

**Town of Kittery
Planning Board Meeting
June 25, 2020**

ITEM 2 – 76 Dennett Road – Mixed-Use Residential Development—Final Plan Review

Action: Approve with or without conditions, continue consideration of, or deny plan. Owners William J. Cullen and Sail Away, LLC and applicant William Wharff request consideration of a mixed-use residential development on 23.3+- acres of land at 76 Dennett Road (Tax Map 6 Lots 15B & 16A and Tax Map 13, Lot 4) in the Mixed Use - Neighborhood (MU-N) Zone. Agent is Shawn Tobey, P.E. Hoyle, Tanner Associates, Inc.

PROJECT TRACKING

REQ'D	ACTION	COMMENTS	STATUS
YES	Sketch Plan Acceptance/Approval	5/9/2019 meeting	APPROVED
YES	Site Visit	7/23/2019	HELD
YES	Preliminary Plan Review Completeness/Acceptance	7/11/2019 meeting	ACCEPTED
YES	Public Hearing	8/8/2019 meeting	HELD
YES	Preliminary Plan Approval	9/29/19 meeting	APPROVED
YES	Final Plan Review and Decision	Scheduled for the 6/25/2020	PENDING

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.

Background

The proposed site plan is a 23.34±-acre parcel of land located at 76 Dennett Road in Kittery, Maine. The site itself is comprised of three lots, Lot 15B (13.29±-acre) and 16A (4.99±-acre) from Tax Map 6 and Lot 4 (5.06±acre) from Tax Map 13. The three lots will be merged as part of the project. The parcel is located in the Mixed Use-Neighborhood (MU-N) zone of Kittery, Maine. The site is bounded to the west by Dennett Road, the Maine Turnpike (Interstate Route 95) to the south, and private property to the north and east. The project includes the development of the site to construct three (3) residential buildings, five (5) covered parking buildings and one (1) amenity building for the residents. The three residential buildings have footprints of 15,400 square feet, 31,500 square feet, and 19,600 square feet of total space. The amenity building has a footprint of 5,350 square feet and each covered parking structure has a footprint of 1,650 square feet. As proposed, the project includes the construction of nine (9) new buildings, a new roadway, parking lots, landscaping, lighting, sidewalks, supporting utilities, and drainage infrastructure to support the development.

Staff Review

This application has gone through multiple revisions and has been in front Planning Board (“Board”) multiple times since its preliminary approval on September 26, 2019. Those conditions had to be satisfied prior to final plan review by the Board. A list of those conditions and issues are enumerated in a letter provided by Shawn M. Tobey, P.E., dated June 1, 2020 and appear satisfactorily met and resolved. Furthermore, the final plan application appears to meet the criteria, pursuant to §16.10.7.1, §16.10.7.2 and ready for the Board’s consideration, pursuant to §16.10.8.2.

Other Reviews

1. Jeffrey Hyland, of Ironwood Design, submitted landscape recommendations that were adopted by the applicant and approved by the Board at their February 27, 2020 meeting.
2. The Maine DOT has approved the Traffic Management Permit Application. Please see their approval letter, dated March 23, 2020 for more details.
3. Army Corps of Engineers reviewed and approved the plan. Please see their approval letter dated, January 1, 2020 for more details.
4. Maine DEP has reviewed the plan and has indication a favorable decision; however, their final approval has yet to be issued. The applicant is requesting a waiver from §16.10.8.3(A) to permit the Board to act on the final approval application with a condition that the applicant shall submit to the Planning and Development Department for review the Maine DEP Site Location of Development Act (SLODA) permit prior to the issuance of a building permit.
5. CMA Engineer has reviewed the plans and deem the final plan set complete and well designed. See their letter dated June 1, 2020.

Recommendation / Action

Based on the application's merits and the written record before the Board, it is recommended by staff that this project be approved with conditions as enumerated herein.

Procedurally, the Board has a few options to pursue—vote to approve, to continue the application to a future date, or deny. Below for the Board's consideration and use are recommended motions to use to reflect clearly the Board's decision.

Waivers Recommended Language

1. **Motion to grant wavier**

I, move to waive 16.10.8.3.A of the Land Use Development Code requirement for the applicant to provide to the Planning Board prior to final approval the Maine DEP Site Location of Development Act (SLODA) permit.

2. **Motion to deny waiver**

I, move to waive 16.10.8.3.A of the Land Use Development Code requirement for the applicant to provide to the Planning Board prior to final approval the Maine DEP Site Location of Development Act (SLODA) permit.

Final Approval Recommended Language

1. **Motion to continue final plan application**

I, move to continue the final plan review application, dated June 17, 2020 and prepared by Hoyle, Tanner & Associates, Inc., for owners William J. Cullen and Sail Away, LLC and applicant William Wharff for a mixed-use residential development on 23.3+- acres of land at 76 Dennett Road (Tax Map 6 Lots 15B & 16A and Tax Map 13, Lot 4) in the Mixed Use - Neighborhood (MU-N) Zone to the July 9, 2020 Planning Board meeting.

1. Motion to approve final plan application

I, move to approve the final site plan, dated June 17, 2020 and prepared by Hoyle, Tanner & Associates, Inc., for owners William J. Cullen and Sail Away, LLC and applicant William Wharff for a mixed-use residential development on 23.3+- acres of land at 76 Dennett Road (Tax Map 6 Lots 15B & 16A and Tax Map 13, Lot 4) in the Mixed Use - Neighborhood (MU-N) Zone with the following conditions:

- 1. Prior to the issuance of a building permit, the applicant shall submit to the Planning and Development Department for review the Maine DEP Site Location of Development Act (SLODA) approval.*
- 2. Prior to the issuance of a building permit, all fees and performance guarantees shall be submitted to the Town in a form deemed satisfactory by the Town.*
- 3. Prior to the issuance of a building permit, the applicant shall submit a revised construction-sequencing plan and schedule to the Town for review and approval.*
- 4. Prior to the issuance of a building permit, a pre-construction meeting shall take place to review with the applicant the revised construction-sequencing plan and schedule.*
- 5. Prior to the commencement of grading and/or construction within a building(s) envelope, as shown on the Plan, the owner, or their designee, must stake all corners of the envelope. These markers must remain in place until the Code Enforcement Officer, or their designee, determines construction is complete and there is no danger of damage to areas that are, per Planning Board approval, to remain undisturbed.*
- 6. Applicant and its designee shall follow Maine DEP Best Management Practices for all work associated with site and building construction to ensure adequate erosion control and slope stabilization.*
- 7. No changes, erasures, modifications, or revisions may be made to the approved plan, including no further land division or additional dwelling units may be established without Planning Board-approval.*
- 8. The Code Enforcement Officer shall not issue an occupancy permit until all the conditions of this approval have been satisfied.*
- 9. The condition of this approval shall be reflected on the final plan and three (3) copies thereof, in a size deemed acceptable by the Planning and Development Department, shall be submit for compliance.*

1. Motion to deny final plan application

I, move to deny the final site plan, dated June 17, 2020 and prepared by Hoyle, Tanner & Associates, Inc., for owners William J. Cullen and Sail Away, LLC and applicant William Wharff for a mixed-use residential development on 23.3+- acres of land at 76 Dennett Road (Tax Map 6 Lots 15B & 16A and Tax Map 13, Lot 4) in the Mixed Use - Neighborhood (MU-N) Zone with the following conditions:



June 1, 2020

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

**RE: Town of Kittery, Planning Board Services
Mixed-Use Development Proposal – 76 Dennett Road Lots 6-15B, 6-16A, 13-4
Final Review Comments – May 27, 2020 Submittal
CMA #591.125**

Dear Bart:

CMA Engineers has received and reviewed the following information for Assignment #125, review of the Mixed-Use Development at 76 Dennett Road (Tax map Lots 6-15B, 6-16A, and 13-4):

- 1) Letter from Shawn Tobey, P.E. of HTA dated June 1, 2020 summarizing compliance of final submitted documents for the project.
- 2) Letter from Shawn Tobey, P.E. of HTA dated May 22, 2020 transmitting final submitted documents.
- 3) Final Site Plans dated May 2020, including site rendering.
- 4) MaineDOT Traffic Movement Permit for project.
- 5) Municipal Impact Analysis for project dated May 21, 2020 and prepared by HTA.
- 6) ACOE Permit (NAE-2019-02583) dated January 8, 2020 for 1,500sf of filling at site.
- 7) Correspondence between MaineDEP and HTA relative to Site Location of Development (SLOD) permitting process.
- 8) Waiver application (if needed) for 16.10.7.2 Final submittal regarding ME DEP final issuance of SLOD permit, if permit not issued before requested planning board action.

Since June 2019, CMA Engineers has completed several comprehensive reviews of the project as the design has been advanced. Our review comments have been included in the following letters to the Town:

- July 2, 2019 (First review)
- August 8, 2019 (Second review)
- August 22, 2019 (Supplement to second review)
- January 9, 2020 (Traffic Movement Permit review)
- February 5, 2020 (Third review, including detailed landscape architecture review)
- In addition, comments were transmitted via emails, including:
 - September 9, 2019 regarding road design and traffic movement permit
 - Two emails dated February 27, 2020 regarding intersection design at Dennett Road.

Based on the development of the project and the final submitted materials noted above HTA, on behalf of the applicant, has responsively addressed the sequence of comments that we have provided since July 2019, as well as Town issues (such as the provision of sidewalks). The modifications and additions to the design and associated documentation have been responsive and we believe have resulted in a superior proposal for this major development, meeting the Kittery LUDC.

Notes at this point:

- We have reviewed the Municipal Impact Analysis (dated May 21, 2020) generally, and it addresses the major issues in the ordinance. However, additional consideration may be desired by planning and development staff,
- It appears from the documentation provided that the MaineDEP SLOD is nearing issuance. There do not appear to be issues of significance that have not been addressed or resolve/resolvable.
- Based on HTA's traffic study, the size of the development and general traffic safety standards, we agreed with HTA's traffic engineer's recommendation that the intersection design at Dennett Road be as presented in the January submittal - which included a north bound right-turn lane on Dennett Road into the project. The February design eliminated the right-turn lane, in part because MaineDOT did not require it, and the reduced scope of construction. At the February 27, 2020 Kittery Planning Board meeting, the issue was considered, and the board approved the modified design (without the right-turn lane).

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

Very truly yours,
CMA ENGINEERS, INC.



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

WAS/kao

cc: Shawn Tobey, P.E., HTA

May 22, 2020

Adam Causey
Director of Planning and Development
Town of Kittery
200 Rogers Road
Kittery, Maine 03904

Hoyle, Tanner
& Associates, Inc.

Pease International Tradeport
100 International Drive, Suite 360
Portsmouth, New Hampshire 03801
603-431-2520
603-431-8067 fax
www.hoyletanner.com

Re: Final Plan Submittal
Proposed Mixed-Use Development at 76 Dennett Road
Lots 6-15B, 6-16A, 13-4, Kittery, Maine

Dear Mr. Causey,

On behalf of Aztec, LLC, Hoyle, Tanner and Associates is pleased to submit final Site Plans, project documents and a Municipal Impact Analysis for the above referenced project. The final Site Plans have been revised to address all comments from past Planning Board meetings, independent peer reviews, Maine DOT, Maine Turnpike Authority, Army Corps of Engineers (ACOE) and Maine DEP. The project has received a final permit from the ACOE for the significant vernal pool buffer work and culvert crossing. The project has also received the Maine DOT Traffic Movement Permit (TMP) for roadway improvements within the Dennett Road right of way. The applicant has addressed all review comments and provided all requested documents for the Maine DEP SLODA. At this time, the permit is being processed and there are no additional anticipated changes to the plans or design documents. Should the final permit not be issued before the Planning Board meeting, the applicant is requesting a waiver to receive final approval with the condition that a copy of the permit be provided before the start of any construction. A copy of correspondence with Maine DEP is included.

We trust the final drawings and response letter have thoroughly address any design comments and look forward to presenting the updated final design at the June 11th Planning Board meeting. Please do not hesitate to contact our office with any questions or comments regarding this project.

Sincerely,

HOYLE, TANNER & ASSOCIATES, INC.



Shawn M. Tobey, P.E.
Project Manager



TOWN OF KITTERY ~ MAINE

PLANNING OFFICE

200 Rogers Road, Kittery, Maine 03904
 PHONE: (207) 475-1323
 Fax: (207) 439-6806
www.kittery.org

APPLICATION: REQUEST FOR WAIVER

THIS REVIEW PROCESS REQUIRES APPROVAL FROM BOTH THE TOWN PLANNER AND THE CODE ENFORCEMENT OFFICER

PROPERTY DESCRIPTION	Parcel ID	Map	6 6 13	Lot	15B 16A 4	Zone Base Overlay	MU-N _____ _____	Total Land Area	23.34 Acres
	Physical Address	76 Dennett Road, Kittery, ME 03904							

PROPERTY OWNER'S INFORMATION	Name	William J Cullen			Mailing Address	12 Roseberry Lane Kittery, ME 03904
	Phone	(207) 252-1437				
	Fax					
	Email	wmjcullen@gmail.com				

APPLICANT'S AGENT INFORMATION	Name	Shawn Tobey, P.E.			Mailing Address	Pease International Tradeport 100 International Drive, Suite 360 Portsmouth, NH 03801
	Phone	(603) 431-2520, ext 29				
	Fax					
	Email	stobey@hoyletanner.com				

DESCRIPTION	Ordinance Section	Describe why this request is being made.
	EXAMPLE 16.32.560 (B)- OFFSTREET PARKING.	***EXAMPLE*** Requesting a waiver of this ordinance since the proposed professional offices have a written agreement with the abutting Church owned property to share parking.
	16.10.7.2 Final Submittal	The applicant has addressed all review comments and provided all requested documents for the Maine DEP SLODA. At this time, the permit is being processed and there are no additional anticipated changes to the plans or design documents. Should the final permit not be issued before the Planning Board meeting, the applicant is requesting final approval, with the condition that a copy of the permit be provided before the start of any construction.

I certify that, to the best of my knowledge, the information provided in this application is true and correct and will not deviate from the plans submitted without notifying the Kittery Planning Department of any changes.

Applicant's Signature:		Owner's Signature:	
Date:	5/21/2020	Date:	5/21/2020

June 1, 2020

Adam Causey
Director of Planning and Development
Town of Kittery
200 Rogers Road
Kittery, Maine 03904



Pease International Tradeport
100 International Drive, Suite 360
Portsmouth, New Hampshire 03801
603-431-2520
603-431-8067 fax
www.hoyletanner.com

Re: Final Plan Submittal
Proposed Mixed-Use Development at 76 Dennett Road
Lots 6-15B, 6-16A, 13-4, Kittery, Maine

Dear Mr. Causey,

Hoyle, Tanner and Associates is pleased to address the following conditions set by the Kittery Planning Board for the preliminary approval of the Site Plans on September 26, 2019. We offer the following responses to the conditions (shown in italics) for your consideration.

1. *Receipt of a Maine Department of Transportation (DOT) Traffic Movement Permit*

The project has received the Maine DOT Traffic Movement Permit (TMP) for roadway improvements within the Dennett Road right-of-way. A copy of the TMP is included in this submission packet.

2. *Completion of a third-party review by a registered landscape architect engaged by the Town of the proposed landscaping plans.*

The final Site Plans include the previous revision to address all comments from the third-party registered landscape architect, Ironwood Design Group. These revisions were presented and approved by the Planning Board at the February 27, 2020 meeting.

3. *Provide details of the proposed sidewalk or alternatives for the full length of property for final plan review.*

The Dennett Road corridor was revised to include roadway improvements as well as sidewalk installation along the full frontage of the property. The plan was presented to and approved by the Planning Board at the February 27, 2020 meeting.

4. *A note shall be added to the plans that states, "In accordance with the provisions of Section 16.3.2.10.F Sub-paragraph 4, D, 1, the proposed Nature Loop Trail shall be open to the Public."*

A note reading, "The Nature Loop Trail shall be open to the public." was added to drawing C2 in the plan set.

5. *Prior to the issuance of a building permit, the Code Enforcement Officer shall verify that each unit meets minimum habitable floor space requirements.*

Each dwelling unit meets the minimum habitable floor space requirements as outlined in the Town of Kittery Land Use and Development Code (LUDC). As part of the building permit, final architectural plans will be submitted and reviewed by the Code Enforcement Officer.

