

ITEM 7

Town of Kittery Planning Board Meeting November 18, 2021

ITEM 7— 31 Water Street—Shoreland Development Plan Review

Action: Accept or deny application as complete; if accepted--continue application to a subsequent meeting set public hearing and/or site walk (discretionary), or approve or deny application: Pursuant to 16.3 *Land Use Regulations*, §16.10.3.2 *Shoreland Development Review* and Article III Nonconformance of §16.7 *General Development Requirements* of the Town of Kittery Land Use and Development Code, owners John A. Brady and Lise B. Sequin and applicant / agent Tyler Jackson requests approval to expand legally non-conforming structures on a legally non-conforming lot within the base zone setback of the Shoreland Overlay Zone located on real property with the address of 31 Water Street, Tax Map 1, Lot 52, in the Residential-Urban (R-U) Zone and the Shoreland (OZ-SL-250), Resource Protection (OZ-RP) and Commercial Fisheries/Maritime Uses Overlay Zones.

PROJECT TRACKING

REQ'D	ACTION	COMMENTS	STATUS
No	Sketch Plan	Not Pursued	N/A
No	Site Visit	TBD	TBD
Yes	Completeness/Acceptance	October 28, 2021	PENDING
No	Public Hearing	May occur on November 18, 2021, if acted on	TBD
Yes	Final Plan Review and Decision	May occur on October 28, 2021	TBD
Applicant: Prior to the signing of the approved Plan any Conditions of Approval related to the Findings of Fact along with waivers and variances (by the BOA) must be placed on the Final Plan and, when applicable, recorded at the York County Registry of Deeds. PLACE THE MAP AND LOT NUMBER IN 1/4" HIGH LETTERS AT LOWER RIGHT BORDER OF ALL PLAN SHEETS. As per Section 16.4.4.13 - Grading/Construction Final Plan Required. - Grading or construction of roads, grading of land or lots, or construction of buildings is prohibited until the original copy of the approved final plan endorsed has been duly recorded in the York County registry of deeds when applicable.			

Project Introduction

31 Water Road ("Property") is located along the bank of the Piscataqua River within the Residential- Urban (R-U) zoning district and Shoreland (OZ-SL-250). Resource Protection (OZ-RP) and Commercial Fisheries/Maritime Uses (CFMU) Overlay Zones. The property is a legally non-conforming lot, containing a legally non-conforming dwelling unit, as the lot's area is 9,433-sf, whereas the Residential-Urban's dimensional standard calls for 20,000-sf (0.45-ac) and the dwelling unit (785-sf.) is positioned partly (304-sf.) and the garage (298-sf.) completely within the base zone setback (100-ft.) of the Shoreland Overlay Zone along with other accessory structures and impervious surfaces.

The purpose of the plan is to demo, reconstruct and expand the existing dwelling unit, deck and garage, along with a slight driveway extension. There appears to be no prior structure expansion that occur after January 1, 1989, which allows for a maximum expansion rate of 30% to be utilized. In short, the Planning Board is tasked review and determine if the reconstruction and expansions plans fulfills the criteria as listed herein and make any other recommendation to improve the plan, if needed.

