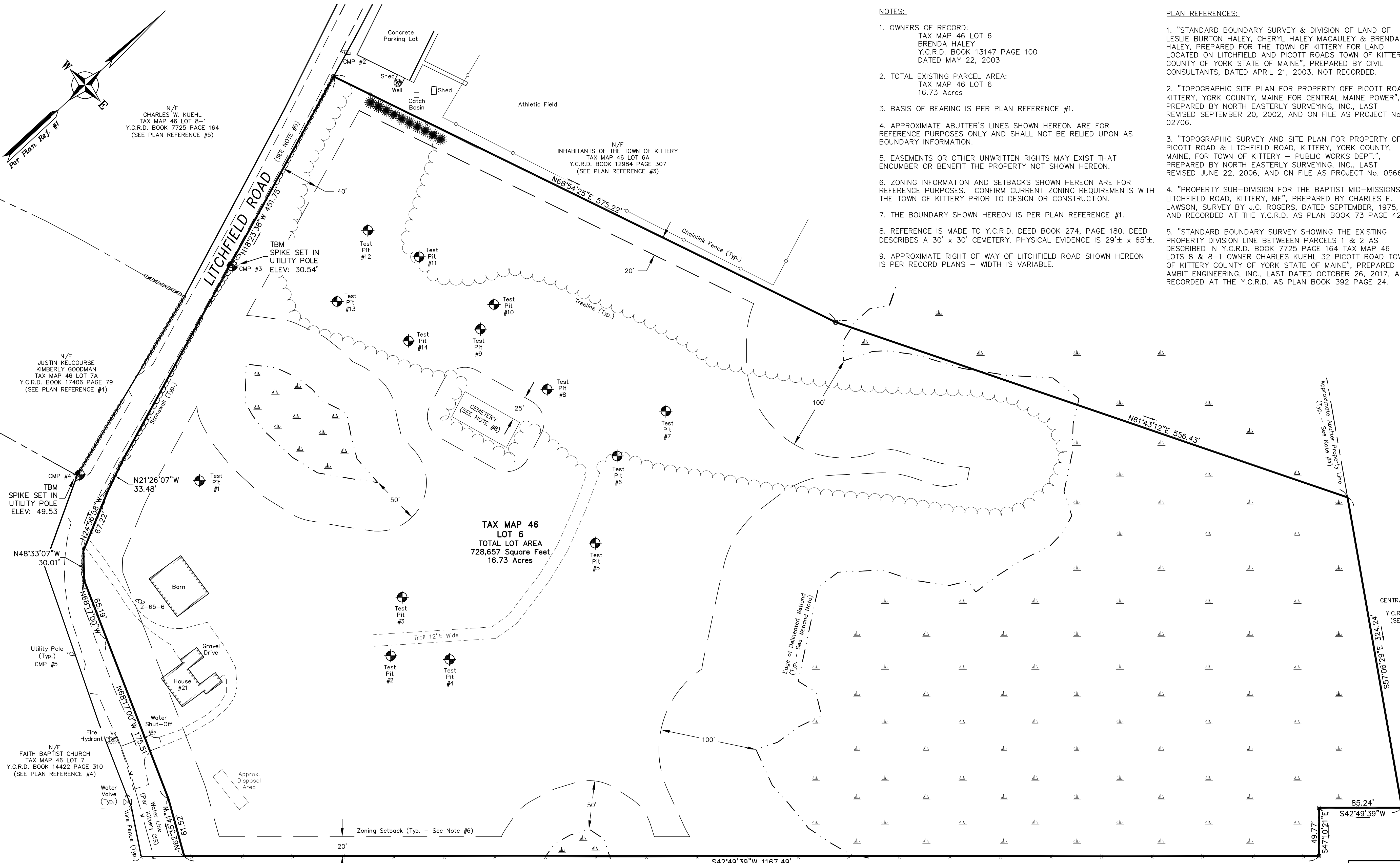
| DEPTH BELOW MINERAL SOIL SURFACE (inches) | Texture | Consistency | Color | Mottling |
|---|---------|-------------|-------|----------|
| 0 | | | | |
| 10 | | | | |
| 20 | | | | |
| 30 | | | | |
| 40 | | | | |
| 50 | | | | |