6. *Address to the satisfaction of CMA Engineers any outstanding plan review comments.*

The final Site Plans were revised to address all comments from CMA Engineers. The revised plans were presented and approved at the February 27, 2020 Planning Board meeting.

7. *Provide written rationale for further road modifications in the final plan submittal materials.*

The Dennett Road corridor was updated and improved since the September 26th meeting as detailed in drawings C13 and C14. A center left turn lane was added for the southbound on-ramp and sidewalks were added along the full length of the frontage. Vertical granite curbing and a closed drainage system will also be installed on the sidewalk side. The right turn lane into the proposed site was removed as it was not warranted per Maine DOT design standards. The road will either be reconstructed with full depth pavement or a 1.25" mill and overlay from the northern property line to Spinney Way. This roadway configuration was presented to and approved by the Planning Board at the February 27, 2020 meeting.

8. *Add appropriate wording to the open space and maintenance documents to ensure perpetual maintenance of the significant vernal pool habitat.*

Note number 14 was added to drawings C19 and C20 stating that "During the required annual site inspections, the vernal pool buffer shall be inspected for any areas of disturbances and or deficiencies. Corrective actions shall be taken to restore the areas to the approved post-construction conditions."

We trust that our responses to the conditions have been addressed and we look forward to presenting the updated final design at the June 11th Planning Board meeting. Please do not hesitate to contact our office with any questions or comments regarding this project.

Sincerely,

HOYLE, TANNER & ASSOCIATES, INC.



Shawn M. Tobey, P.E.
Project Manager

DOT



STATE OF MAINE
DEPARTMENT OF TRANSPORTATION
16 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0016

Janet T. Mills
GOVERNOR

Bruce A. Van Note
COMMISSIONER

Applicant: Aztec, LLC
62 Portland Road, Suite 25
Kennebunk, ME 04043
Project Location: 76 Dennett Road, Kittery, ME
Kittery Tax Map #6, 13, Lot # 6-15B, 6-16A, 13-4
Project: Mixed-Use Residential Apartments and Retail Space
Identification #: Reg. 01-000261-A-N
Permit Category: 100 - 200 PCE's
Traffic Engineer: Hoyle, Tanner & Associates, Inc.
Attn: Shawn Tobey
100 International Drive, Suite 360
Portsmouth, NH 03801
(603) 431-2520

Pursuant to the provision of 23 M.R.S.A. § 704-A and Chapter 305 of the MaineDOT's Regulations, the Maine Department of Transportation has considered the application of Aztec, LLC with supportive data, agency review and other related materials on file.

PROJECT DESCRIPTION

The proposed project is a mixed-use development of four 4-story buildings. The primary use is residential apartments, totaling 303 dwelling units. The 1st floor of one of the buildings will include 3,000 square feet of commercial space, split into two areas of 1,500 square feet each consisting of a Variety Store and Fast Casual Restaurant. Access will be provided to Dennett Road via a full movement entrance north of the I-95 southbound on-ramp.

*use
identification*

The project is estimated to generate 149 trip ends during a typical weekday PM peak hour and 99 trip ends during a typical AM peak hour.

Findings

Based on a review of the files and related information, MaineDOT approves the Traffic Movement Permit Application of Aztec, LLC subject to the following conditions:

MITIGATION

The mitigation is intended to describe that conceptually shown on the following plans provided by Hoyle, Tanner and Associates, Inc:

1. "Overall Site Plan" Sheet C5, Rev 12 dated 02/20/20
2. "Front Site Plan" Sheet C8, Rev 12 dated 02/20/20
3. "Dennett Road Improvement Plan" Sheet C13, Rev 13 dated 03/09/20
4. "Dennett Road Grading & Drainage Plan" Sheet C14, Rev 13 dated 03/09/20

If the descriptions contained herein conflict with the plans, these descriptions shall take precedence over the plans. Not all the mitigation discussed herein may be shown on those or any plan. The following mitigation shall be constructed or implemented to MaineDOT's satisfaction prior to opening the facility, unless otherwise approved by MaineDOT.

On-Site Mitigation

Access to Dennett Road will be provided via a full movement entrance north of the I-95 southbound on-ramp, consisting of one ingress and one stop-controlled egress lane, separated by a 10-foot-wide raised island with sloped granite curbing.

General Requirements for All Entrances

A. The entrances shall provide overhead illumination, if not existing, to illuminate the intersections per MaineDOT standards at a minimum. Overhead lighting shall have an average of 0.6 to 1.0 foot candles, with the maximum to minimum lighting ratio of not more than 10:1 and an average to minimum light level of not more than 4:1.

Pedestrian Accommodations

Construct sidewalks along the Dennett Road frontage in accordance with Town of Kittery requirements.

Off-Site Mitigation

Construct a dedicated left turn lane on Dennett Road for southbound traffic turning into the I-95 southbound on ramp. The turn lane shall be a minimum 11 feet wide, with appropriate storage length and tapers.

Note: Work on the Maine Turnpike Authority (MTA) property requires a MTA work permit and MTA review and approval.

Submit plans and calculations for review following the Overall Requirements listed below. Improvements to be implemented prior to initial occupancy.

Overall Requirements

A. Provide all necessary auxiliary signs, striping and pavement markings to implement the improvements described herein according to MaineDOT and/or National standards.

B. All plantings and signs (existing and/or proposed; permanent and/or temporary) shall be placed and maintained such that they do not block available sight distances and do not violate the State's "Installations and Obstructions" law. No signage, plantings or structures shall be allowed within the "clear zone" if they constitute a deadly fixed object as determined by MaineDOT. All signs shall meet MRSA Title 23, Chapter 21, Section 1914: "On-Premise Signs".

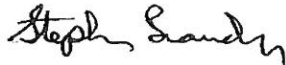
C. If any of the supporting data or representations for which this permit is based changes in any way or is found to be incorrect / inaccurate, the applicant shall request in writing from MaineDOT a decision of what impacts those changes will have on the permit. The applicant will then be required to submit those

changes for review and approval and additional mitigation as a result of those changes may be required at the expense of the applicant.

D. Because the proposed project affects the State Highway and drainage systems and requires improvement to that system, the applicant must obtain approval of the design plans and coordinate work through MaineDOT's Region Engineer in Scarborough, who can be reached by phone at (207) 885-7000.

E. This permit will lapse 5 years from the date signed for those buildings that a town building permit has not been issued.

By:



Stephen Landry, P.E.
State Traffic Engineer

Date:3/23/20

MUNICIPAL IMPACT ANALYSIS

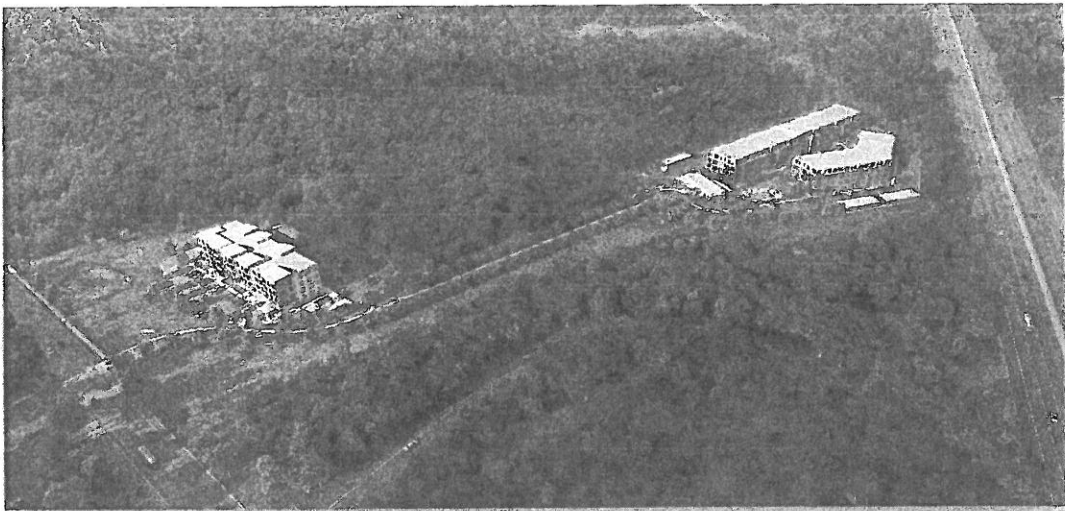
FOR THE

PROPOSED MIXED-USE RESIDENTIAL DEVELOPMENT PROJECT

76 Dennett Road
Kittery, ME 03904

May 21, 2020

Aztec, LLC
One City Center, P.O. Box 9546
Portland, Maine 04112



Prepared by:

Hoyle, Tanner
& Associates, Inc.

Pease International Tradeport
100 International Drive, Suite 360
Portsmouth, NH 03801

Introduction

The site is a 23.34±-acre parcel of land located at 76 Dennett Road in Kittery, Maine. The site itself is comprised of three lots, Lot 15B (13.29±-acre) and 16A (4.99±-acre) from Tax Map 6 and Lot 4 (5.06±-acre) from Tax Map 13. The three lots will be merged as part of the project. The parcel is located in the Mixed Use-Neighborhood (MU-N) zone of Kittery, Maine. The site is bounded to the west by Dennett Road, the Maine Turnpike (Interstate Route 95) to the south, and private property to the north and east.

The project includes the development of the site to construct three (3) residential buildings, five (5) covered parking buildings and one (1) amenity building for the residents. The three residential buildings have footprints of 15,400 square feet, 31,500 square feet, and 19,600 square feet of total space. The amenity building has a footprint of 5,350 square feet and each covered parking structure has a footprint of 1,650 square feet. As proposed, the project includes the construction of nine (9) new buildings, a new roadway, parking lots, landscaping, lighting, sidewalks, supporting utilities, and drainage infrastructure to support the development.

Service Impacts

This project is a major development in the Town of Kittery and as such will have an impact on certain town services. The following town services will be affected by the development of 76 Dennett Road.

School Impacts

Due to the type of the proposed development, it is expected that there will be minimal impact to the Kittery School District. The proposed development at 76 Dennett Road is primarily designed for single or double occupancy, but there is a chance that small families could occupy some of the apartment spaces. There could be a minor increase in the number of students attending the Kittery School District. Recent enrollment in the district has decreased in past years and any increase in students could be accommodated by the current facilities.

Currently there are school bus routes that already pass by 76 Dennett Road so any student increase would not require a drastic change to the routes or the bus schedule. Implementing one stop for all students to get on the school bus at 76 Dennett Road would help to alleviate a major setback in time to pick up other students.

Road Maintenance and Snow Removal

There will not be a significant impact on road maintenance and snow removal due to the development of 76 Dennett Road. The development does not create a new public roadway that the Town of Kittery Highway Department must maintain and remove snow from during the winter. The development creates a private roadway that will be maintained by the responsible party occupying 76 Dennett Road. Qualified professionals will be hired by the responsible party to maintain the private roadway constructed per the development of 76 Dennett Road.

Police and Fire Protection

Due to the size of the proposed development at 76 Dennett Road, Police and Fire Services will be impacted.

To mitigate the effect on the Kittery Fire Department by the proposed development, each building will have a fire suppression and detection system per the Fire Department's recommendations and requirements. There have been multiple meetings with the Kittery Fire Department and as a result, the fire suppression and detection system have been specified by the Fire Department's requirements and recommendations. Fire suppression systems will include; NFPA 13 automatic fire sprinkler systems, floor standpipes at each level including the roof, and a monitored fire alarm system and Knox Box systems at each building. Fire protection services specified by the Kittery Fire Chief have been included in the Final Design Plan Set.

To mitigate the effect on the Kittery Police Department, the proposed development will utilize the use of security cameras, ample site lighting, and have property managers on site during normal business hours. The entrances to each residential building will be locked and only accessible to tenants with a key/fob. The proposed development is meant to attract prospective tenants that want to live in modern residential apartments. The site will be well maintained to deter theft and burglaries and otherwise criminal activity.

The proposed development includes a new center left turn lane in Dennett Road for the Southbound On-Ramp. New sidewalks and curbing will be constructed across the full length of the property. The new improvements to the roadway will offset increased traffic volumes in the area and help to reduce the police and fire service calls related to traffic.

Solid Waste Disposal

Due to the nature of the proposed development at 76 Dennett Road, it is expected that there will not be a significant impact on the Town of Kittery Resource Recovery Facility. The proposed development of 76 Dennett Road will produce solid waste on a recurring basis after construction is completed that will be handled and disposed of by a private waste contractor. Waste will be collected by four 8 Cu. Yd. dumpsters located around the development. The dumpsters will be hauled away, and solid waste disposed of at the discretion of a private waste disposal contractor. The contractor will work directly with locally licensed recycling and disposal facilities to determine where the solid waste will be disposed of. The solid waste produced by the development will likely be disposed of at the Turnkey Landfill. The development is not expected to add additional waste to the Town of Kittery Resource Recovery Facility.

Runoff Water Disposal Drainage-ways

The proposed development at 76 Dennett Road will reduce stormwater runoff rates and provide more than the required treatment for all impervious surfaces. The development has three wet ponds located around the site that are designed to manage the increased stormwater volume generated by the construction of new impervious surfaces.

The proposed wet ponds were designed to retain, treat, and release stormwater flows generated by the development at a controlled rate lower than the existing conditions flow rates. Nearly all stormwater runoff created from impervious surfaces will be routed through catch basins or similar drainage structures to the proposed wet ponds. The catch basins and wet ponds separate sediments and other pollutants from the stormwater flow and trap them in their respective systems so that the pollutants and sediments cannot be transferred to the surrounding natural environments. All onsite drainage and stormwater ponds will be maintained by the responsible party occupying 76 Dennett Road.

Water Supply Services

As a result of the development of 76 Dennett Road, there will be an increased demand for water services. The Kittery Water District will be directly impacted by this increased need; however, the Kittery Water District has verified it has the capacity to supply municipal water service for both domestic and fire protection to the proposed development. This verification also means that while providing new service to the proposed development, the Water District will not lower the level of service to current Town Residents.

Based on the expected wastewater treatment flows estimated by the Superintendent of Sewer Services, the water supply for the proposed development is expected to have a similar increase in flow of approximately 37,800 GPD. New water service mains will be constructed to the proposed development as part of the development of 76 Dennett Road and booster pumps will be installed in each residential building. An easement will be provided for the new watermain through the site with the intention of continuing the line to Route 236 for a future loop connection. The Town of Kittery will not be responsible for the construction of the new water service mains to the site. After construction however, the water mains will be the town's responsibility to maintain over the course of their design life. Water supply fees will be charged to the development based on usage rates.

Wastewater Services

The wastewater services provided by the Town of Kittery are expected to be impacted minimally by the proposed development of 76 Dennett Road. Correspondence with the Town of Kittery Sewer Department resulted in the verification that the Sewer Department has ample capacity to receive sewer flows from the proposed development at 76 Dennett Road. The Kittery Wastewater Treatment Plant has a monthly average flow limitation of 2.5 MGD. The Treatment plant operates at a monthly average rate of approximately 1.0 MGD. Calculations performed by the Superintendent of Sewer Services estimated a flow of 37,800 GPD produced by the proposed development. The estimated flow will keep the Treatment Plant within the Permit limit. Therefore, although the Treatment Plant will receive an increased flow, the plant will be able to operate at an acceptable limit. Wastewater fees will be charged to the development based on usage rates.

Municipal Costs and Revenues

There will be a minimal cost increase to the Town of Kittery to maintain the above services to the proposed development. However, those costs will be offset by the revenue to the Town that the development will produce. The anticipated assessed value of the completed development is \$59 million, which equated to an estimated \$990,000 in tax revenue for the Town of Kittery on a yearly basis. The town will also receive additional revenue from car registration excise tax for any new residents.

The proposed development will construct valuable new infrastructure as part of the project which will improve roadway safety and assist with future development and potential additional tax revenue for the Town of Kittery. It is not expected that the development will add significant additional costs to the Town of Kittery Schools, the Kittery Highway Department, Kittery Public safety services, or the Kittery Resource Recycling Facility.



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
NEW ENGLAND DISTRICT, CORPS OF ENGINEERS
696 VIRGINIA ROAD
CONCORD, MASSACHUSETTS 01742-2751

ARMY Corps.