Application Review

Code Ref.	§16.3 Article II Zone Definitions, Uses and Standards	
	Standard	Comment
§16.3.2.4D(2)(b)	Minimum lot size: 20,000-sf.	Lot is 9,433-sf, making it legally nonconforming
§16.3.2.4D(2)(c)	Minimum street frontage: 100-ft.	53-ft., legally nonconforming
§16.3.2.4D(2)(d)	Minimum front setback: 30-ft.	it appears the standard is satisfied.
§16.3.2.4D(2)(e)	Minimum rear and side setbacks: 15-ft.	It appears the standard is satisfied.
§16.3.2.4D(2)(f)	Maximum building height: 35-ft. (Not in shoreland)	It appears the standard is satisfied.
§16.3.2.4D(2)(g)	Maximum building coverage: 20%	It appears the standard is satisfied.
§16.3.2.17D(1)(d)	<p>The total footprint of devegetated area must not exceed 20% of the lot area located within the Shoreland Overlay Zone, except in the following zones:</p> <p>[1] Mixed-Use – Badgers Island (MU-BI) and Mixed-Use – Kittery Foreside (MU-KF) Zones, where the maximum devegetated area is 60%. The Board of Appeals may approve a miscellaneous appeal application to increase allowable devegetated area in the Mixed-Use – Badgers Island (MU-BI) Zone to 70% where it is clearly demonstrated that no practicable alternative exists to accommodate a water-dependent use.</p> <p>[2] Commercial (C1, C-2, C-3), Business – Local (B-L and B-L1) and Industrial (IND) Zones where the maximum devegetated area is 70%.</p> <p>[3] Residential – Urban (R-U) Zone where the lot is equal to or less than 10,000 square feet, the maximum devegetated area is 50%.</p>	It appears the standard is satisfied, as the lot is undersized and is allowed a 50% devegetation rate.
§16.3.2.17D(2)(b)	Accessory patios or decks no larger than 500 square feet in area must be set back at least 75 feet from the normal high-water line of any water bodies, tributary streams, the upland edge of a coastal wetland, or the upland edge of a freshwater wetland. Other patios and decks must satisfy the normal setback required for principal structures in the Shoreland Overlay Zone.	It appears the standard is satisfied, as the proposed deck expansion is not increasing its footprint below the 75-ft. setback and the total square footage will comprise less than 500-sf.
Code Ref.	§16.7 Article III Nonconformance	
	Standard	Comment
§16.7.3.3.A(2)	<p>In determining whether the structure relocation meets the setback to the greatest practical extent, the Planning Board or Board of Appeals must consider the following conditions:</p> <p>(a) the size of the lot;</p> <p>(b) The slope of the land;</p> <p>(c) The potential for soil erosion;</p> <p>(d) The location of other structures on the property and on adjacent properties;</p> <p>(e) The location of the septic system and other on-site soils suitable for septic systems;</p> <p>(f) The type and amount of vegetation to be removed to accomplish the relocation.</p>	Due to the base zone setbacks, it appears the new dwelling unit is located at the point of least nonconformance. As for the garage, it is possible to place it outside the side yard setback, however, this would appear to be an impracticable task and the applicant is better off utilizing the existing footprint.

Code Ref.	§16.7 Article III Nonconformance	
	Standard	Comment
§16.7.3.3.A(3)	<p>When it is necessary to remove vegetation within the water or wetland setback area to relocate a structure, replanting of native vegetation to compensate for the destroyed vegetation is required. The Planning Board or Board of Appeals may restrict mowing around and pruning of the replanted native vegetation to encourage a more natural state of growth. Tree removal and vegetation replanting is required as follows, effective 2-28-15:</p> <p>(a) Prior to the commencement of on-site construction, areas to remain undisturbed must be clearly marked with stakes and caution tape. All stakes, caution tape, silt fences, and other materials used during construction must remain until all on-site work is completed. Prior to removal, written permission to remove such materials must be given by the Code Enforcement Officer.</p> <p>(b) Trees removed to relocate a structure must be replanted with at least one native tree, six feet in height, for every tree removed. If more than five trees are planted, no one species of tree can be used to make up more than 50% of the number of trees planted. Replaced trees must be planted no farther from the water or wetland than the trees removed.</p> <p>(c) Other woody and herbaceous vegetation and ground cover that is removed, or destroyed, to relocate a structure must be reestablished. An area at least the same size as the area where vegetation and/or ground cover was disturbed, damaged, or removed must be reestablished within the setback area. The vegetation and/or ground cover must consist of native vegetation and/or ground cover similar to that disturbed, destroyed or removed.</p> <p>(d) Where feasible, when a structure is relocated on a parcel, the original location of the structure must be replanted with vegetation consisting of grasses, shrubs, trees or a combination thereof.</p>	<p>It appears that the applicant is expanding the devegetation rate by increasing the footprint of the dwelling unit, deck, driveway, and garage. The applicant illustrates landscaping in sections of the lot but does not describe the type of vegetation to reside therein, or where the replacement vegetation will be located. The Planning Board should inquire about the type of vegetation the applicant plans on populate those area that require an offset.</p>
§16.7.3.3.B(3)[e][5a]	<p>For structures located less than the base zone setback from the normal high-water line of a water body, tributary stream, or upland edge of a coastal or freshwater wetland, the maximum combined total footprint for all structures may not be expanded to a size greater than 1,000 square feet, or 30% larger than the footprint that existed on January 1, 1989, whichever is greater. The maximum height of any portion of a structure that is located within the base zone setback may not be made greater than 20 feet, or the height of the existing structure, whichever is greater.</p>	<p>Considering the expansion calculations within the base zone setback are not provided on the plan, by using the scale, it appears the preexisting footprint within the base zone setback of all structures is approximately 889-sf., yielding a 266-sf maximum footprint expansion within the 100-sf setback. By subtracting the stairwell leading into the basement, which is not permitted due to its size, the approximate total of the proposed expansion equals 226-sf. The expansion figure will need to be confirmed by the applicant's engineer. Concerning the height, of the structures, it appears the new dwelling unit will conform with the height provision. But the garage will not, as the garage has a preexisting height of 14-ft. and the applicant is proposing an height expansion of 21.9-ft. The height calculation must be adjusted to be at or under 20-ft.</p>

