

**Town of Kittery  
 Planning Board Meeting  
 August 12, 2021**

**ITEM 2—524 U.S. Route 1—Preliminary Site Plan & Right-of-Way Plan Review**

Action: Accept plan as complete; continue application to a subsequent meeting; set public hearing and/or site walk; Pursuant to §16.3.2.13 *Mixed-Use*, §16.8 *Design and Performance Standards for Built Environment* and Article V *Preliminary Plan Application Review* of §16.10 *Development Plan Application* of the Town of Kittery Land Use and Development Code, the Planning Board shall consider an preliminary site plan application from applicant/owner C-Coast Properties and agent Altus Engineering, Inc. requesting preliminary approval to construct 20,000-sf manufacturing building with appurtenant infrastructure and landscaping on real property with an address of 524 U.S. Route 1 (Tax Map 67, Lot 1) located in the Mixed-Use (MU) and Residential-Rural (R-RL) Zones and Shoreland (OZ-SL-250) and Resource Protection (OZ-RP) Overlay Zones.

**PROJECT TRACKING**

| REQ'D | ACTION  | COMMENTS                      | STATUS   |
|-------|---|-------------------------------|----------|
| YES   | Sketch Plan                                     | May 27, 2021                  | APPROVED |
| YES   | Site Visit                                      | TBD                           | TBD      |
| YES   | Preliminary Plan Review Completeness/Acceptance | Scheduled for August 12, 2021 | PENDING  |
| YES   | Public Hearing                                  | TBD                           | TBD      |
| YES   | Preliminary Plan Approval                       | TBD                           | TBD      |
| YES   | Final Plan Review and Decision                  | TBD                           | TBD      |

**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 16.4.4.13 - Grading/Construction Final Plan Required. - Grading or construction of roads, grading of land or lots, or construction of buildings is prohibited until the original copy of the approved final plan endorsed has been duly recorded in the York County registry of deeds when applicable.**

**Project Introduction/Submission Requirements**

This is a preliminary review for a proposed commercial manufacture (specialty food facility) development located at 524 US Route 1 in the Mixed-Use Zone. The applicant is proposing to construct a 20,000-sf. specialty food facility that will process and package dehydrated foods. To access and support the facility, the applicant intends to construct a new right-of-way off U.S. Route 1 to access the new facility and parking area, which will comprise 38 spaces, two of which are designated exclusively for ADA use, and a loading dock area. Currently, the lot appears to be located in both the Town of Kittery and Town of York, however, the proposed plan intends to divide the lot in two with the proposed development totally within the Town of Kittery and the other lot to remain as currently constituted. The existing lot as currently configured possesses a few accessory structures to the dwelling unit, a cemetery in near proximity thereof, ancient walls; a logging road; and natural features such as wetlands, vernal pools, and forested lands. The division of the lot will place most of those features within the lot not proposed for development apart from the wetlands. The lot proposed for development does have shoreland and resource protection overlay zones, but those zones reside towards the rear of the lot, nowhere near the proposed development. A few wetlands have been identified on the properties as well, but they appear not to be impacted by any of the proposed development activity. This is especially true concerning the vernal pool, for the site plans appear to depict no development activity occurring within the protective buffer space (250-ft) from the edge of the vernal pool. Supplementing the site plan application is a right-of-way plan that intends to create frontage for the proposed lot and development. The applicant has requested a few waivers concerning the construction and features therein. Further, the application incorporates a traffic impact analysis and stormwater report.

The purpose of this phase of the preliminary review is to determine if the application materials meet the criteria under §16.10.5.3 *Planning Board acceptance review*. Additionally, if the plan is accepted as

complete, the Board is required to schedule a site walk and public hearing. As regards the plan materials and content, it appears that the applicant has complied with most of the ordinance requirements under §16.10.5.3 and can move forward with a vote for acceptance. Staff recommends that the Board vote to accept and schedule a site walk and public hearing. Before moving forward with acceptance, the Board should inquire whether or not, pursuant to §16.10.5.2.F(1)(o), the applicant filed the traffic impact study within the appropriate administrative officer of the Town of York. If not, the applicant should demonstrate this prior to the preliminary review approval.

In the interim, staff will provide a more detailed analysis of the plan, solicit incorporate comments from the appropriate town departments in the plan analysis, and have CMA Engineers Inc. review the engineering and stormwater attributes of the plan. Given the statutory timelines, staff recommends setting the public hearing for the September 9, 2021 Planning Board meeting. Below are some recommended motions the Board may consider using.

### **Recommended Motions**

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

#### *Motion to continue application*

Move to continue a preliminary site plan and right-of-way application from applicant/owner C-Coast Properties and agent Altus Engineering, Inc. requesting preliminary approval to construct 20,000-sf manufacturing building with appurtenant infrastructure and landscaping on real property with an address of 524 U.S. Route 1 (Tax Map 67, Lot 1) located in the Mixed-Use (MU) and Residential-Rural (R-RL) Zones and Shoreland (OZ-SL-250) and Resource Protection (OZ-RP) Overlay Zones.

#### *Motion to accept plan as complete*

Move to accept a preliminary site plan and right-of-way application from applicant/owner C-Coast Properties and agent Altus Engineering, Inc. requesting preliminary approval to construct 20,000-sf manufacturing building with appurtenant infrastructure and landscaping on real property with an address of 524 U.S. Route 1 (Tax Map 67, Lot 1) located in the Mixed-Use (MU) and Residential-Rural (R-RL) Zones and Shoreland (OZ-SL-250) and Resource Protection (OZ-RP) Overlay Zones.

#### *Motion to set site walk*

Move to set a site walk on \_\_\_\_\_ to take place on real property with an address of 524 U.S. Route 1 (Tax Map 67, Lot 1) located in the Mixed-Use (MU) and Residential-Rural (R-RL) Zones and Shoreland (OZ-SL-250) and Resource Protection (OZ-RP) Overlay Zones.

#### *Motion to set public meeting*

Move to set a public hearing on \_\_\_\_\_ for a preliminary site plan and right-of-way application from applicant/owner C-Coast Properties and agent Altus Engineering, Inc. requesting preliminary approval to construct 20,000-sf manufacturing building with appurtenant infrastructure and landscaping on real property with an address of 524 U.S. Route 1 (Tax Map 67, Lot 1) located in the Mixed-Use (MU) and Residential-Rural (R-RL) Zones and Shoreland (OZ-SL-250) and Resource Protection (OZ-RP) Overlay Zones.