Regulatory Division
CENAE-R-RDC
Permit Number: NAE-2019-02583

May 7, 2020

William Wharff
Aztec, LLC
62 Portland Road, Suite 25
Kennebunk, ME 04043

Dear Mr. Wharff:

In the course of reviewing our files, we noticed that a typographic error occurred in correspondence we sent you. The permit we sent you on January 8, 2020 had an incorrect address for the project location and USGS QUAD. The correct project location is 76 Dennett Road in Kittery, Maine and the correct USGS QUAD is PORTSMOUTH, ME. We have updated our files accordingly and no further action is required.

If you have any questions regarding this correspondence, please contact Heather Stukas at 207-623-8367 ext. 8 at our Augusta, Maine Project Office.

Sincerely,

Frank J. Del Giudice
Chief, Permits and Enforcement Branch
Regulatory Division



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
NEW ENGLAND DISTRICT, CORPS OF ENGINEERS
696 VIRGINIA ROAD
CONCORD, MASSACHUSETTS 01742-2761

MAINE GENERAL PERMIT (GP)
AUTHORIZATION LETTER AND SCREENING SUMMARY

WILLIAM WHARFF
76 DENNETT ROAD
KITTERY, MAINE 03904

CORPS PERMIT # NAE-2019-02583
CORPS GP ID# NA
STATE ID# NA

DESCRIPTION OF WORK:

Fill approximately 1,500 s.f. (0.0344 acres) of freshwater wetland off Dennett Road at Wells, Maine in order to replace an existing wetland crossing in support of a mixed residential and commercial development. This work is shown on the attached plans entitled "Conceptual Development" dated "03/19/19", and "Overall Existing Conditions Plan, Front Grading & Drainage Plan, Construction Details 3, Erosion Control & Housekeeping Plan-Front, and Erosion Control & Housekeeping Plan-Rear" dated "06/20/19". See Additional Conditions attached.

LAT/LONG COORDINATES : 43.101416 N -70.756952 W USGS QUAD: WELLS, ME

I. CORPS DETERMINATION:

Based on our review of the information you provided, we have determined that your project will have only minimal individual and cumulative impacts on waters and wetlands of the United States. Your work is therefore authorized by the U.S. Army Corps of Engineers under the Federal Permit, the Maine General Permit which can be found at: <https://www.nae.usace.army.mil/Missions/Regulatory/State-General-Permits/> Accordingly, we do not plan to take any further action on this project.

You must perform the activity authorized herein in compliance with all the terms and conditions of the GP [including any attached Additional Conditions and any conditions placed on the State 401 Water Quality Certification including any required mitigation]. Please review the enclosed GP carefully, including the GP conditions beginning on page 5, to familiarize yourself with its contents. You are responsible for complying with all of the GP requirements; therefore you should be certain that whoever does the work fully understands all of the conditions. You may wish to discuss the conditions of this authorization with your contractor to ensure the contractor can accomplish the work in a manner that conforms to all requirements.

If you change the plans or construction methods for work within our jurisdiction, please contact us immediately to discuss modification of this authorization. This office must approve any changes before you undertake them.

Condition 38 of the GP (page 16) provides one year for completion of work that has commenced or is under contract to commence prior to the expiration of the GP on October 13, 2020. You will need to apply for reauthorization for any work within Corps jurisdiction that is not completed by October 13, 2021.

This authorization presumes the work shown on your plans noted above is in waters of the U.S. Should you desire to appeal our jurisdiction, please submit a request for an approved jurisdictional determination in writing to the undersigned.

No work may be started unless and until all other required local, State and Federal licenses and permits have been obtained. This includes but is not limited to a Flood Hazard Development Permit issued by the town if necessary.

II. STATE ACTIONS: PENDING [], ISSUED [], DENIED [] DATE _____

APPLICATION TYPE: PBR: TIER 1: TIER 2: TIER 3: INDIV LURC: DMR LEASE: NA:

III. FEDERAL ACTIONS:

JOINT PROCESSING MEETING: NA LEVEL OF REVIEW: CATEGORY 1: CATEGORY 2:

AUTHORITY (Based on a review of plans and/or State/Federal applications): SEC 10 , 404 10/404 , 103

EXCLUSIONS: The exclusionary criteria identified in the general permit do not apply to this project.

FEDERAL RESOURCE AGENCY OBJECTIONS: EPA NO, USF&WS NO, NMFS NO

If you have any questions on this matter, please contact my staff at 207-623-8367 at our Augusta, Maine Project Office. In order for us to better serve you, we would appreciate your completing our Customer Service Survey located at <http://per2.nwp.usace.army.mil/survey.html>

HEATHER S. STUKAS
PROJECT MANAGER
MAINE PROJECT OFFICE
1/8/2020

FRANK J. DEL GIUDICE
CHIEF, PERMITS & ENFORCEMENT BRANCH
REGULATORY DIVISION
DATE 1/8/20



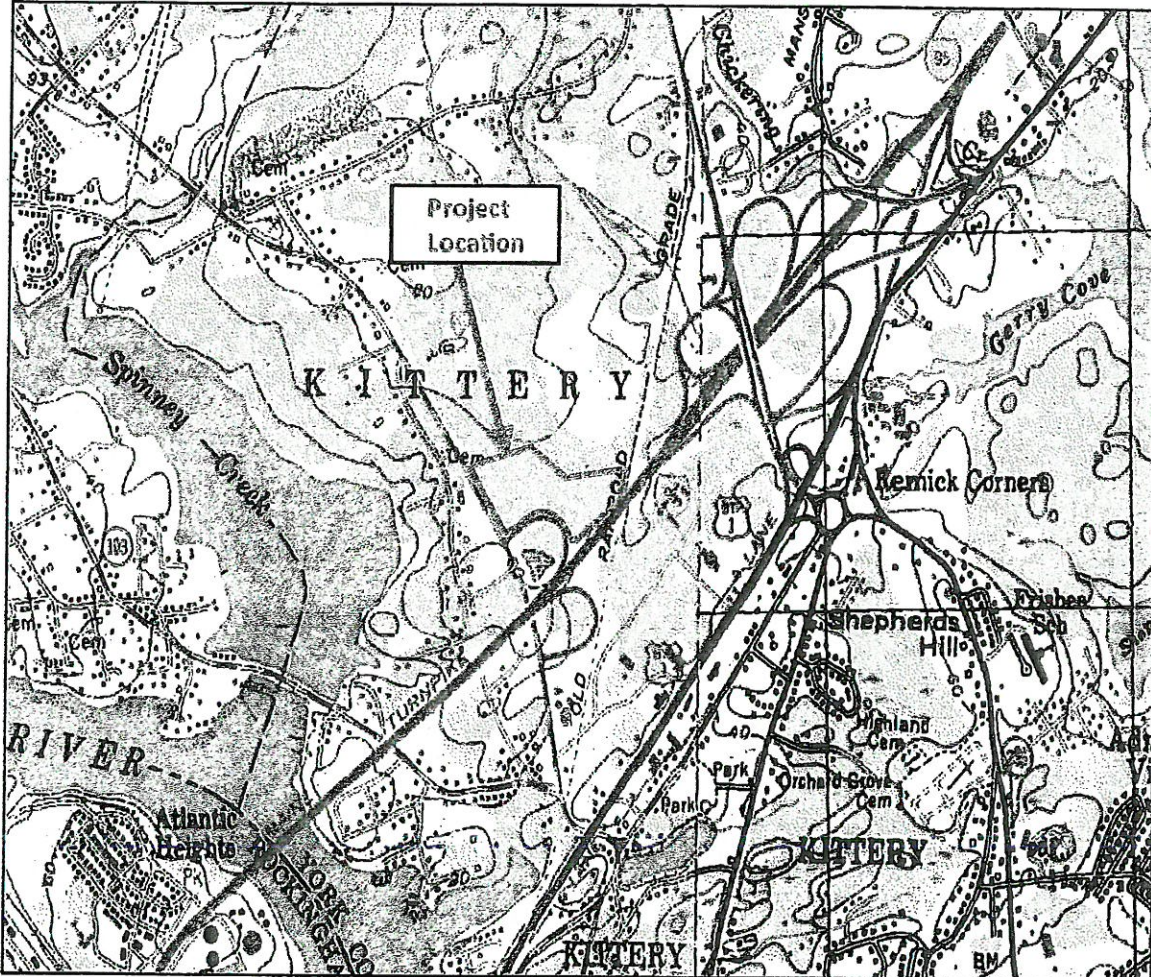
US Army Corps
of Engineers
New England District

ADDITIONAL CONDITIONS FOR
DEPARTMENT OF THE ARMY
GENERAL PERMIT
NO. NAE-2019-02583

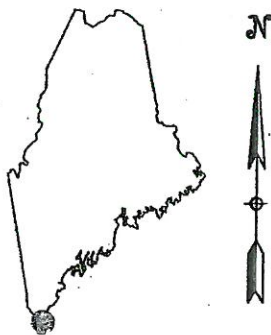
1. This authorization requires you to 1) notify us before beginning work so we may inspect the project, and 2) submit a Compliance Certification Form. You must complete and return the enclosed Work Start Notification Form to this office at least two weeks before the anticipated starting date. You must complete and return the enclosed Compliance Certification Form within one month following the completion of the authorized work. **The forms are attached after the plans.**
2. The permittee shall assure that a copy of this permit is at the work site whenever work is being performed and that all personnel performing work at the site of the work authorized by this permit are fully aware of the terms and conditions of the permit. This permit, including its drawings and any appendices and other attachments, shall be made a part of any and all contracts and sub-contracts for work which affects areas of Corps of Engineers' jurisdiction at the site of the work authorized by this permit. This shall be done by including the entire permit in the specifications for the work. If the permit is issued after construction specifications but before receipt of bids or quotes, the entire permit shall be included as an addendum to the specifications. The term "entire permit" includes permit amendments. Although the permittee may assign various aspects of the work to different contractors or sub-contractors, all contractors and sub-contractors shall be obligated by contract to comply with all environmental protection provisions of the entire permit, and no contract or sub-contract shall require or allow unauthorized work in areas of Corps of Engineers jurisdiction.
3. Adequate sedimentation and erosion control devices, such as geotextile silt fences or other devices capable of filtering the fines involved, shall be installed and properly maintained to minimize impacts during construction. These devices must be removed upon completion of work and stabilization of disturbed area. The sediment collected by these devices shall be removed and placed upland, in a manner that will prevent its later erosion and transport to a waterway or wetland.
4. All exposed soils resulting from the construction shall be promptly seeded and mulched in order to achieve vegetative stabilization.
5. This permit authorizes impacts to only those areas of wetlands/waterways shown in attached plans. No other filling, clearing or other disturbance in waters of the United States shall occur without the necessary authorization from the Corps.
6. In the event additional wetland/waterway fill is authorized and the cumulative impacts exceeds the more than minimal threshold of the Maine General Permit, the permittee may be responsible to provide appropriate compensatory mitigation to compensate for these impacts.
7. All tree clearing shall occur between October 16th and April 19th of any year in order to minimize potential impacts to federally-threatened northern long-eared bats.
8. Wetland culverts shall be embedded at least 6 inches with a natural bottom.


LOCATION MAP

Aztec, LLC, 76 Dennett Road, Kittery, Maine

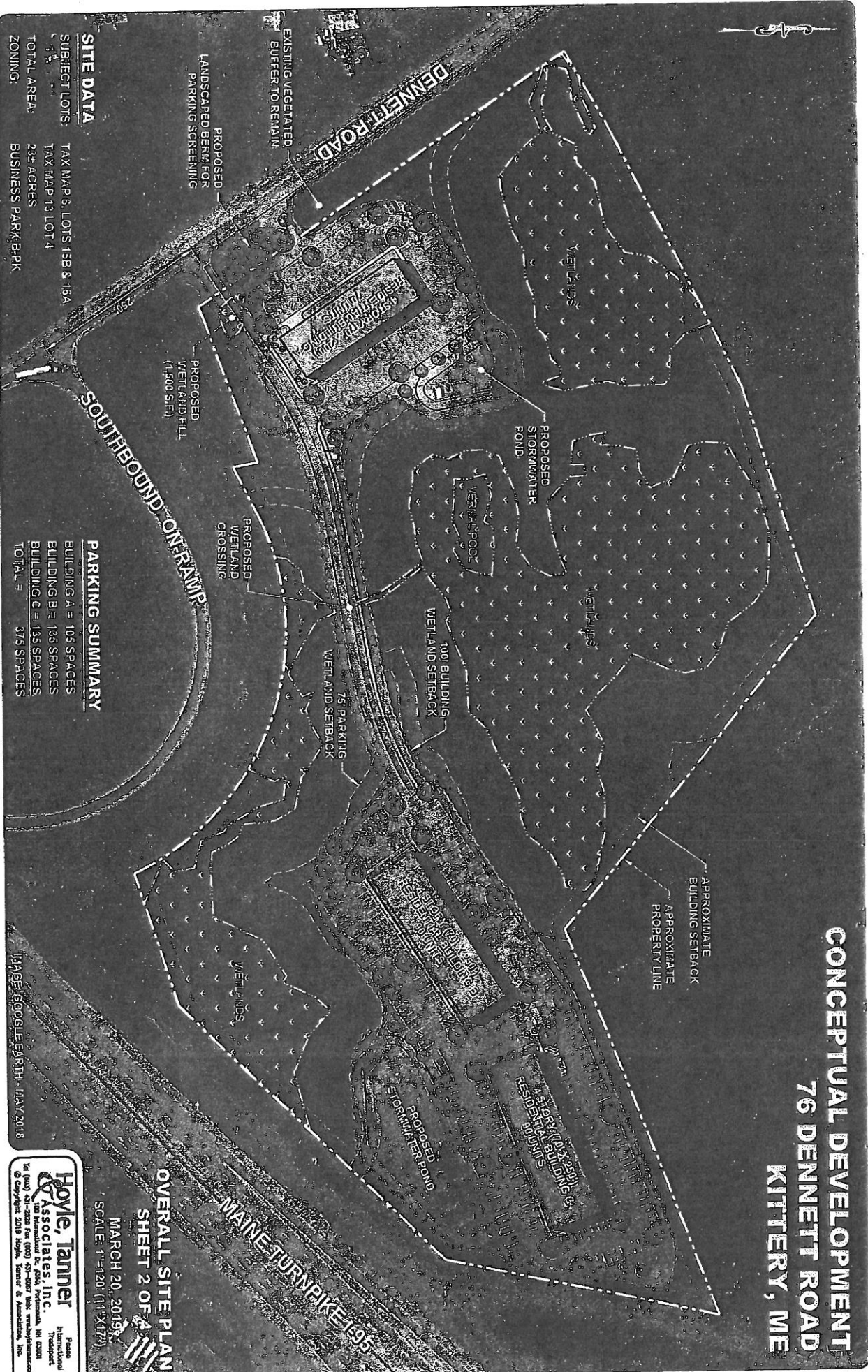


Directions: From I-95, take exit 2 for Route 236. Take ramp right and follow signs for Route 1-BYP South. Travel for approximately 0.3 miles and turn right on Gorges Road. Travel for approximately 0.2 miles and turn left on Ranger Drive. Travel for approximately 0.4 miles and turn right on Dennett Road. Travel for approximately 0.5 miles and #76 will be located on the right.