Code Ref.	§16.7 Article III Nonconformance	
	Standard	Comment
§16.7.3.3.C(1)	In the Shoreland or Resource Protection Overlay Zone(s), any nonconforming structure which is located less than the required setback from a water body, tributary stream, or coastal or freshwater wetland and which is removed, damaged or destroyed, by any cause, by more than 50% of the market value of the structure before such damage, destruction or removal, may be reconstructed or replaced provided that a permit is obtained within 18 months of the date of said damage, destruction, or removal, and provided that such reconstruction or replacement is in compliance with the water body, tributary stream or coastal or freshwater wetland setback requirement to the greatest practical extent as determined by the Planning Board. In determining whether the structure reconstruction meets the setback to the greatest practical extent the Planning Board must consider, in addition to the criteria in § 16.7.3.3A(2), Nonconforming structure relocation, the physical condition and type of foundation present, if any.	It appears the applicant has place both the dwelling unit, deck and garage in locations that satisfy this standard.
§16.7.3.3.C(5)	In the Shoreland or Resource Protection Overlay Zone(s), if the total footprint of the original structure can be reconstructed beyond the required setback area, no portion of the reconstructed structure may be reconstructed at less than the setback requirement for a new structure. If the reconstructed or replacement structure is less than the required setback, it may not be any larger than the original structure, except as allowed in § 16.7.3.3B, Nonconforming structure repair and expansion.	It appears this standard is satisfied.

Code Ref.	§16.10 Article V Preliminary Plan Application Review and Approval Process Phase	
	Standard	Comment
§16.10.5.2.B(2)	With scale of the drawings no greater than one-inch equals 30 feet for developments less than 10 acres, and one inch equals 50 feet for all others;	It appears this standard is satisfied.
§16.10.5.2.B(3)	Code block in the lower right-hand corner. The block must contain: (a) Name(s) and address(es) of the applicant and owner; (b) Name of the project; (c) Name and address of the preparer of the plan, with professional seal, if applicable; (d) Date of plan preparation/revision, and a unique ID number for the plan and any revisions;	It appears this standard is satisfied.
§16.10.5.2.B(4)	Standard boundary survey conducted by a surveyor licensed in the State of Maine, in the manner recommended by the State Board of Registration for Land Surveyors;	It appears this standard is satisfied; however, the plans need to be updated to include surveyor's stamp.
§16.10.5.2.B(5)	An arrow showing true North and the magnetic declination, a graphic scale, and signature blocks for the owner(s) and members of the Planning Board;	It appears this standard is satisfied.
§16.10.5.2.B(6)	Locus map showing the property in relation to surrounding roads, within 2,000 feet of any property line of the development;	It appears this standard is satisfied, however, the scale needs to be incorporated into the plan set.
§16.10.5.2.B(7)	Surveyed acreage of the total parcel, of rights-of-way, wetlands, and area to be disturbed and amount of street frontage;	It appears this standard is satisfied.
§16.10.5.2.B(8)	Names and addresses of all owners of record of property abutting the development, including those across a street;	It appears this standard is satisfied.
§16.10.5.2.B(9)	Locations of essential physical features such as watercourses, forest cover, and outcroppings;	It appears this standard is satisfied.
§16.10.5.2.B(10)	Proposed development area conditions including, but not limited to: (a) Structures; their location and description including signs, to be placed on the site, floor plan of exterior walls and accesses located within 100 feet of the property line; (b) Utilities proposed including power, water, sewer, holding tanks, bridges, culverts and drainageways; (c) Sewage facilities type and placement. Test pit locations, at least two of which must meet the State of Maine Plumbing Code requirements, must be shown; (d) Domestic water source; (e) Parks, open space, or conservation easement locations; (f) Lot lines, interior and exterior, right-of-way, and street alignments; (g) Road and other paved ways plans, profiles and typical sections including all relevant data; (h) Setbacks existing and proposed; (i) Machinery permanently installed locations likely to cause appreciable noise at the lot lines;	It appears this standard is satisfied.