| | | | |
|--|------------------|----------------------------|---|
| Soil Classification Profile _____ Condition _____ | Slope % _____ | Limiting Factor " _____ | <input type="checkbox"/> Ground Water <input type="checkbox"/> Restrictive Layer <input type="checkbox"/> Bedrock <input type="checkbox"/> Pit Depth |
|--|------------------|----------------------------|---|

John W. Noil
Signature

221 209
SE # SS#

12/21/2020
Date



NOTES:

- OWNERS OF RECORD:
TAX MAP 46 LOT 6
BRENDA HALEY
Y.C.R.D. BOOK 13147 PAGE 100
DATED MAY 22, 2003
- TOTAL EXISTING PARCEL AREA:
TAX MAP 46 LOT 6
16.73 Acres
- BASIS OF BEARING IS PER PLAN REFERENCE #1.
- APPROXIMATE ABUTTER'S LINES SHOWN HEREON ARE FOR REFERENCE PURPOSES ONLY AND SHALL NOT BE RELIED UPON AS BOUNDARY INFORMATION.
- EASEMENTS OR OTHER UNWRITTEN RIGHTS MAY EXIST THAT ENCUMBER OR BENEFIT THE PROPERTY NOT SHOWN HEREON.
- ZONING INFORMATION AND SETBACKS SHOWN HEREON ARE FOR REFERENCE PURPOSES. CONFIRM CURRENT ZONING REQUIREMENTS WITH THE TOWN OF KITTERY PRIOR TO DESIGN OR CONSTRUCTION.
- THE BOUNDARY SHOWN HEREON IS PER PLAN REFERENCE #1.
- REFERENCE IS MADE TO Y.C.R.D. DEED BOOK 274, PAGE 180. DEED DESCRIBES A 30' x 30' CEMETERY. PHYSICAL EVIDENCE IS 29'± x 65'±.
- APPROXIMATE RIGHT OF WAY OF LITCHFIELD ROAD SHOWN HEREON IS PER RECORD PLANS - WIDTH IS VARIABLE.

PLAN REFERENCES:

- "STANDARD BOUNDARY SURVEY & DIVISION OF LAND OF LESLIE BURTON HALEY, CHERYL HALEY MACAULEY & BRENDA S. HALEY, PREPARED FOR THE TOWN OF KITTERY FOR LAND LOCATED ON LITCHFIELD AND PICOTT ROADS TOWN OF KITTERY COUNTY OF YORK STATE OF MAINE", PREPARED BY CIVIL CONSULTANTS, DATED APRIL 21, 2003, NOT RECORDED.
- "TOPOGRAPHIC SITE PLAN FOR PROPERTY OFF PICOTT ROAD KITTERY, YORK COUNTY, MAINE FOR CENTRAL MAINE POWER", PREPARED BY NORTH EASTERLY SURVEYING, INC., LAST REVISED SEPTEMBER 20, 2002, AND ON FILE AS PROJECT No. 02706.
- "TOPOGRAPHIC SURVEY AND SITE PLAN FOR PROPERTY OFF PICOTT ROAD & LITCHFIELD ROAD, KITTERY, YORK COUNTY, MAINE, FOR TOWN OF KITTERY - PUBLIC WORKS DEPT.", PREPARED BY NORTH EASTERLY SURVEYING, INC., LAST REVISED JUNE 22, 2006, AND ON FILE AS PROJECT No. 05664.
- "PROPERTY SUB-DIVISION FOR THE BAPTIST MID-MISSIONS LITCHFIELD ROAD, KITTERY, ME", PREPARED BY CHARLES E. LAWSON, SURVEY BY J.C. ROGERS, DATED SEPTEMBER, 1975, AND RECORDED AT THE Y.C.R.D. AS PLAN BOOK 73 PAGE 42.
- "STANDARD BOUNDARY SURVEY SHOWING THE EXISTING PROPERTY DIVISION LINE BETWEEN PARCELS 1 & 2 AS DESCRIBED IN Y.C.R.D. BOOK 7725 PAGE 164 TAX MAP 46 LOTS 8 & 8-1 OWNER CHARLES KUEHL 32 PICOTT ROAD TOWN OF KITTERY COUNTY OF YORK STATE OF MAINE", PREPARED BY AMBIT ENGINEERING, INC., LAST DATED OCTOBER 26, 2017, AND RECORDED AT THE Y.C.R.D. AS PLAN BOOK 392 PAGE 24.