Notes:		 ATLANTIC ENVIRONMENTAL LLC. Environmental Consultants 135 River Road, Woolwich, ME 04579 (207) 837-2199 tim@atlantcenviromaine.com
Maine Atlas & Gazetteer Map 1 (Section B-4) 43.101302 -70.757033	Date: 5/20/2019	

CONCEPTUAL DEVELOPMENT 76 DENNETT ROAD KITTERY, ME



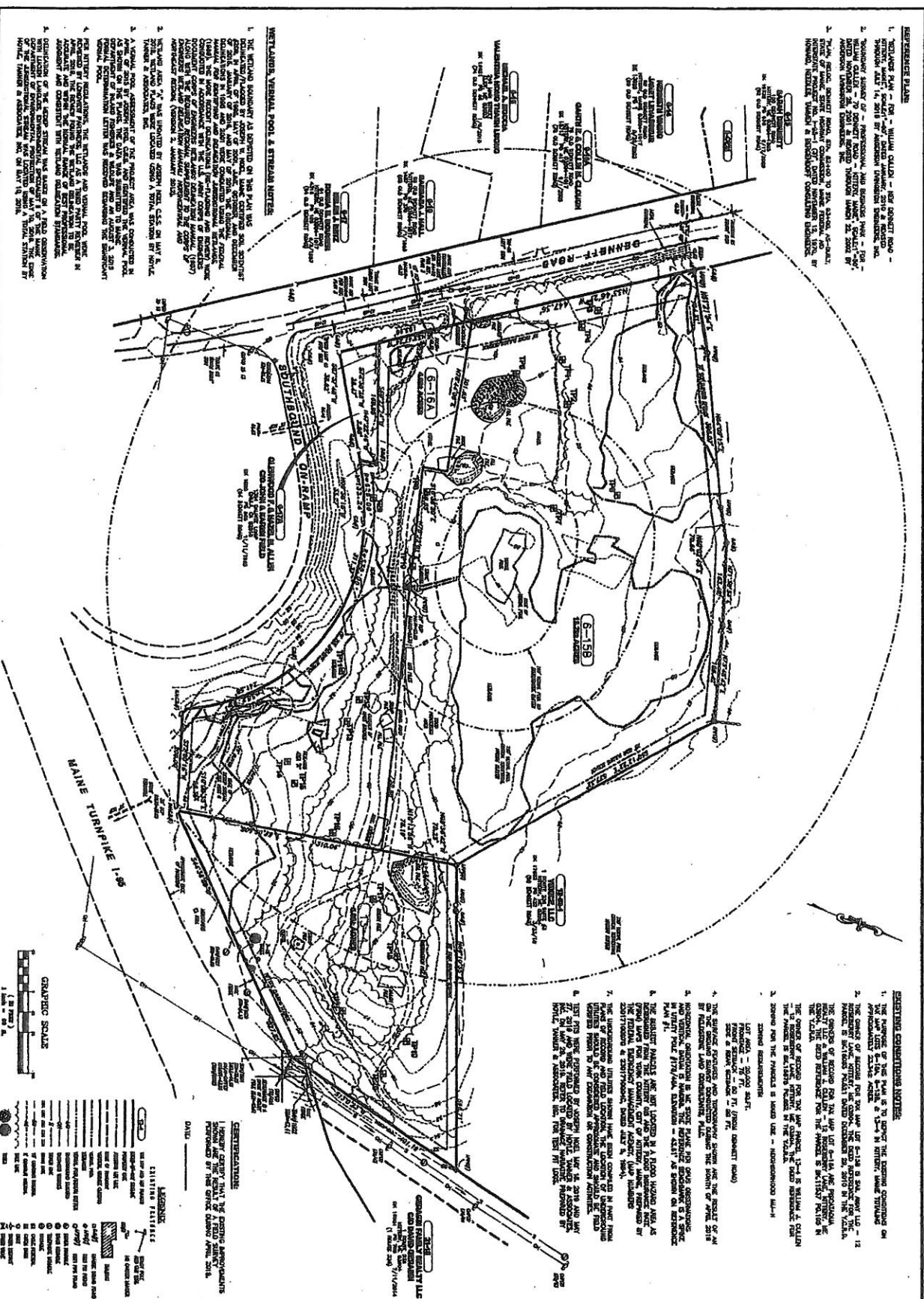
SITE DATA
 SUBJECT LOTS: TAX MAP 6; LOTS 15B & 16A
 TAX MAP 13 LOT 4
 TOTAL AREA: 23± ACRES
 ZONING: BUSINESS PARK B-PK

PARKING SUMMARY
 BUILDING A = 105 SPACES
 BUILDING B = 135 SPACES
 BUILDING C = 135 SPACES
 TOTAL = 375 SPACES

IMAGE: GOOGLE EARTH - JANV 2018

Hoyle, Tanner
 Associates, Inc.
 14 (00) 451-2222 Fax (00) 451-2227
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OVERALL SITE PLAN
 SHEET 2 OF 2
 MARCH 20, 2019
 SCALE: 1"=120' (1"X17')



REFERENCE PLANS

1. "MOUNTAIN VIEW - FOR - WILLOW CREEK - NEW BRIDGE ROAD - PORTLAND, MAINE" PROJECT, DATED JANUARY, 2015 & REVISION NUMBER 01-14, 2015 BY ARCHITECTURE THROUGH DESIGN, INC.
2. "MOUNTAIN VIEW - FOR - WILLOW CREEK - NEW BRIDGE ROAD - PORTLAND, MAINE" PROJECT, DATED JANUARY, 2015 & REVISION NUMBER 01-14, 2015 BY ARCHITECTURE THROUGH DESIGN, INC.
3. "MOUNTAIN VIEW - FOR - WILLOW CREEK - NEW BRIDGE ROAD - PORTLAND, MAINE" PROJECT, DATED JANUARY, 2015 & REVISION NUMBER 01-14, 2015 BY ARCHITECTURE THROUGH DESIGN, INC.

METLANDS, VERNAL POOL, & STREAM NOTES:

1. THE METLANDS BOUNDARY AS SHOWN ON THIS PLAN WAS DETERMINED BY A SURVEY CONDUCTED BY THE ARCHITECTURE THROUGH DESIGN, INC. IN 2015. THE METLANDS BOUNDARY IS SHOWN AS A DASHED LINE ON THIS PLAN. THE METLANDS BOUNDARY IS SHOWN AS A DASHED LINE ON THIS PLAN. THE METLANDS BOUNDARY IS SHOWN AS A DASHED LINE ON THIS PLAN.
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EXISTING CONDITIONS NOTES:

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LEGEND

	EXISTING METLANDS BOUNDARY
	EXISTING VERNAL POOL
	EXISTING STREAM
	EXISTING ROAD
	EXISTING CONTOUR
	EXISTING BUILDING
	EXISTING UTILITY
	EXISTING EASEMENT
	EXISTING SETBACK
	EXISTING PROPERTY LINE
	EXISTING SURVEY POINT
	EXISTING SPOT ELEVATION
	PROPOSED ROAD
	PROPOSED EASEMENT
	PROPOSED SETBACK
	PROPOSED PROPERTY LINE
	PROPOSED SURVEY POINT
	PROPOSED SPOT ELEVATION

APPLICANT: AZTEC, LLC
 82 PORTLAND ROAD, SUITE 203
 KENNESAW, ME 04843

PROJECT: PROPOSED MIXED-USE RESIDENTIAL DEVELOPMENT PROJECT
 74X MAP LOTS 658A, 658A & 658A
 70 BENNETT ROAD, KITTERY, ME 03944

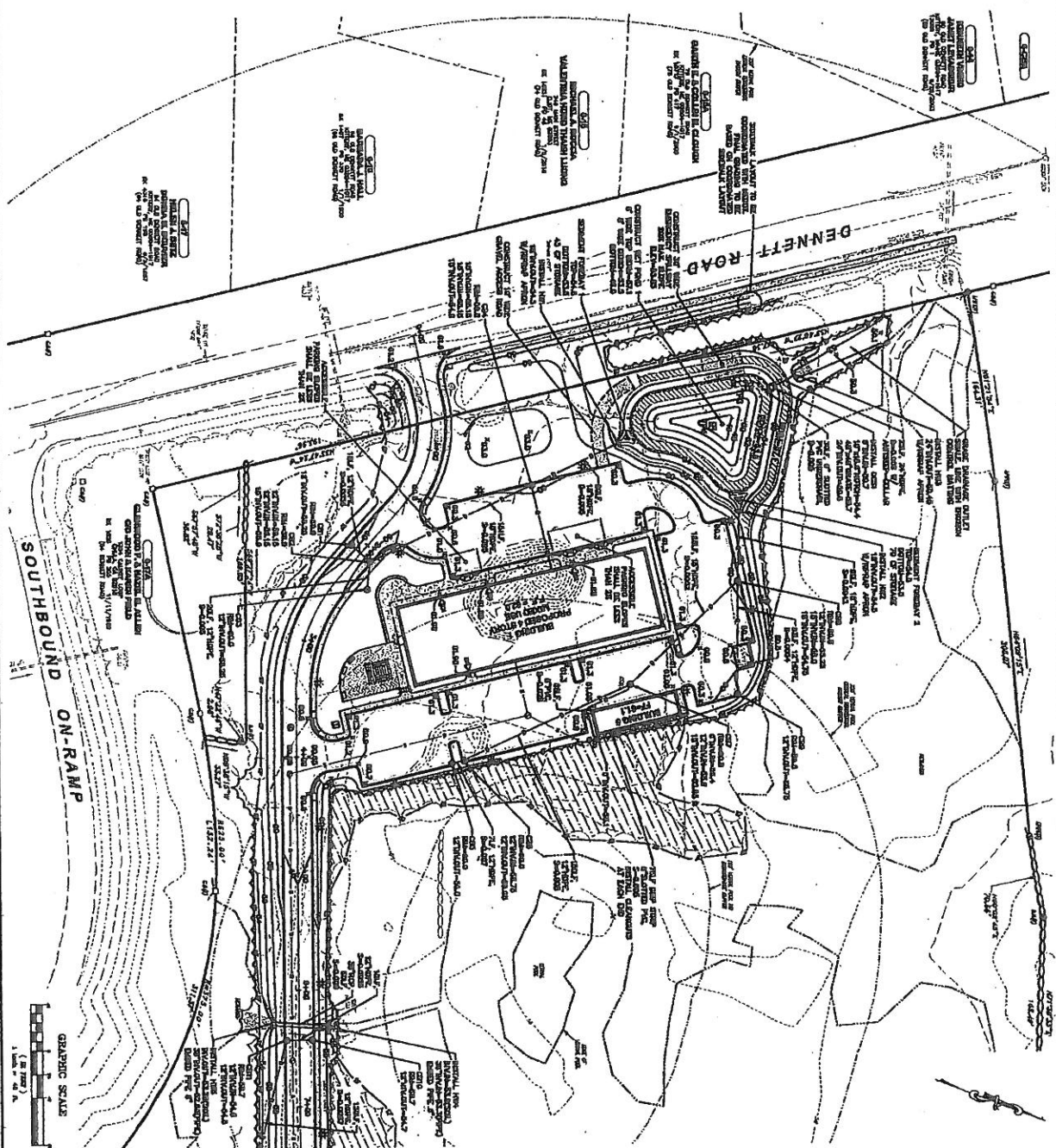
Hoyle, Tanner & Associates, Inc.
 P.O. Box 1000
 1000 BROADWAY, SUITE 1000
 PORTLAND, ME 04101
 TEL (603) 437-5500 FAX (603) 437-5507
 © Copyright 2019 Hoyle, Tanner & Associates, Inc.

DATE: JUNE 20, 2019	DESIGNED BY: [Name]	CHECKED BY: [Name]	SCALE: AS SHOWN
PROJECT NO.: 2019-001	SHEET 3 OF 25	DATE: 06/20/19	SCALE: AS SHOWN

1. REFER TO THE CITY OF PORTLAND, OREGON, AND LOCAL ORDINANCES.
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GENERAL NOTES:

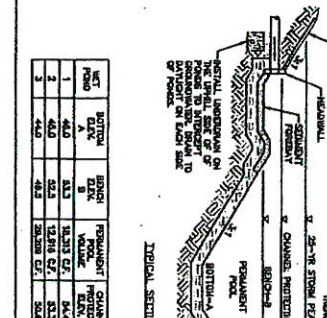
1. THE APPLICANT HAS BEEN ADVISED THAT THE CITY OF PORTLAND, OREGON, AND LOCAL ORDINANCES MAY REQUIRE THE APPLICANT TO OBTAIN A PERMIT FROM THE CITY OF PORTLAND, OREGON, AND LOCAL ORDINANCES.
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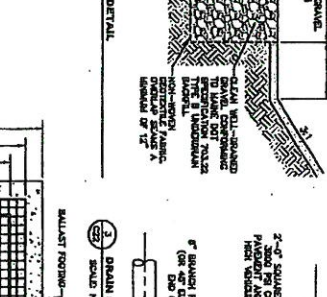
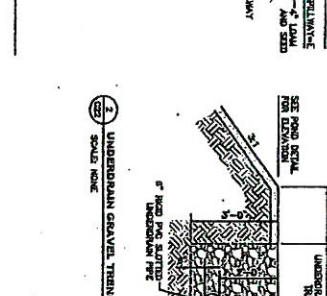
PROJECT NO. DESIGN SHEET 10 OF 25	APPLICANT AZTEC, LLC 62 PORTLAND ROAD, SUITE 25 KENNESAW, ME 04043	PROJECT PROPOSED MIXED-USE RESIDENTIAL DEVELOPMENT PROJECT TAX MAP LOTS 6-18A, 6-18B & 13-4 76 DENNETT ROAD, KITTERY, ME 03901	SCALE AS SHOWN	DATE JUNE 20, 2018	DESIGNED BY BMT	DRAWN BY BMT	CHECKED BY BMT	REV. 1	BOARD FOR UTILITY PLANNING BOARD - PRELIMINARY PLAN RESUBMIT DESIGN/PLAN	DATE 05/26/18	
	PROJECT NO. DESIGN SHEET 10 OF 25										

WEIR POND MAINTENANCE NOTES:

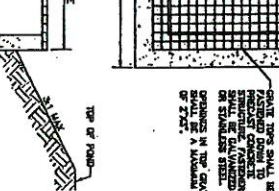
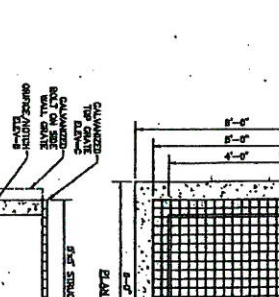
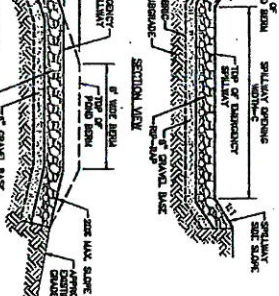
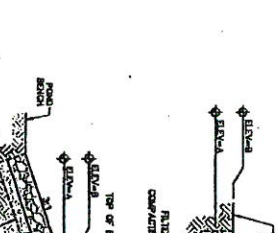
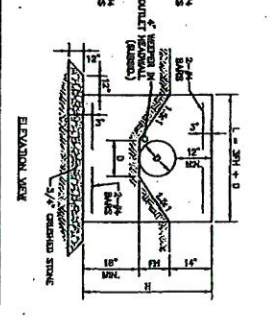
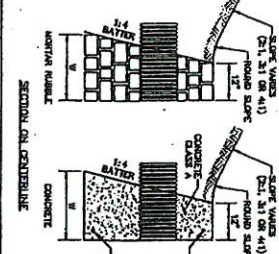
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NO.	DESCRIPTION	QTY	UNIT	PRICE	TOTAL
1	CONCRETE	100	CU YD	100.00	100.00
2	RIPPRAP	200	CU YD	200.00	200.00
3	REINFORCEMENT	50	LB	50.00	50.00
4	FORMWORK	100	SQ YD	100.00	100.00
5	PAINT	10	GALES	10.00	10.00
6	LABOR	100	HOUR	100.00	100.00
7	PERMITS	1	SET	100.00	100.00
8	INSURANCE	1	MONTH	100.00	100.00
9	TRAVEL	1	TRIP	100.00	100.00
10	CONTINGENCY	10	PERCENT	10.00	10.00
11	TOTAL				1000.00

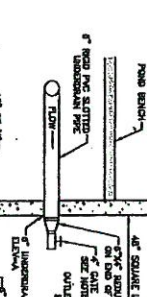
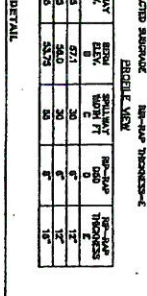
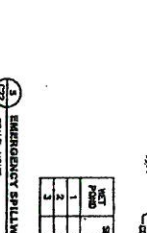


NO.	DESCRIPTION	DATE
1	ISSUED FOR PERMITS	01/28/20
2	ISSUED FOR PLANNING BOARD REVIEW - REVISIONS	01/29/20
3	ISSUED FOR PLANNING BOARD REVIEW - REVISIONS	01/29/20
4	ISSUED FOR PLANNING BOARD REVIEW - REVISIONS	01/29/20
5	ISSUED FOR PLANNING BOARD REVIEW - REVISIONS	01/29/20
6	ISSUED FOR PLANNING BOARD REVIEW - REVISIONS	01/29/20
7	ISSUED FOR PLANNING BOARD REVIEW - REVISIONS	01/29/20
8	ISSUED FOR PLANNING BOARD REVIEW - REVISIONS	01/29/20
9	ISSUED FOR PLANNING BOARD REVIEW - REVISIONS	01/29/20
10	ISSUED FOR PLANNING BOARD REVIEW - REVISIONS	01/29/20