	(l) Pedestrian ways/sidewalks, curbs, driveways, fences, retaining walls and other artificial features locations and dimensions proposed; (m) Temporary marker locations adequate to enable the Planning Board to readily locate and appraise the layout of the development; (n) Land proposed to be dedicated to public use and the conditions of such dedication; (o) Natural features or site elements to be preserved.	
--	---	--

Discussion, next steps, and recommendations

Overall, the application appears to conform generally with the standards outlined in §16.3, §16.7, and §16.10 with minor clarifications needed. The most significant important issues are the need to confirm the exact preexisting / proposed expansion footprint within the base zone setback, adjusting the height of the garage to a conforming level, depicting on the plan and providing more information on the revegetation regimen.

Planning Board should first determine if the application is complete, if so, make a motion to accept. Then have a discussion on how to proceed. The Board can continue the meeting to give the applicant more time to make corrections and adjustments; schedule a site walk / public hearing if more analysis and understanding of the project is needed, or vote to approve with conditions.

Recommended motions

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

Motion to continue application

Move to continue the shoreland development application to the December 9, 2021 Planning Board meeting from owners John A. Brady and Lise B. Sequin and applicant / agent Tyler Jackson who are requesting approval to expand legally non-conforming structures on a legally non-conforming lot within the base zone setback of the Shoreland Overlay Zone located on real property with the address of 31 Water Street, Tax Map 1, Lot 52, in the Residential-Urban (R-U) Zone and the Shoreland (OZ-SL-250), Resource Protection (OZ-RP) and Commercial Fisheries/Maritime Uses (OZ-CFMU) Overlay Zones.

Motion to schedule a site walk

Move to schedule a site walk on ___(insert date)___ at ___(insert time)___ on real property with the address of 31 Water Street, Tax Map 1, Lot 52, for the purpose of the Planning Board to better understand the site conditions and proposed shoreland development application filed by owners John A. Brady and Lise B. Sequin and applicant / agent Tyler Jackson who are requesting approval to expand legally non-conforming structures on a legally non-conforming lot within the base zone setback of the Shoreland Overlay Zone located

Motion to schedule a public hearing

Move to schedule a public hearing on December 9, 2021 at 6:00 pm to consider a shoreland development application from owners John A. Brady and Lise B. Sequin and applicant / agent Tyler Jackson requesting approval to expand legally non-conforming structures on a legally non-conforming lot within the base zone setback of the Shoreland Overlay Zone located on real property with the address of 31 Water Street, Tax Map 1, Lot 52, in the Residential-Urban (R-U) Zone and the Shoreland (OZ-SL-250), Resource Protection (OZ-RP) and Commercial Fisheries/Maritime Uses (OZ-CFMU) Overlay Zones.

Motion to approve

Move to approve the shoreland development application from owners John A. Brady and Lise B. Sequin and applicant /agent Tyler Jackson requesting approval to expand legally non-conforming structures on a legally non-conforming lot within the base zone setback of the Shoreland Overlay Zone located on real property with the address of 31 Water Street, Tax Map 1, Lot 52, in the Residential-Urban (R-U) Zone and the Shoreland (OZ-SL-250), Resource Protection (OZ-RP) and Commercial Fisheries/Maritime Uses Overlay (OZ-CFMU) Zones with the following conditions as enumerated in the November 18, 2021 Findings of Fact.

Kittery Planning Board
Findings of Fact
For 31 Water Street
Shoreland Development Plan Review

WHEREAS: owners John A. Brady and Lise B. Sequin and applicant / agent Tyler Jackson requests approval to expand legally non-conforming structures on a legally non-conforming lot within the base zone setback of the Shoreland Overlay Zone located on real property with the address of 31 Water Street, Tax Map 1, Lot 52, in the Residential-Urban (R-U) Zone and the Shoreland (OZ-SL-250), Resource Protection (OZ-RP) and Commercial Fisheries/Maritime Uses Overlay Zones.