ZONING DATA PER KITTERY ZONING ORDINANCE (ECODE ONLINE 12/03/2020):

BASE ZONE: Residential-Rural (R-RL)

REQUIREMENTS:

| | |
|------------------------------|--------------|
| MINIMUM LAND AREA | 40,000 Sq Ft |
| PER DWELLING UNIT: | 40,000 Sq Ft |
| MINIMUM LOT SIZE: | 150 Ft |
| MINIMUM STREET FRONTAGE: | 15% |
| MAXIMUM BUILDING COVERAGE: | 40 Ft |
| MINIMUM FRONT YARD: | 20 Ft* |
| MINIMUM REAR AND SIDE YARDS: | 35 Ft* |
| MAXIMUM BUILDING HEIGHT: | |

- LEGEND:**
- HIGHWAY MONUMENT FOUND
 - IRON ROD W/ CAP FOUND

N/F CHARLES W. KUEHL
TAX MAP 46 LOT 8-1
Y.C.R.D. BOOK 7725 PAGE 164
(SEE PLAN REFERENCE #5)

N/F JUSTIN KELCOURSE
KIMBERLY GOODMAN
TAX MAP 46 LOT 7A
Y.C.R.D. BOOK 17406 PAGE 79
(SEE PLAN REFERENCE #4)

N/F FAITH BAPTIST CHURCH
TAX MAP 46 LOT 7
Y.C.R.D. BOOK 14422 PAGE 310
(SEE PLAN REFERENCE #4)

N/F INHABITANTS OF THE TOWN OF KITTERY
TAX MAP 46 LOT 6A
Y.C.R.D. BOOK 12984 PAGE 307
(SEE PLAN REFERENCE #3)

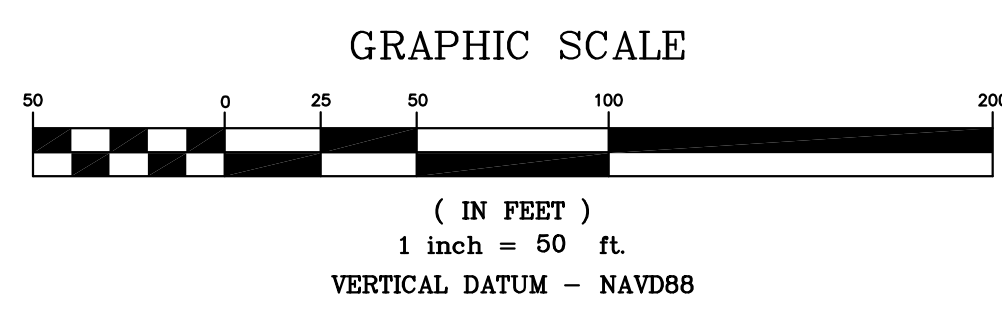
N/F CENTRAL MAINE POWER COMPANY
TAX MAP 46 LOT 6B
Y.C.R.D. BOOK 12400 PAGE 91
(SEE PLAN REFERENCE #2)

INTERSTATE 95 MAINE TURNPIKE

PURPOSE OF PLAN:

THE PURPOSE OF THIS PLAN IS TO SHOW EXISTING CONDITIONS FOR DESIGN PURPOSES. THIS PLAN IS NOT A STANDARD BOUNDARY SURVEY AND IS NOT INTENDED TO BE RECORDED, USED FOR CONVEYANCE, OR ANY OTHER TITLE PURPOSE.