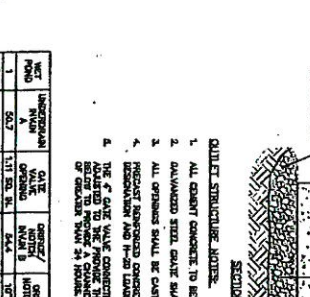
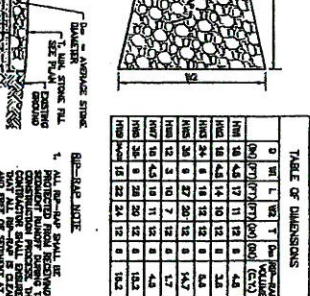
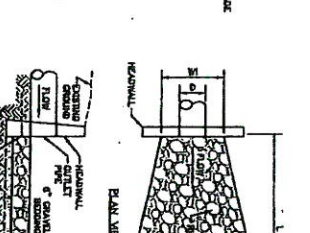
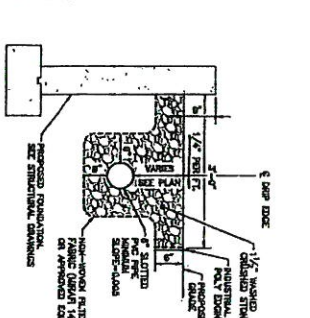
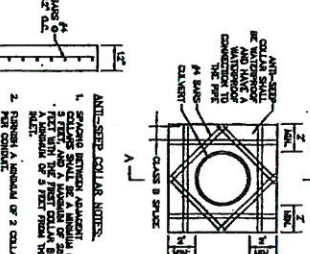


NO.	DESCRIPTION	QTY	UNIT	PRICE	TOTAL
1	CONCRETE	100	CU YD	100.00	100.00
2	RIPPRAP	200	CU YD	200.00	200.00
3	REINFORCEMENT	50	LB	50.00	50.00
4	FORMWORK	100	SQ YD	100.00	100.00
5	PAINT	10	GALES	10.00	10.00
6	LABOR	100	HOUR	100.00	100.00
7	PERMITS	1	SET	100.00	100.00
8	INSURANCE	1	MONTH	100.00	100.00
9	TRAVEL	1	TRIP	100.00	100.00
10	CONTINGENCY	10	PERCENT	10.00	10.00
11	TOTAL				1000.00

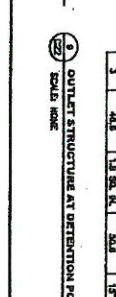
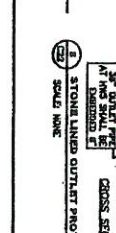
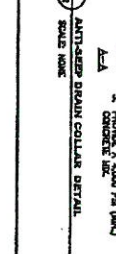
NO.	DESCRIPTION	QTY	UNIT	PRICE	TOTAL
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6	LABOR	100	HOUR	100.00	100.00
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9	TRAVEL	1	TRIP	100.00	100.00
10	CONTINGENCY	10	PERCENT	10.00	10.00
11	TOTAL				1000.00



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8	INSURANCE	1	MONTH	100.00	100.00
9	TRAVEL	1	TRIP	100.00	100.00
10	CONTINGENCY	10	PERCENT	10.00	10.00
11	TOTAL				1000.00

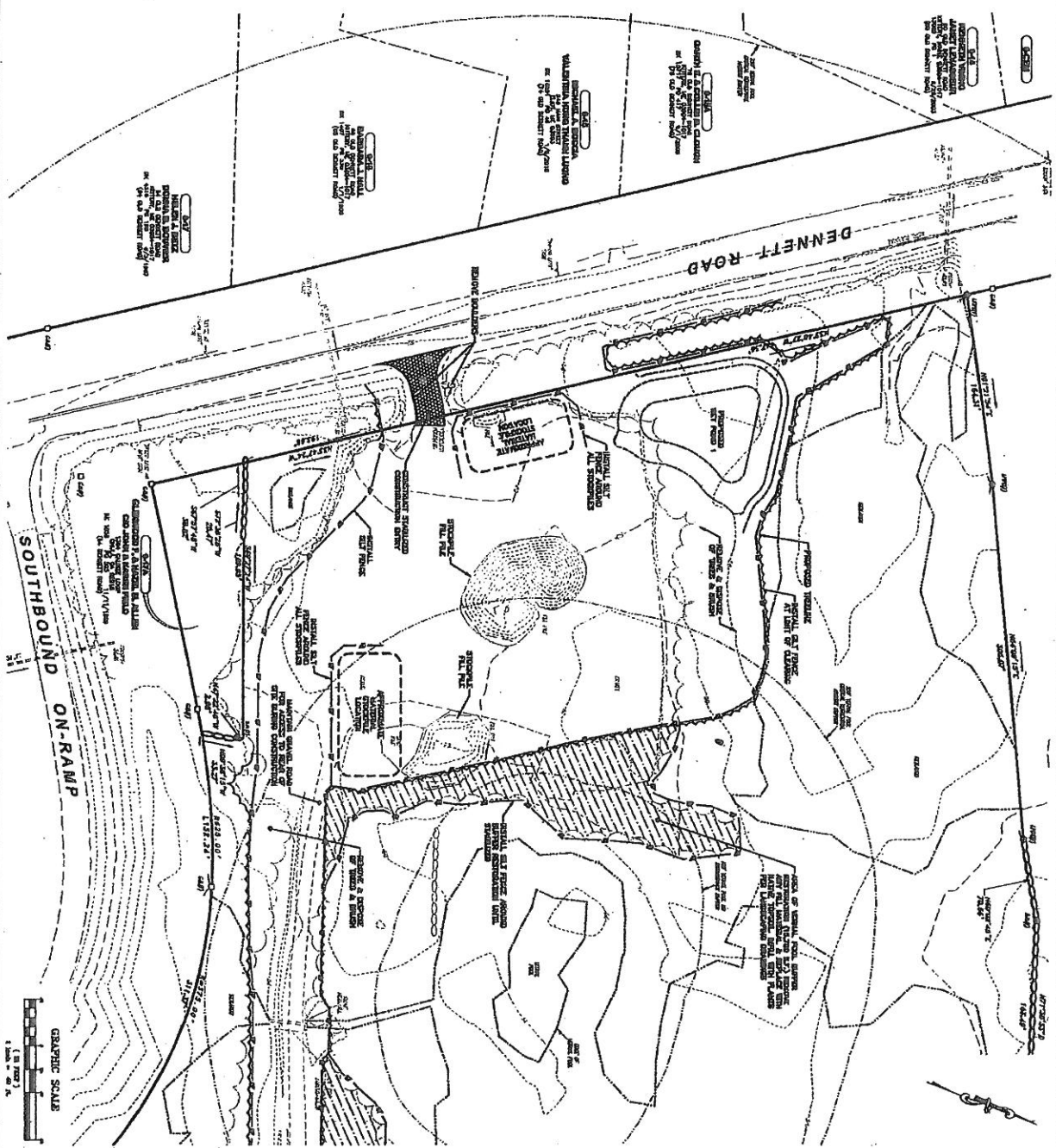


NO.	DESCRIPTION	QTY	UNIT	PRICE	TOTAL
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9	TRAVEL	1	TRIP	100.00	100.00
10	CONTINGENCY	10	PERCENT	10.00	10.00
11	TOTAL				1000.00

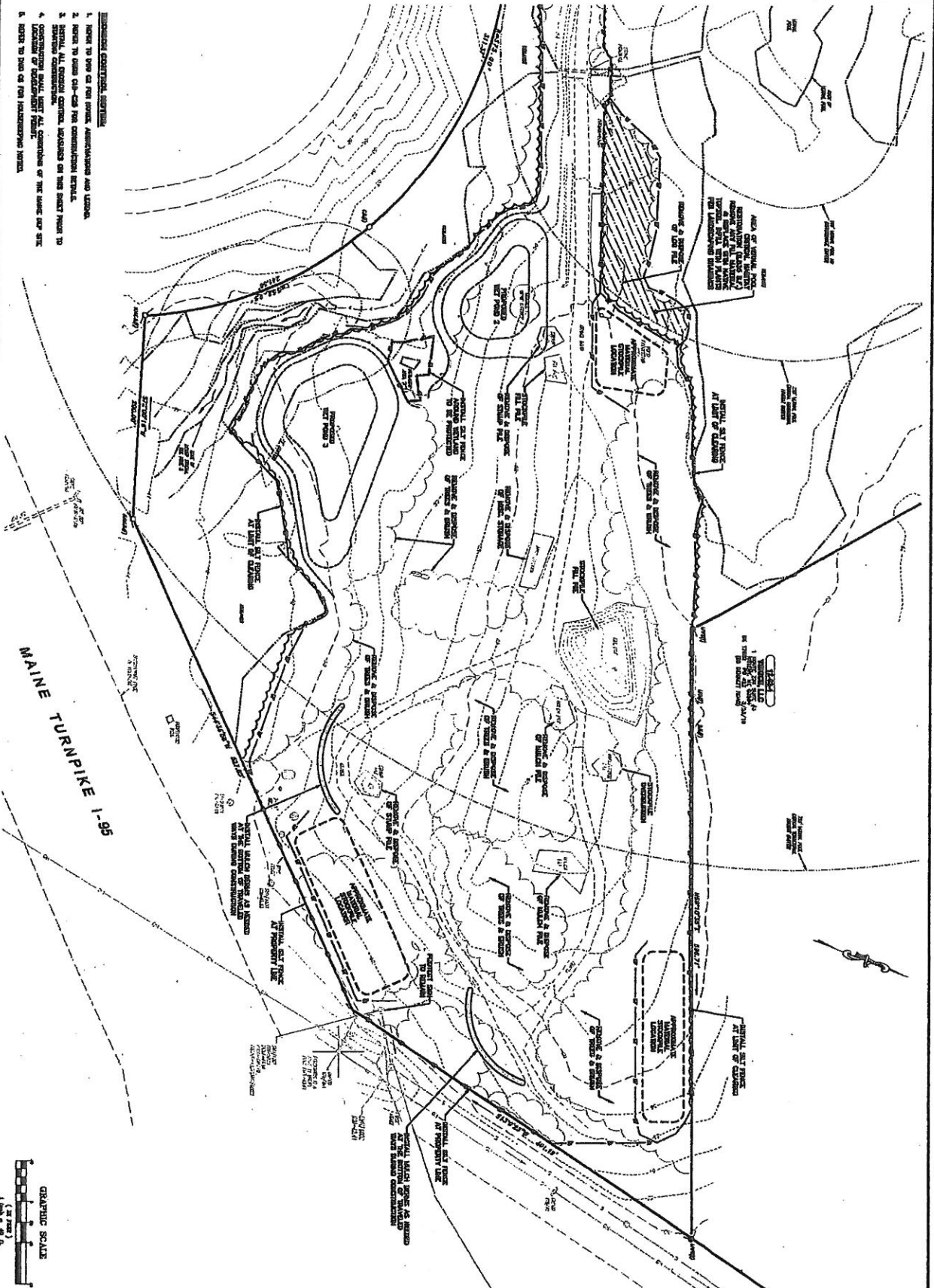


NO.	DESCRIPTION	QTY	UNIT	PRICE	TOTAL
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2	RIPPRAP	200	CU YD	200.00	200.00
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7	PERMITS	1	SET	100.00	100.00
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9	TRAVEL	1	TRIP	100.00	100.00
10	CONTINGENCY	10	PERCENT	10.00	10.00
11	TOTAL				1000.00

1. THE DEVELOPER SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES AND STRUCTURES EXISTING ON THE SITE AND IN THE VICINITY THEREOF. THE DEVELOPER SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES AND STRUCTURES EXISTING ON THE SITE AND IN THE VICINITY THEREOF. THE DEVELOPER SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES AND STRUCTURES EXISTING ON THE SITE AND IN THE VICINITY THEREOF.
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PROJECT NO. 2025 SHEET 3 OF 25	AFFILIANT AZTEC, LLC 62 PORTLAND ROAD, SUITE 25 ROXBURY, MA 01910	PROJECT PROPOSED MIXED-USE RESIDENTIAL DEVELOPMENT PROJECT 70-100 LOTS 8-14, 16-18, 20-24, 26 DENNETT ROAD, WITNEY, MA 01093	Hoyle, Tanner Associates, Inc. 10 International Dr., 205, Portsmouth, NH 03801 Tel: (603) 431-2300 Fax: (603) 431-2307 Web: www.hoyletanner.com © Copyright 2010 Hoyle, Tanner & Associates, Inc.		Prepared by Checked by Drawn by Date		Date		Scale		Title		
			DATE JUNE 23, 2010	SCALE AS SHOWN	DESIGNED BY EAT	DRAWN BY EAT	CHECKED BY EAT	DATE	TITLE SUBMITTED FOR STREET PLANNING BOARD - PRELIMINARY PLAN RENDER SETBACKS	DATE 06/23/10			



- REQUIREMENTS OF STATE & FEDERAL REGULATIONS**
1. REFER TO PART OF THE STATE ADMINISTRATION AND LOCAL
 2. REFER TO PART OF THE CONSTRUCTION PERMIT
 3. REFER TO PART OF THE CONSTRUCTION PERMIT
 4. CONSTRUCTION SHALL MEET ALL REQUIREMENTS OF THE STATE PER SITE
 5. REFER TO PART OF THE CONSTRUCTION PERMIT



PROJECT NO. 00000 SHEET 7 OF 25	APPLICANT AZTEC, LLC 87 PORTLAND ROAD, SUITE 20 RICHMOND, ME 04243	Hoyle, Tanner & Associates, Inc. Pease International Portland 14 (603) 431-8300 Fax (603) 431-8077 EMail hta@hoyletanner.com © Copyright 2010 Hoyle, Tanner & Associates, Inc.	DESIGNER BY DATE JUN 25, 2010	CHECKED BY DATE	DRAWN BY DATE	1 REV.	ISSUED FOR EVERY PLANSHEET DRAWN - PRELIMINARY PLAN BENSLEY DESIGN/PEASE	06/25/10 DATE	
	PROJECT PROPOSED MIXED-USE RESIDENTIAL DEVELOPMENT PROJECT TAX MAP LOTS 8-15B, 8-15A & 15-4 78 BUNKER ROAD, YITTELY, ME 02094								



**US Army Corps
of Engineers** ®
New England District

WORK-START NOTIFICATION FORM
(Minimum Notice: Two weeks before work begins)

EMAIL TO: heather.s.stukas@usace.army.mil and cenae-r@usace.army.mil; or

MAIL TO: Heather Stukas
Regulatory Division
U.S. Army Corps of Engineers, New England District
696 Virginia Road
Concord, Massachusetts 01742-2751

Corps of Engineers Permit No. NAE-2019-02583 was issued to William Wharff. This work is located in unnamed wetland off Dennett Rd, Wells, ME and authorized Fill approximately 1,500 s.f. (0.0344 acres) of freshwater wetland off Dennett Road at Wells, Maine in order to replace an existing wetland crossing in support of a mixed residential and commercial development.

The people (e.g., contractor) listed below will do the work, and they understand the permit's conditions and limitations.

PLEASE PRINT OR TYPE

Name of Person/Firm: _____

Business Address: _____

Phone & email: () _____ () _____

Proposed Work Dates: Start: _____ Finish: _____

Permittee/Agent Signature: _____ Date: _____

Printed Name: _____ Title: _____

Date Permit Issued: _____ Date Permit Expires: _____

FOR USE BY THE CORPS OF ENGINEERS

PM: _____ Submittals Required: _____

Inspection Recommendation: _____



**US Army Corps
of Engineers**®
New England District

(Minimum Notice: Permittee must sign and return notification
within one month of the completion of work.)

COMPLIANCE CERTIFICATION FORM

Permit Number: NAE-2019-02583

Name of Permittee William Wharff

Permit Issuance Date: _____

Please sign this certification and return it to the following address upon completion of the activity and any mitigation required by the permit. You must submit this after the mitigation is complete, but not the mitigation monitoring, which requires separate submittals.

* MAIL TO: U.S. Army Corps of Engineers, New England District *
* Permits and Enforcement Branch C *
* Regulatory Division *
* 696 Virginia Road *
* Concord, Massachusetts 01742-2751 *

Please note that your permitted activity is subject to a compliance inspection by an U.S. Army Corps of Engineers representative. If you fail to comply with this permit you are subject to permit suspension, modification, or revocation.

I hereby certify that the work authorized by the above referenced permit was completed in accordance with the terms and conditions of the above referenced permit, and any required mitigation was completed in accordance with the permit conditions.

Signature of Permittee

Date

Printed Name

Date of Work Completion

() _____
Telephone Number

() _____
Telephone Number

Tobey, Shawn M.

From: Libbey, Ken <Ken.Libbey@maine.gov>
Sent: Monday, November 25, 2019 9:43 AM
To: Tobey, Shawn M.
Subject: RE: 76 Dennett Road Kittery

Looks good.

Ken Libbey
Environmental Engineer
Bureau of Land Resources
Maine Department of Environmental Protection
207-299-4823

From: Tobey, Shawn M. <stobey@hoyletanner.com>
Sent: Monday, November 25, 2019 7:39 AM
To: Libbey, Ken <Ken.Libbey@maine.gov>
Subject: 76 Dennett Road Kittery

EXTERNAL: This email originated from outside of the State of Maine Mail System. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Morning Ken,

Please find the attached color coded pond drainage area plan as requested. Full size hard copies of this plan and the pre/post watershed plans will go out in the mail today.

Shawn M. Tobey, PE
Project Manager

Hoyle, Tanner
& Associates, Inc.

Licensed in NH, ME, MA

100 International Drive, Suite 360 | Portsmouth, NH 03801
(603) 431-2520, ext 29 | Fax: (603) 431-8067
stobey@hoyletanner.com
www.hoyletanner.com

Our vision is to provide innovative, collaborative and sustainable engineering and planning solutions to the challenges our clients face, while enhancing the communities in which we work and live. We strive to uphold the highest ethical standards while maintaining integrity and respect within our professional relationships. We continue to build a corporate culture that honors and values the individuality and strengths of our team members and our clients.

This communication and any attachments to this are confidential and intended only for the recipient(s). Any other use, dissemination, copying, or disclosure of this communication is strictly prohibited. If you have received this communication in error, please notify us and destroy it immediately. Hoyle, Tanner & Associates, Inc. is not responsible for any undetectable alteration, virus, transmission error, conversion, media degradation, software error, or interference with this transmission or attachments to this transmission.
Hoyle, Tanner & Associates, Inc. | info@hoyletanner.com

- SITE NOTES:**
1. REFER TO DWG C2 FOR NOTES, ABBREVIATIONS AND LEGEND.
 2. REFER TO DWGS C8-09 FOR DETAILED SITE PLANS.
 3. REFER TO DWGS C10-C25 FOR CONSTRUCTION DETAILS.
 4. TAX MAP LOTS 8-10B, 8-18A & 13-4 ARE TO BE MERGED INTO 1 PARCEL.
 5. THE LOCATION OF PROPOSED BUILDING ENTRANCES ARE APPROXIMATE AND SHALL BE COORDINATED WITH THE ARCHITECTURAL PLANS.

VERNAL POOL BUFFER CALCULATIONS

REGULATION	TOTAL AREA	EXISTING DEVELOPMENT OF S.F. (DW)	PROPOSED DEVELOPMENT OF S.F. (DW)
WEDGE 0'-100'	28,810 S.F.	7,500 S.F. (11.0%)	72,077 S.F. (25.0%)
WEDGE 0'-250'	28,190 S.F.	94,552 S.F. (33.5%)	72,077 S.F. (25.0%)
ADDE 0'-750'	2,041,606	1,016,368 S.F. (49.8%)	1,003,210 (50.8%)

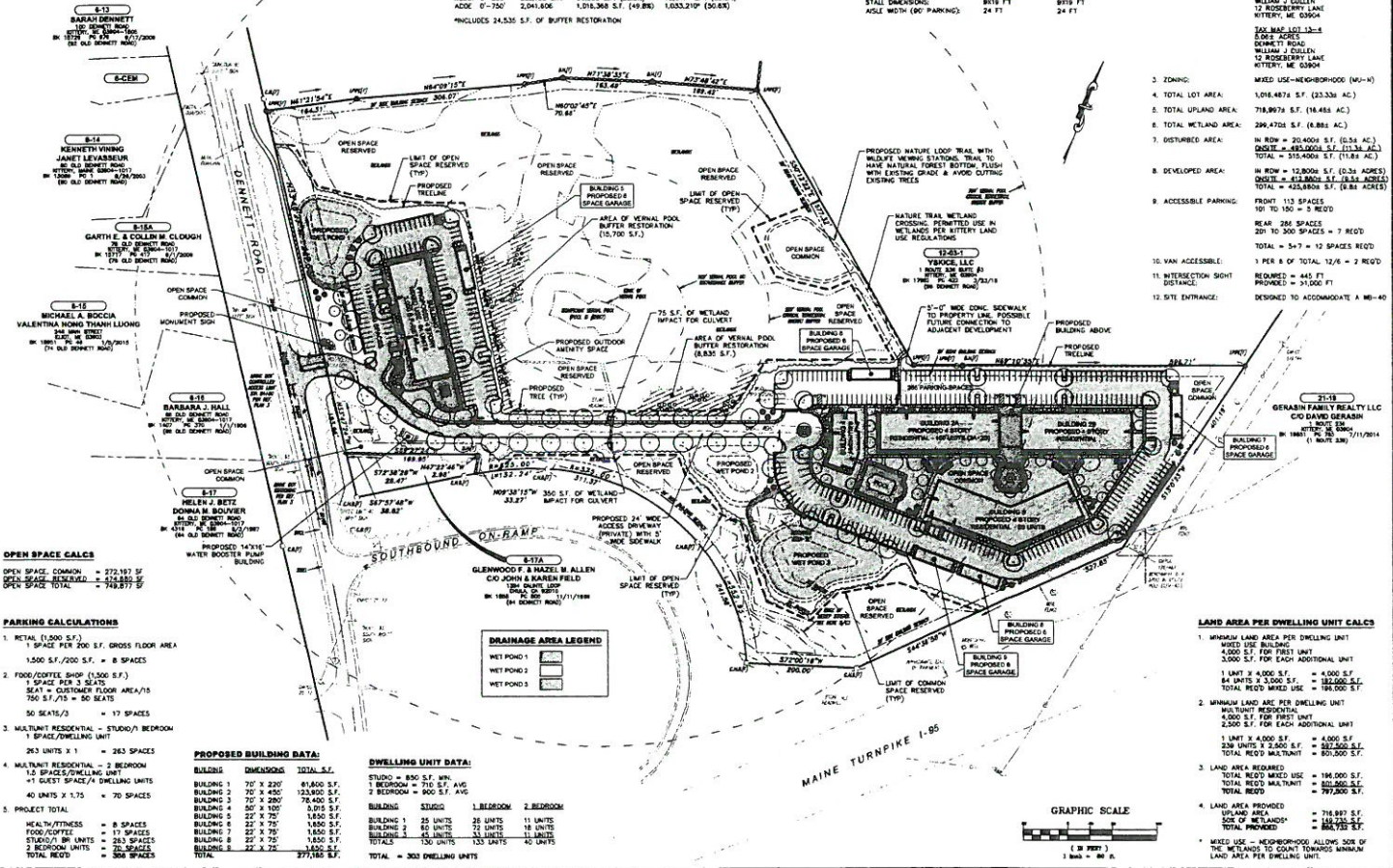
*INCLUDES 24,535 S.F. OF BUFFER RESTORATION

DIMENSIONAL REQUIREMENTS (MUN-2)

REGULATION	REQUIREMENT	PROVIDED
MIN LOT AREA	20,000 S.F.	22,341 AC
MIN LOT AREA FOR 300 UNITS	197,200 S.F.	847.52 AC
MIN STREET FRONTAGE	75 FT	641.8 FT
MIN FRONT SETBACK	20 FT	148.2 FT
MIN SIDE SETBACK	20 FT	81.5 FT
MIN REAR SETBACK	20 FT	85.5 FT
MIN SPACE BETWEEN BUILDINGS	10 FT	37.5 FT
MIN BUILDING HEIGHT	30 FT	30 FT
MAX IMPERVIOUS COVER	70% (713,491 S.F.)	28.5% (289,560 S.F.)
MIN OPEN SPACE	25% (254,104 S.F.)	73.5% (746,877 S.F.)
PARKING	358 SPACES	366 SPACES
ACCESSIBLE PARKING	12 SPACES	12 SPACES
VAN ACCESSIBLE PARKING	2 SPACES	8 SPACES
STALL DIMENSIONS	8'0" X 18'0"	8'0" X 18'0"
ASLE WIDTH (80' PARKING)	24 FT	24 FT

SITE DATA

1. APPLICANT: ATZIC, LLC
82 FORDHAM ROAD, SUITE 20
ROXBURY, MA 02461
2. LOT/OOWNER INFORMATION: TAX MAP LOT 8-10B
13,397 ACRES
74 DORSETT ROAD
SAL AMAY, LLC
12 ROSBERY LANE
ROXBURY, MA 02461
TAX MAP 103-1818A
4.96 ACRES
70 SOUTHWICK ROAD
PRISCILLA REALTY, LLC
WILLIAM J GELLEN
12 ROSBERY LANE
ROXBURY, MA 02461
TAX MAP LOT 13-4
2.887 ACRES
DORSETT ROAD
WILLIAM J GELLEN
12 ROSBERY LANE
ROXBURY, MA 02461
3. ZONING: MIXED USE-NEIGHBORHOOD (MU-N)
4. TOTAL LOT AREA: 1,016,474 S.F. (23.33% AC)
5. TOTAL UPLAND AREA: 718,974 S.F. (16.48 AC)
6. TOTAL WETLAND AREA: 296,470 S.F. (6.81 AC)
7. DISTURBED AREA: IN ROW = 20,400 S.F. (0.46 AC)
DRAIN = 483,000 S.F. (11.14 AC)
TOTAL = 503,400 S.F. (11.61 AC)
8. DEVELOPED AREA: IN ROW = 12,800 S.F. (0.29 AC)
DRAIN = 412,800 S.F. (9.44 AC)
TOTAL = 425,600 S.F. (9.74 AC)
9. ACCESSIBLE PARKING: FRONT 113 SPACES
101 TO 150 = 5' REQ'D
REAR 286 SPACES
200 TO 300 SPACES = 7' REQ'D
TOTAL = 347 = 12 SPACES REQ'D
1 PER 8 OF TOTAL 1/8" = 2 REQ'D
10. VAN ACCESSIBLE: REQUIRED = 445 FT
PROVIDED = 51,000 FT
11. INTERSECTION SHOT DISTANCE: DESIGNED TO ACCOMMODATE A 90'-10"
12. SITE ENTRANCE: DESIGNED TO ACCOMMODATE A 90'-10"



OPEN SPACE CALCS

OPEN SPACE COMMON = 272,197 SF
OPEN SPACE RESERVED = 425,897 SF
OPEN SPACE TOTAL = 698,094 SF

PARKING CALCULATIONS

1. RETAIL FLOOR S.F. 1 SPACE PER 200 S.F. GROSS FLOOR AREA
1,500 S.F./200 S.F. = 8 SPACES
2. FOOD/COFFEE SHOP (1,500 S.F.)
1 SPACE PER 3 SEATS
SEAT = CUSTOMER FLOOR AREA/15
150 S.F./15 = 10 SEATS
10 SEATS/3 = 3 SPACES
3. MULTIFAMILY RESIDENTIAL - STUDIO/1 BEDROOM
1 SPACE/DWELLING UNIT
263 UNITS X 1 = 263 SPACES
4. MULTIFAMILY RESIDENTIAL - 2 BEDROOM
1.0 SPACE/DWELLING UNIT
+1 GUEST SPACE/DWELLING UNIT
40 UNITS X 1.75 = 70 SPACES
5. PROJECT TOTAL
HEALTH/FITNESS = 8 SPACES
FOOD/COFFEE = 17 SPACES
STUDIO/1 BR UNITS = 263 SPACES
2 BEDROOM UNITS = 70 SPACES
TOTAL REQ'D = 356 SPACES

PROPOSED BUILDING DATA:

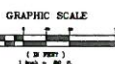
BUILDING	DIMENSIONS	TOTAL S.F.
BUILDING 1	70' X 220'	15,400 S.F.
BUILDING 2	70' X 480'	33,600 S.F.
BUILDING 3	70' X 290'	20,300 S.F.
BUILDING 4	80' X 170'	13,600 S.F.
BUILDING 5	22' X 75'	1,650 S.F.
BUILDING 6	22' X 75'	1,650 S.F.
BUILDING 7	22' X 75'	1,650 S.F.
BUILDING 8	22' X 75'	1,650 S.F.
BUILDING 9	22' X 75'	1,650 S.F.
TOTAL		87,750 S.F.

DWELLING UNIT DATA:

STUDIO	1 BEDROOM	2 BEDROOM	TOTAL UNITS
STUDIO = 800 S.F. MIN.	1 BEDROOM = 710 S.F. AVG	2 BEDROOM = 940 S.F. AVG	
BUILDING 1	25 UNITS	25 UNITS	50 UNITS
BUILDING 2	80 UNITS	21 UNITS	101 UNITS
BUILDING 3	45 UNITS	11 UNITS	56 UNITS
TOTALS	150 UNITS	133 UNITS	283 UNITS

LAND AREA PER DWELLING UNIT CALCS

1. MINIMUM LAND AREA PER DWELLING UNIT
MIXED USE BUILDING
4,000 S.F. FOR FIRST UNIT
3,000 S.F. FOR EACH ADDITIONAL UNIT
1 UNIT X 4,000 S.F. = 4,000 S.F.
84 UNITS X 3,000 S.F. = 252,000 S.F.
TOTAL REQ'D MIXED USE = 256,000 S.F.
2. MINIMUM LAND AREA PER DWELLING UNIT
MULTIFAMILY RESIDENTIAL
4,000 S.F. FOR FIRST UNIT
2,500 S.F. FOR EACH ADDITIONAL UNIT
1 UNIT X 4,000 S.F. = 4,000 S.F.
28 UNITS X 2,500 S.F. = 70,000 S.F.
TOTAL REQ'D MULTIFAMILY = 74,000 S.F.
3. LAND AREA REQUIRED
TOTAL REQ'D MIXED USE = 256,000 S.F.
TOTAL REQ'D MULTIFAMILY = 74,000 S.F.
TOTAL PROVIDED = 330,000 S.F.
4. LAND AREA PROVIDED
UPLAND AREA = 718,974 S.F.
SIZE OF WETLANDS* = 296,470 S.F.
TOTAL PROVIDED* = 1,015,444 S.F.
5. MIXED USE - NEIGHBORHOOD ALLOWING SIZE OF THE WETLANDS TO COUNT TOWARDS MINIMUM LAND AREA PER DWELLING UNIT.



Hoyle, Tanner & Associates, Inc.
100 STATE STREET, SUITE 200
ROXBURY, MA 02461
TEL: (617) 261-1200
WWW.HOYLETANNER.COM

DA
PROJECT NO. 561
SHEET 1 OF 1

APPROVALS:

DATE	BY	FOR
11/27/24	[Signature]	PROJECT MANAGER
11/27/24	[Signature]	REGISTERED PROFESSIONAL ENGINEER
11/27/24	[Signature]	REGISTERED PROFESSIONAL ARCHITECT
11/27/24	[Signature]	REGISTERED PROFESSIONAL LANDSCAPE ARCHITECT
11/27/24	[Signature]	REGISTERED PROFESSIONAL CIVIL ENGINEER
11/27/24	[Signature]	REGISTERED PROFESSIONAL ELECTRICAL ENGINEER
11/27/24	[Signature]	REGISTERED PROFESSIONAL MECHANICAL ENGINEER
11/27/24	[Signature]	REGISTERED PROFESSIONAL CHEMICAL ENGINEER
11/27/24	[Signature]	REGISTERED PROFESSIONAL ENVIRONMENTAL ENGINEER
11/27/24	[Signature]	REGISTERED PROFESSIONAL GEOTECHNICAL ENGINEER
11/27/24	[Signature]	REGISTERED PROFESSIONAL METEOROLOGICAL ENGINEER
11/27/24	[Signature]	REGISTERED PROFESSIONAL SURVEYING ENGINEER
11/27/24	[Signature]	REGISTERED PROFESSIONAL TRANSPORTATION ENGINEER
11/27/24	[Signature]	REGISTERED PROFESSIONAL WATER RESOURCES ENGINEER
11/27/24	[Signature]	REGISTERED PROFESSIONAL WIND ENGINEER

Tobey, Shawn M.