PRELIMINARY



WETLAND NOTE:

WETLANDS SHOWN HEREON WERE DELINEATED ON NOVEMBER 5, 2020 BY JOSEPH W. NOEL, MAINE LICENSED SOIL SCIENTIST #209. THE FLAGS WERE SURVEY LOCATED BY NORTH EASTERLY SURVEYING, INC. THE DELINEATION WAS CONDUCTED IN ACCORDANCE WITH THE U.S. ARMY CORPS OF ENGINEERS DOCUMENT CORPS OF ENGINEERS WETLANDS DELINEATION MANUAL, (1987) ALONG WITH THE REQUIRED REGIONAL SUPPLEMENT TO THE CORPS OF ENGINEERS WETLAND DELINEATION MANUAL: NORTHCENTRAL AND NORTHEAST REGION, (VERSION 2, JANUARY 2012).

FOURTEEN BACKHOE-EXCAVATED TEST PITS WERE CONDUCTED ON NOVEMBER 4, 2020 BY JOSEPH W. NOEL, MAINE LICENSED SOIL SCIENTIST #209 AND MAINE LICENSED SITE EVALUATOR #221. TEST PITS WERE SUBSEQUENTLY SURVEY LOCATED BY NORTH EASTERLY SURVEYING, INC.

EXISTING CONDITIONS PLAN

FOR PROPERTY AT
21 Litchfield Road
Kittery, York County, Maine
OWNED BY
Brenda Haley
PREPARED FOR
Chinburg Builders
c/o Paul Kerrigan
3 Penstock Way, Newmarket, NH 03857

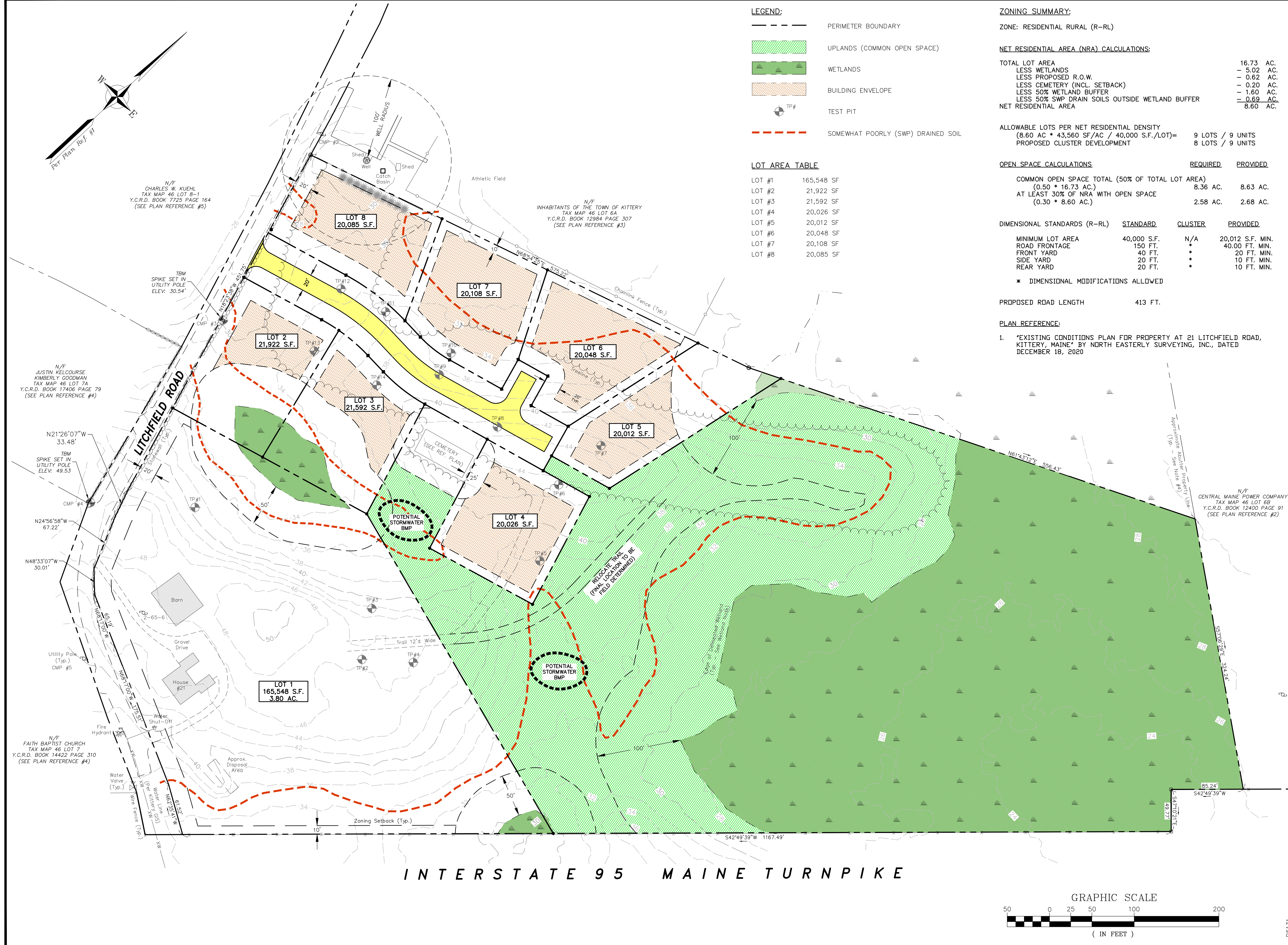
North
EASTERLY SURVEYING, Inc.