From: Strause, Aubrey <Aubrey.Strause@maine.gov>
Sent: Thursday, March 05, 2020 12:11 PM
To: Tobey, Shawn M.
Cc: Stehr, April A; Libbey, Ken
Subject: Kittery, Aztec: LLC: summary of areas and treatment provided
Attachments: 20200305_Kittery_Aztec LLC_Revised Final Stormwater Review.pdf

Shawn-

Thanks for providing this information, particularly the March 3, 2020 Memo which was critical to help us understand a) pre-2005 existing onsite impervious area and b) offsite area so we could determine what area *required* treatment

The attached Memo supplements – but does not replace – Ken Libbey’s (copied) original Stormwater Review Memo (dated December 9, 2019) in that I am clarifying just areas and treatment provided.

Summary:

- The project exceeds Chapter 500 requirements by treating 160.5% of impervious area that *requires* treatment and 119.8% of developed area that requires treatment.
- The Project is treating many pre-2005 impervious areas that don’t require treatment. When including these, the project still meets Chapter 500 requirements by treating 100% of onsite impervious area (all 289,580 SF) and 85.3% of onsite developed area (385,695 SF of 451,900 SF).

Please let me know if you have any questions, and thanks again for your assistance as we finalize this project.

-als

From: Tobey, Shawn M. <stobey@hoyletanner.com>
Sent: Tuesday, March 3, 2020 9:23 AM
To: Strause, Aubrey <Aubrey.Strause@maine.gov>
Cc: Stehr, April A <April.A.Stehr@maine.gov>
Subject: RE: Kittery, Aztec: LLC: revised treatment table

EXTERNAL: This email originated from outside of the State of Maine Mail System. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Morning Aubrey,

Please find the attached updated info for the Dennett Road project. I have also attached a memo explaining the treatment table and existing impervious areas onsite. I am around all day if you have questions and want to discuss.

Shawn M. Tobey, PE
Project Manager
Hoyle, Tanner & Associates, Inc.
(603) 431-2520, ext 29

From: Strause, Aubrey <Aubrey.Strause@maine.gov>
Sent: Tuesday, February 25, 2020 3:32 PM
To: Tobey, Shawn M. <stobey@hoyletanner.com>
Cc: Stehr, April A <April.A.Stehr@maine.gov>
Subject: RE: Kittery, Aztec: LLC: revised treatment table

Stormwater Engineer Review
REVISED FINAL STORMWATER REVIEW

Date: March 5, 2020
Applicant: Aztec, LLC
Project Name: 76 Dennett Road Mixed Use Development
DEP #: #L-28385-26-A-N
Town: Kittery
DEP Engineer: Ken Libbey, P.E. (initial); Aubrey Strause, P.E. (this revision)
Design Engineer: Hoyle Tanner & Associates, Inc. (Shawn Tobey, P.E.)
Type of Project: Site Law
Scope: Basic, General, Flooding
Watershed Piscataqua River
Watershed Type: Not an Urban Impaired Stream or Lake Most at Risk
Parcel Size: 23.3 acres

Purpose of the Revised Final Stormwater Review

This project was reviewed by Department Stormwater Engineer Ken Libbey, P.E. His review Memo was dated December 9, 2019 and was based on an application package dated August 2019.

On February 20, 2020, Department Licensor April Stehr observed that the existing impervious area included in the Stormwater Review and application narrative did not match the existing impervious area shown in the Water Quality Treatment table.

On February 25, 2020, with a statutory date pending and unable to connect with Mr. Libbey, Ms. Strause contacted the design engineer, Shawn Tobey, P.E. It was quickly determined that the Water Quality Treatment table did not include existing gravel areas on the parcel in values in the "Existing Impervious" column. (Gravel areas are considered impervious in Maine but not in New Hampshire).

On February 26, 2020, Mr. Libbey and Ms. Strause determined that the December 9, 2019 review Memo did not reflect a February 19, 2020 revision to the design. Mr. Libbey reviewed the February 19, 2020 submittal materials and determined that nothing else in them affected his December 9, 2019 review. He agreed that rather than revising his December 2019 memo that Ms. Strause could briefly update the existing and proposed impervious and developed areas on the parcel (total and treated), per the revised Water Quality Treatment table, for inclusion in the license narrative.

This Revised Final Stormwater Review is limited to finalizing the existing and proposed impervious and developed areas on the parcel, and determining how much impervious and developed areas will be treated by the proposed stormwater management system.

Materials Included in This Review

This Revised Final Stormwater Review refers to the following:

- Project Stormwater Memorandum, dated March 3, 2020, prepared by Shawn Tobey, P.E.;
- Revised Water Quality Treatment Table, dated March 2020, prepared by Shawn Tobey, P.E.

Areas on the Parcel

Water Quality Treatment tables (including the March 2020 revision) combine onsite and offsite areas (i.e., entire watershed of the project site) in the values shown for each subcatchment. The March 3, 2020 Memo provides clarity and context, separating out area in the entire watershed vs. area on the project site.

The March 3, 2020 Memo also provides additional context to offsite areas that were impervious before 2005 (129,175 SF), although this data is not relevant to the DEP license.

The following table summarizes the project and provides the source for values for area.

	Site Area Square feet (acres)	Comment or Source of Data
Impervious Area		
Existing	109,155 (2.50)	<u>Source:</u> March 3, 2020 Memorandum. This impervious area on the parcel was created before 2005 per a 2002 permit issued by the Kittery Planning Board. This area does not require treatment.
Proposed	180,425 (4.15)	<u>Source:</u> March 3, 2020 Memorandum.
Total	289,580 (6.65)	
Landscaped Area		
Existing	20,815 (0.48)	The cleared areas on the parcel were created before 2005 per a 2002 permit issued by the Kittery Planning Board. This area does not require treatment. <u>Source:</u> Calculated by subtracting total onsite impervious area (289,580) from total onsite developed area (451,900) to get total onsite landscaped area (162,320), then subtracting new proposed landscaped area (141,505) from that total.
Proposed	141,505 (3.25)	<u>Source:</u> March 2020 Water Quality Treatment Table.
Total	162,320 (3.73)	<u>Source:</u> Calculated by subtracting total onsite impervious area (289,580) from total onsite developed area (451,900).
Developed Area		
Existing	109,155 (2.50)	<u>Source:</u> Sum of Existing Impervious and Existing Landscaped Areas in this table.
Proposed	342,745 (7.87)	<u>Source:</u> Sum of Proposed Impervious and Proposed Landscaped Areas in this table.
Total	451,900 (10.37)	

The remaining 12.93 acres of the parcel is undeveloped.

Provided Treatment

The existing onsite impervious and landscaped areas on the parcel were created before 2005. The grade of these areas is not changing significantly, and they are remaining impervious, so they qualify as "maintenance" and do not require treatment.

Although some existing onsite impervious and landscaped area does not *require* treatment for the reasons stated above, much of it is being treated. For this reason, the percentages of impervious and developed area being treated exceed 100%.

Treatment Summary (all values in square feet)			
	TOTAL AREA	TREATED	PERCENTAGE
Impervious	180,425	289,580	160.5%
Total Onsite	289,580		
Pre-2005 Onsite	-109,155		
Landscaped	141,505	96,115	---
Total Onsite	162,320		
Pre-2005 Onsite	-20,815		
Developed	321,930	385,695	119.8%
Total Onsite	451,900		
Pre-2005 Onsite	-129,970		

The project exceeds Chapter 500 requirements by treating 160.5% of impervious area that requires treatment and 119.8% of developed area that requires treatment.

When including the pre-2005 impervious areas that don't *require* treatment, the project still meets Chapter 500 requirements by treating 100% of onsite impervious area (all 289,580 SF) and 85.3% of onsite developed area (385,695 SF of 451,900 SF).

Offsite Areas Treated

The proposed BMPs also treat 26,680 SF of offsite impervious area and 5,865 SF of offsite landscaped area for a total of 32,545 SF of offsite developed area. The applicant sized the BMPs to treat 100% of offsite flow. These treated areas are not credited in the treatment calculations above.

March 3, 2020

Aubrey Strause, P.E.
Stormwater Engineer, Southern Maine
Bureau of Land Resources
Maine Department of Environmental Protection
312 Canco Road #4
Portland, ME 04103



Pease International Tradeport
100 International Drive, Suite 360
Portsmouth, New Hampshire 03801
603-431-2520
www.hoyletanner.com

**Re: Project Stormwater Memorandum
76 Dennett Road Proposed Mixed-Use Residential Development**

Dear Ms. Strause,

We received your comments in an email dated February 21st, 2020, regarding clarification on the impervious and developed areas for the above referenced project. In the original application, there were conflicts between the areas listed in the application and the treatment tables. Since this time, we have revised the areas to avoid confusion. Outlined in this memorandum are the updated areas. Also included in this submittal is an updated Treatment Table.

In 2002, the current site owner was approved by the Kittery Planning Board to construct two buildings, an access road and parking areas on the site. See attached approved Site Plan for reference. The landowner cleared, grubbed and prepped the site for the development, but never constructed the buildings. The development resulted in approximately 4 acres of gravel area on the site based on 2003 Google Earth aerial photography. See attached graphic for reference. The site, as it exists today, has 109,155 sf (2.5 ac) of gravel impervious cover which is represented in the HydroCAD model and Treatment Table. Although there was additional impervious cover onsite in 2003, we have only included the impervious cover that exists today. All existing impervious cover located in the ROW and onsite is considered to be vested and exempt from treatment since it was pre 2005. The existing impervious cover was subtracted from the total impervious cover that requires treatment in the post condition. Listed below is an updated summary of the project areas and treatment:

Area Summary

Existing Impervious Area (Onsite)	= 109,155 sf (2.5 ac)
<u>New Impervious Area (Onsite)</u>	<u>= 180,425 sf (4.1 ac)</u>
Total Impervious Area (Onsite)	= 289,580 sf (6.6 ac)
Existing Developed Area (Onsite)	= 109,155 sf (2.5 ac)
<u>New Developed Area (Onsite)</u>	<u>= 342,745 sf (7.9 ac)</u>
Total Developed Area (Onsite)	= 451,900 sf (10.4 ac)

Impervious Area Treatment Summary

Total Impervious Area (Entire Watershed) = 316,260 sf (7.3 ac)
- Existing Impervious Area Pre-2005 (Entire Watershed) = 129,175 sf (3.0 ac)
Total Impervious Area Subject to Treatment (Entire Watershed) = 187,085 sf (4.3 ac)

Total Impervious Area Treated (Entire Watershed) = 291,705 sf (6.7 ac)

Impervious Area Treatment = **156%**

Developed Area Treatment Summary

Total Developed Area (Entire Watershed) = 457,765 sf (10.5 ac)
- Existing Developed Area Pre-2005 (Entire Watershed) = 129,175 sf (3.0 ac)
Total Developed Area Subject to Treatment (Entire Watershed) = 328,590 sf (7.5 ac)

Total Developed Area Treated (Entire Watershed) = 387,820 sf (8.9 ac)

Developed Area Treatment = **118%**

We trust these responses and the updated Treatment Table have thoroughly addressed all comments and concerns. Please do not hesitate to contact our office with any additional questions or comments regarding this project.

Sincerely,

HOYLE, TANNER & ASSOCIATES, INC.



Shawn M. Tobey, P.E.
Project Manager

76 DENNETT ROAD EFFECTIVE POLLUTANT TREATMENT		SHEET 1 OF 1
PROJECT 76 DENNETT ROAD		DATE PREPARED March 2020
LOCATION KITTERY, ME		BASIS FOR ESTIMATE
ENGINEER Hoyle, Tanner & Associates, Inc. 100 INTERNATIONAL DRIVE, SUITE 300 PORTSMOUTH, NH 03801		<input type="checkbox"/> NO DESIGN COMPLETED <input checked="" type="checkbox"/> FINAL DESIGN <input type="checkbox"/> PRELIMINARY DESIGN <input type="checkbox"/> SPECIFY
SUBJECT Percent of Treatment		COMPUTED MJG CHECKED SMT

AREA ID	WATERSHED SIZE (Sq.Ft.)	EXISTING IMPERVIOUS AREA (PRE 2005) (Sq.Ft.)	TOTAL IMPERVIOUS AREA (Sq.Ft.)	LANDSCAPED AREA (Sq.Ft.)	TOTAL DEVELOPED AREA (Sq.Ft.)	UNDEVELOPED / EXISTING AREAS (Sq.Ft.)	TREATMENT BMP	IMPERVIOUS AREA TREATED (Sq.Ft.)	LANDSCAPED AREA TREATED (Sq.Ft.)	DEVELOPED AREA TREATED (Sq.Ft.)
1-A	157615	7025	1175	20560	21735	135880	NONE	0	0	0
1-B	18190	3325	5835	12355	18190	0	WET POND 1	5250	12940	18190
1-C	9670	8535	9505	165	9670	0	WET POND 1	9505	165	9670
1-D	6760	5090	6605	155	6760	0	WET POND 1	6605	155	6760
1-E	9640	9640	3830	5810	9640	0	WET POND 1	3830	5810	9640
1-F	6145	1245	5960	185	6145	0	WET POND 1	5960	185	6145
1-G	8390	6250	7850	540	8390	0	WET POND 1	7850	540	8390
1-H	4965	4225	4485	480	4965	0	WET POND 1	4485	480	4965
1-I	1650	1375	1650	0	1650	0	WET POND 1	1650	0	1650
1-J	2655	0	2435	220	2655	0	WET POND 1	2435	220	2655
1-K	8155	440	7415	740	8155	0	WET POND 1	7415	740	8155
1-L	13545	13045	12520	1025	13545	0	WET POND 1	12520	1025	13545
1-M	15400	15400	15400	0	15400	0	WET POND 1	15400	0	15400
1-N	2290	1490	1990	300	2290	0	NONE	0	0	0
1-O	3070	1980	2675	395	3070	0	NONE	0	0	0
1-P	3105	1995	2700	405	3105	0	NONE	0	0	0
1-Q	2810	1880	2555	255	2810	0	NONE	0	0	0
1-R	1300	970	1300	0	1300	0	NONE	0	0	0
2A	18215	7300	7300	0	7300	10915	NONE	0	0	0
2B	3600	2145	3090	510	3600	0	NONE	0	0	0
2C	19335	4875	290	7055	7345	11990	NONE	0	0	0
3-A	438010	5860	0	0	0	438010	NONE	0	0	0
3-B1	55645	2610	895	9780	10675	44970	NONE	0	0	0
3-B2	68025	0	0	6715	6715	61310	NONE	0	0	0
3-C	7340	3770	7340	0	7340	0	WET POND 2	7340	0	7340
3-D	4930	515	4930	0	4930	0	WET POND 2	4930	0	4930
3-E	3040	2105	3010	30	3040	0	WET POND 2	3010	30	3040
3-F	2305	605	2275	30	2305	0	WET POND 2	2275	30	2305
3-G	15950	0	4630	11320	15950	0	WET POND 2	4630	11320	15950
3-H	22660	0	8185	14475	22660	0	WET POND 3	8185	14475	22660
3-I	13150	305	11400	1750	13150	0	WET POND 3	11400	1750	13150
3-J	2815	0	0	2815	2815	0	WET POND 3	0	2815	2815
3-K	14820	855	6125	8695	14820	0	WET POND 3	6125	8695	14820
3-L	10540	0	10410	130	10540	0	WET POND 3	10410	130	10540
3-M	5530	270	5140	390	5530	0	WET POND 3	5140	390	5530
3-N	1650	0	1650	0	1650	0	WET POND 3	1650	0	1650
3-O	5540	1090	4700	840	5540	0	WET POND 3	4700	840	5540
3-P	1650	0	1650	0	1650	0	WET POND 3	1650	0	1650
3-Q	10030	15	2510	7520	10030	0	WET POND 3	2510	7520	10030
3-R	7980	0	1960	6020	7980	0	WET POND 3	1960	6020	7980
3-S	9495	0	8015	1480	9495	0	WET POND 3	8015	1480	9495
3-T	9055	1455	1355	7700	9055	0	WET POND 3	1355	7700	9055
3-U	12055	1245	11440	615	12055	0	WET POND 3	11440	615	12055
3-V	6415	230	5005	1410	6415	0	WET POND 3	5005	1410	6415
3-W	1650	150	1650	0	1650	0	WET POND 3	1650	0	1650
3-X	12600	0	11170	1430	12600	0	WET POND 3	11170	1430	12600
3-Y	11630	0	10475	1155	11630	0	WET POND 2	10475	1155	11630
3-Z	11020	0	9685	1335	11020	0	WET POND 2	9685	1335	11020
3-AA	5550	0	4810	740	5550	0	WET POND 2	4810	740	5550
3-BB	1650	0	1650	0	1650	0	WET POND 2	1650	0	1650
3-CC	6850	0	6275	575	6850	0	WET POND 2	6275	575	6850
3-DD	5040	255	4160	880	5040	0	WET POND 2	4160	880	5040
3-EE	5350	635	5350	0	5350	0	WET POND 3	5350	0	5350
3-FF	2915	420	395	2520	2915	0	WET POND 3	395	2520	2915
3-GG	16625	3055	16625	0	16625	0	WET POND 3	16625	0	16625
3-HH	15225	2395	15225	0	15225	0	WET POND 3	15225	0	15225
3-II	19600	2865	19600	0	19600	0	WET POND 3	19600	0	19600
4	1535	0	0	0	0	1535	NONE	0	0	0
5	18870	240	0	0	0	18870	NONE	0	0	0
TOTAL	1181245	129175	316260	141505	457765	723480	-	291705	96115	387820