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

| | | | | | |
|-----------------|-------------------|------------------|---------------|------------------|--------------------|
| SCALE: 1" = 50' | PROJECT NO: 20806 | DATE: 12/18/2020 | SHEET: 1 OF 1 | DRAWN BY: A.H.P. | CHECKED BY: P.L.A. |
|-----------------|-------------------|------------------|---------------|------------------|--------------------|

DRAWING No: 20806 EXISTING CONDITIONS
FIELD BOOK No: "KITTERY #39" **Tax Map 46 Lot 6**

| REV. | DATE | STATUS | BY | CHKD | APPD. |
|------|------|--------|----|------|-------|
| | | | | | |



LEGEND:

- PERIMETER BOUNDARY
- UPLANDS (COMMON OPEN SPACE)
- WETLANDS
- BUILDING ENVELOPE
- TEST PIT
- SOMEWHAT POORLY (SWP) DRAINED SOIL

LOT AREA TABLE

| | |
|--------|------------|
| LOT #1 | 165,548 SF |
| LOT #2 | 21,922 SF |
| LOT #3 | 21,592 SF |
| LOT #4 | 20,026 SF |
| LOT #5 | 20,012 SF |
| LOT #6 | 20,048 SF |
| LOT #7 | 20,108 SF |
| LOT #8 | 20,085 SF |

ZONING SUMMARY:

ZONE: RESIDENTIAL RURAL (R-RL)

NET RESIDENTIAL AREA (NRA) CALCULATIONS:

| | |
|---|-----------------|
| TOTAL LOT AREA | 16.73 AC. |
| LESS WETLANDS | - 5.02 AC. |
| LESS PROPOSED R.O.W. | - 0.62 AC. |
| LESS CEMETERY (INCL. SETBACK) | - 0.20 AC. |
| LESS 50% WETLAND BUFFER | - 1.60 AC. |
| LESS 50% SWP DRAIN SOILS OUTSIDE WETLAND BUFFER | - 0.69 AC. |
| NET RESIDENTIAL AREA | 8.60 AC. |

ALLOWABLE LOTS PER NET RESIDENTIAL DENSITY
(8.60 AC * 43,560 SF/AC / 40,000 S.F./LOT) = 9 LOTS / 9 UNITS
PROPOSED CLUSTER DEVELOPMENT 8 LOTS / 9 UNITS

OPEN SPACE CALCULATIONS

| | REQUIRED | PROVIDED |
|---|----------|----------|
| COMMON OPEN SPACE TOTAL (50% OF TOTAL LOT AREA) (0.50 * 16.73 AC.) | 8.36 AC. | 8.63 AC. |
| AT LEAST 30% OF NRA WITH OPEN SPACE (0.30 * 8.60 AC.) | 2.58 AC. | 2.68 AC. |

DIMENSIONAL STANDARDS (R-RL)

| | STANDARD | CLUSTER | PROVIDED |
|------------------|-------------|---------|------------------|
| MINIMUM LOT AREA | 40,000 S.F. | N/A | 20,012 S.F. MIN. |
| ROAD FRONTAGE | 150 FT. | * | 40.00 FT. MIN. |
| FRONT YARD | 40 FT. | * | 20 FT. MIN. |
| SIDE YARD | 20 FT. | * | 10 FT. MIN. |
| REAR YARD | 20 FT. | * | 10 FT. MIN. |

* DIMENSIONAL MODIFICATIONS ALLOWED

PROPOSED ROAD LENGTH 413 FT.

PLAN REFERENCE:

1. 'EXISTING CONDITIONS PLAN FOR PROPERTY AT 21 LITCHFIELD ROAD, KITTERY, MAINE' BY NORTH EASTERLY SURVEYING, INC., DATED DECEMBER 18, 2020

133 Court Street
(603) 433-2335

Portsmouth, NH 03801
www.altus-eng.com

NOT FOR CONSTRUCTION

ISSUED FOR: SKETCH REVIEW

ISSUE DATE: DECEMBER 23, 2020

| REVISIONS | NO. | DESCRIPTION | BY | DATE |
|-----------|-----|--------------------|-----|----------|
| | 0 | INITIAL SUBMISSION | EDW | 12/23/20 |

DRAWN BY: RMB
APPROVED BY: EDW
DRAWING FILE: 5131SKETCH.DWG

SCALE:
(24"x36") 1" = 50'
(11"x17") N.T.S.

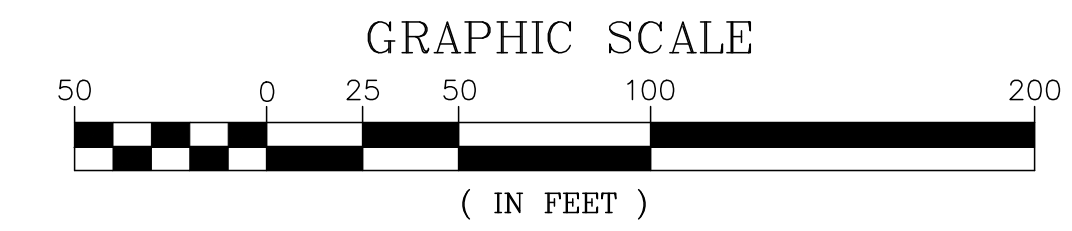
OWNER:
BRENDA HALEY
21 LITCHFIELD ROAD
KITTERY, MAINE 03904

APPLICANT:
CHINBURG PROPERTIES
3 PENSTOCK WAY
NEWMARKET, NH 03857

PROJECT:
CLUSTER SUBDIVISION
TAX MAP 46, LOT 6
21 LITCHFIELD ROAD
KITTERY, MAINE

TITLE:
SKETCH REVIEW -
7-LOT SUBDIVISION
PLAN

SHEET NUMBER:
CC - 1



INTERSTATE 95 MAINE TURNPIKE