TREATMENT SUMMARY			
Impervious Area Treatment Percent		Developed Area Treatment Percent	
Total Impervious Area (Sq.Ft.)	316260	Total Developed Area (Sq.Ft.)	457765
Pre 2005 Impervious Area (Sq.Ft.)	129175	Pre 2005 Impervious Area (Sq.Ft.)	129175
Required Impervious Area to Treat (Sq.Ft.) = Total Impervious Area - Pre 2005	187085	Required Developed Area to Treat (Sq.Ft.) = Total Developed Area - Pre 2005	328590
Impervious Area Receiving Treatment (Sq.Ft.)	291705	Impervious Area Receiving Treatment (Sq.Ft.)	387820
% of Impervious Area Receiving Treatment	156%	% of Developed Area Receiving Treatment	118%

IMAGE © GOOGLE EARTH DECEMBER 2003

2003 IMPERVIOUS
76 DENNETT ROAD
KITTERY, ME
1" = 200'

APPROXIMATE PROPERTY LINE

LIMITS OF GRAVEL
(4± ACRES)



February 19, 2020

April Stehr
Project Manager
Bureau of Land Resources
Maine Department of Environmental Protection
312 Canco Road #4
Portland, ME 04103

**Hoyle, Tanner
& Associates, Inc.**

Pease International Tradeport
100 International Drive, Suite 360
Portsmouth, New Hampshire 03801
603-431-2520
www.hoyletanner.com

**Re: Project Update
76 Dennett Road Proposed Mixed-Use Residential Development**

Dear Ms. Stehr,

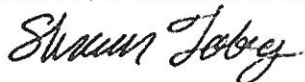
On behalf of Aztec, LLC, Hoyle, Tanner and Associates is pleased to submit updated project drawings and drainage analysis documents. Since the last submission of plans to the Maine Department of Environmental Protection on August 7, 2019 we have made the following minor changes to the project:

- A center southbound turn lane was added to Dennett Road at the request of DOT.
- The proposed sidewalk was shifted to be closer to Dennett Road and extended to the south towards Interstate 95 southbound on-ramp
- At the request of MaineDOT, the post-development peak flow rates for design points at Dennett Road were reduced below pre-development rates up to the 50-year design storm. To provide a reduction, the channel protection volume for Wet Pond 1 was increased 7,507 cubic feet to 7,997 cubic feet
- The drainage analysis has been revised to include the exiting culverts within the project area along Dennett Road and the proposed Dennett Road improvements

Please do not hesitate to contact our office with any additional questions or comments regarding this project.

Sincerely,

HOYLE, TANNER & ASSOCIATES, INC.



Shawn M. Tobey, P.E.
Project Manager

DRAINAGE SUMMARY
FOR A
**PROPOSED MIXED-USE RESIDENTIAL
DEVELOPMENT PROJECT**
76 Dennett Road
Kittery, ME

Prepared for:

**Maine Department of Transportation
Traffic Movement Permit**

February 19, 2020

Prepared by:

Hoyle, Tanner
& Associates, Inc.

Pease International Tradeport
100 International Drive, Suite 360
Portsmouth, NH 03801

Dennett Road Drainage Summary

STORM EVENT	24-HOUR RAINFALL (Inches)
2-Year Storm	3.31
10-Year Storm	5.32
25-Year Storm	6.58
50-Year-Storm	7.50

PRE-DEVELOPMENT CONDITIONS					
	Design Point 1	Design Point 2	Design Point 3	Design Point 4	Design Point 5
Inflow Area	5.70 Acres	1.05 Acres	17.96 Acres	0.31 Acres	2.10 Acres
2-Year Peak Flow	7.61 cfs	2.05 cfs	13.69 cfs	0.40 cfs	2.11 cfs
10-Year Peak Flow	16.10 cfs	4.13 cfs	30.41 cfs	0.95 cfs	5.37 cfs
25-Year Peak Flow	21.61 cfs	5.47 cfs	43.93 cfs	1.33 cfs	7.61 cfs
50-Year Peak Flow	25.67 cfs	6.45 cfs	53.51 cfs	1.61 cfs	9.30 cfs

POST-DEVELOPMENT CONDITIONS					
	Design Point 1	Design Point 2	Design Point 3	Design Point 4	Design Point 5
Inflow Area	6.32 Acres	0.94 Acres	19.4 Acres	0.04 Acres	0.43 Acres
2-Year Peak Flow	5.14 cfs	1.93 cfs	12.39 cfs	0.05 cfs	0.52 cfs
10-Year Peak Flow	12.85 cfs	3.80 cfs	29.87 cfs	0.12 cfs	1.22 cfs
25-Year Peak Flow	17.84 cfs	4.99 cfs	43.56 cfs	0.17 cfs	1.69 cfs
50-Year Peak Flow	24.09 cfs	5.86 cfs	52.43 cfs	0.20 cfs	2.04 cfs

FLOOD CONTROL ANALYSIS

Design Point 1			
24-Hour Storm	Pre-Development Peak Flow Rate	Post-Development Peak Flow Rate	Reduction
2-Year	7.61 cfs	5.14 cfs	-2.47 cfs
10-Year	16.10 cfs	12.85 cfs	-3.25 cfs
25-Year	21.61 cfs	17.84 cfs	-3.77 cfs
50-Year	25.67	24.09 cfs	-1.58 cfs

Design Point 2			
24-Hour Storm	Pre-Development Peak Flow Rate	Post-Development Peak Flow Rate	Reduction
2-Year	2.05 cfs	1.93 cfs	-0.12 cfs
10-Year	4.13 cfs	3.80 cfs	-0.33 cfs
25-Year	5.47 cfs	4.99 cfs	-0.48 cfs
50-Year	6.45 cfs	5.86 cfs	-0.59 cfs

Design Point 3			
24-Hour Storm	Pre-Development Peak Flow Rate	Post-Development Peak Flow Rate	Reduction
2-Year	13.69 cfs	12.39 cfs	-1.30 cfs
10-Year	30.41 cfs	29.87 cfs	-0.54 cfs
25-Year	43.93 cfs	43.56 cfs	-0.37 cfs
50-Year	53.51 cfs	52.43 cfs	-1.08 cfs

Design Point 4			
24-Hour Storm	Pre-Development Peak Flow Rate	Post-Development Peak Flow Rate	Reduction
2-Year	0.40 cfs	0.05 cfs	-0.35 cfs
10-Year	0.95 cfs	0.12 cfs	-0.83 cfs
25-Year	1.33 cfs	0.17 cfs	-1.16 cfs
50-Year	1.61 cfs	0.20 cfs	-1.41 cfs

Design Point 5			
24-Hour Storm	Pre-Development Peak Flow Rate	Post-Development Peak Flow Rate	Reduction
2-Year	2.11 cfs	0.52 cfs	-1.59 cfs
10-Year	5.37 cfs	1.22 cfs	-4.15 cfs
25-Year	7.61 cfs	1.69 cfs	-5.92 cfs
50-Year	9.30 cfs	2.04 cfs	-7.26 cfs

SUMMARY

The proposed site design reduces peak flow rates leaving the site for the 2, 10, 25 and 50-year storm events as shown in the tables above. Flows leaving the site enter existing culverts under Dennett Road and Interstate 95. All five design points are either reduced in size or drain to a wet pond to provide the required flood control for all storm events.

Refer to the attached Pre- and Post-Development Drainage Plans and analysis for design points and subcatchments.

February 18, 2020

April Stehr
Project Manager
Bureau of Land Resources
Maine Department of Environmental Protection
312 Canco Road #4
Portland, ME 04103

Hoyle, Tanner
& Associates, Inc.

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CC: John Hopeck, Ph.D.
Division of Environmental Assessment
Maine Department of Environmental Protection

**Re: Review Memorandum Responses
76 Dennett Road Proposed Mixed-Use Residential Development**

Dear Ms. Stehr,

We have received the comments from John Hopeck regarding the above-referenced project in a letter dated November 8, 2019. We offer the following responses (shown in bold) to the comments (shown in italics) for your consideration, along with the attached Geotechnical Report prepared by S.W. Cole Engineering, Inc.

- 1. The application for this project includes a high-intensity soils map, test pit logs, and other required documentation for the map, but does not include a geotechnical study or other information demonstrating suitability of the site for the relatively large structures proposed. In particular, many of the structure foundations will be apparently be resting in part on bedrock and in part on native materials, presenting some potential for differential settlement. Several test pits report fill material at the surface, which might need to be removed depending on the proposed use of the site. Copies of any geotechnical investigation performed to assess site conditions, appropriate construction measures, the suitability of the site for the proposed development, or any other purpose, should be provided for review and approval. Similarly, if a Phase I or other Environmental Assessment has been performed for this site, a copy of that document should be provided for review and approval.*

A geotechnical investigation was performed by S.W. Cole Engineering, Inc. A copy of the report dated November 22, 2019, is attached to this memo for your review. The report provides detailed recommendations for the building foundations and pavement construction. A Phase 1 or other Environmental Assessment was not performed as it was not required by for this site.

- 2. The wet pond section detail (Drawing C21) indicates that the ponds will include a twelve- inch thick "compacted silty clay layer from existing material located onsite." Test pit logs included in the application do not clearly identify silty clay, although very fine sandy loam is found in some wetland areas and silt loam is reported at depth in some explorations close to the turnpike (TP 14, 15). The applicant should clarify where on the site this silty clay material will be sourced and if the material has been shown to meet requirements for the wet pond liners (this information may already be included in any geotechnical investigation of the site.)*

Due to the potential lack of silty clay material onsite, the note on the wet pond section detail was revised to read "12" layer of imported silty clay material compacted to form an impermeable barrier. Contractor to provide submittal of material for review and approval by design engineer prior to construction".

3. *The proposed Building 5 includes six parking spaces and four storage units (Drawing C8). The applicant should clarify the proposed use of these spaces, particularly whether they are to be used for operation and maintenance of the development or will be available for rental or use by site tenants. The proposed use will determine the nature of restrictions, if any, to be placed on storage of potential contaminants and hazardous materials in this building. In any event, the building should not include floor drains or other points of discharge to groundwater.*

Building 5 (and those similar to it), are proposed to be solely parking and storage areas that will be available for prospective tenants to rent. The parking spaces and storage units will only include general household items and will exclude any hazardous materials. There are no proposed floor drains for these buildings or other points of discharge to groundwater.

4. *The proposed blasting plan is generally consistent with Department requirements. There is, however, some ambiguous usage in the language of the section "Blast Vibration & Air-Blast". The decreasing air overpressure limit in the Department standards applies in cases of more than one blast per day, and does not limit the total number of blasts at the site or require a standard of less than 129 dB for blasts not occurring on the same day; the language in the plan could be read to require stricter limits than those in the Department's performance standards.*

Comment noted, the sub-consultant will be made aware of the use of ambiguous language.

We trust that the revisions and responses have thoroughly addressed all comments and concerns. Please do not hesitate to contact our office with any additional questions or comments regarding this project.

Sincerely,

HOYLE, TANNER & ASSOCIATES, INC.



Shawn M. Tobey, P.E.
Project Manager

February 18, 2020

April Stehr
Project Manager
Bureau of Land Resources
Maine Department of Environmental Protection
312 Canco Road #4
Portland, ME 04103



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Portsmouth, New Hampshire 03801
603-431-2520
www.hoyletanner.com

CC: Eric Hamlin
Environmental Specialist
Division of Solid Materials Management
Maine Department of Environmental Protection

**Re: Review Memorandum Responses
76 Dennett Road Proposed Mixed-Use Residential Development**

Dear Ms. Stehr,

We have received the comments from Eric Hamlin regarding the above-referenced project in an email dated February 14, 2020. We offer the following responses (shown in bold) to the comments (shown in italics) for your consideration.

1. Municipal Solid Waste

The applicant states that Shipyard Waste Solutions (SWS) of Eliot will be responsible for hauling and disposal of solid waste produced "from construction and after the completion of construction" but has provided no discrete quantity estimate for ongoing waste generation or information regarding final disposal of material.

The applicant's submittal references information provided by SWS, but this does not appear to address anything but construction debris and does not indicate where non-recyclable material will eventually be disposed of.

Please provide an estimate of the quantity of municipal solid waste (MSW) expected to be generated by the completed development, and information on where final disposal will occur. For example, SWS will haul to someplace like a landfill or incinerator; please specify.

It is estimated that the constructed project will generate roughly 1,523 lbs or 6 C.Y. of MSW per day. See below for calculations. The completed project will have dumpster pads and enclosures that include four 8 C.Y. dumpsters for a total of 24 C.Y. It is anticipated the dumpsters will be emptied every 3 days or more frequently as needed. The MSW will be hauled to a landfill for disposal, mostly the Turnkey Landfill in Rochester, NH.

Calculations:

Assumptions

Dwelling Unit = 5 lbs/dwelling unit/day

Commercial Retail = 2.5 lbs/1000 s.f.

1 C.Y. loose waster = 250 lbs

303 dwelling units x 5 lb/dwelling unit/day = 1,515 lb/day

3,000 s.f. retail x 2.5 lb/1000 s.f. = 7.5 lbs/day

Total = 1,523 lbs/day or 6 C.Y./day

2. Construction and Demolition Debris

The applicant estimates that approximately 400 cubic yards of construction and demolition debris will be generated by the project and collected in containers at the project site to be hauled by Shipyard Waste Solutions of Eliot, Maine. No specific information has been provided regarding the final disposal of this material.

In addition, there is a statement by SWS that states that “debris generated by this project will be tipped and combined with other clean concrete waste for later processing into clean road base material.” Since it does not seem likely that clean concrete debris will be generated by construction of the proposed buildings, and other typical building materials are not generally considered inert, this would not be an appropriate means of disposal.

Please find out where SWS will dispose of non-recyclable material, and please obtain clarification regarding the statement about processing residue into road base.

Any construction debris that cannot be recycled, will be disposed of in a landfill, mostly the Turnkey Landfill in Rochester, NH. The recycled concrete statement was an oversight. We do anticipate concrete to be reused as a base material. All construction debris will be removed from the site and properly disposed of.

3. Land Clearing Debris

The applicant has not provided an estimate of the amount of land clearing debris expected to be generated by the project, but states that “wood waste produced from construction will be ground on site and used as wood chips to be hauled away by the contractor”.

This is somewhat confusing. Is this intended to reference tree parts, or lumber cutoffs? Wood resulting from construction activity such as lumber cutoffs, plywood scrap, etc. should not be ground for use as mulch. It may be suitable for grinding into biomass fuel, but grinding would need to occur offsite at a licensed processing facility.

Mobile grinding on the site of generation is only allowed for tree parts and brush.

It is estimated that 50 C.Y. of land clearing debris