REQ'D	ACTION	COMMENTS	STATUS
NO	Sketch Plan	None	NOT APPLICABLE
NO	Site Visit	October 1, 2020; August 26, 2021	HELD
YES	Completeness/Acceptance	August 12, 2021	HELD
NO	Public Hearing	Not pursued by the Board	NOT PURSUED
YES	Final Plan Approval	TBD; may occur on November 18, 2021	PENDING

And pursuant to the application and plan and other documents considered to be a part of a plan review decision by the Planning Board in this Finding of Fact consisting of the following (hereinafter the “Plan”):

1. Shoreland Development Plan Application, dated
2. Existing Conditions Plan, ____ dated __, last revised __
3. Shoreland Development Plan, Altus Engineering, Inc., dated __, last revised __
4. Architectural Elevations, Brendan McNamara, Residential Architecture, dated __, last revised __
5. Landscaping Plan, Woodburn & Company, dated

NOW THEREFORE, based on the entire record before the Planning Board and pursuant to the applicable standards in the Land Use and Development Code, the Planning Board makes the following factual findings and conclusions:

FINDINGS OF FACT

Chapter 16.3 LAND USE ZONE REGULATIONS

16.3.2.17.D(1)(D)

Standard: *The total footprints of the areas devegetated for structures, parking lots and other impervious surfaces, must not exceed twenty (20) percent of the lot area, including existing development, except in the following zones*
[1] Mixed-Use – Badgers Island (MU-BI) and Mixed-Use – Kittery Foreside (MU-KF) Zones, where the maximum devegetated area is 60%. The Board of Appeals may approve a miscellaneous appeal application to increase allowable devegetated area in the Mixed-Use – Badgers Island (MU-BI) Zone to 70% where it is clearly demonstrated that no practicable alternative exists to accommodate a water-dependent use.

[2] Commercial (C1, C-2, C-3), Business – Local (B-L and B-L1) and Industrial (IND) Zones where the maximum devegetated area is 70%.

[3] Residential – Urban (R-U) Zone where the lot is equal to or less than 10,000 square feet, the maximum devegetated area is 50%.

Finding: 31 Water Street has a pre-existing, legally non-conforming devegetation rate of 30.4% and is proposing to expand the rate to 38.2%. Given it's an

Conclusion: The standard appears to be met.

Vote: ____ in favor ____ against ____ abstaining

16.3.2.17.D(2)(b)

Standard: *Accessory patios or decks no larger than 500 square feet in area must be set back at least 75 feet from the*

normal high-water line of any water bodies, tributary streams, the upland edge of a coastal wetland, or the upland edge of a freshwater wetland. Other patios and decks must satisfy the normal setback required for principal structures in the Shoreland Overlay Zone.

Finding: The deck as proposed shall not be any closer as previously existed and will be under 500-ft in size with a total gross footprint of 179.8-sf

Conclusion: The standard appears to be met.

Vote: in favor against abstaining

Chapter 16.7 GENERAL DEVELOPMENT REQUIREMENTS

Article III Nonconformance

16.7.3.1 Prohibitions and Allowances

Standard: A. Except as otherwise provided in this Article, a nonconforming condition must not be permitted to become more nonconforming

Finding: The proposed dwelling unit will not becoming more nonconforming as the proposed distance from the H.A.T is no closer than previously existed (16.7.3.3.C), the proposed height of the dwelling unit and garage, once revised, will not exceed the permissible height (16.7.3.3.B(3)(e)[5][a]), and the footprint expansion (16.7.3.3.B(3)(e)[5][a]), of the dwelling unit, its deck, and garage are under the 30% (226.8-sf; 20.33%) permitted threshold.

Conclusion: The requirement appears to be met.

Vote: in favor against abstaining

Chapter 10 DEVELOPMENT PLAN APPLICATION AND REVIEW

Article 10 Shoreland Development Review

16.10.10.2 Procedure for Administering Permits

D. An application will be approved or approved with conditions if the reviewing authority makes a positive finding based on the information presented. It must be demonstrated the proposed use will:

Standard: 1. Maintain safe and healthful conditions;

Finding: The proposed development as represented in the plans and application does not appear to have an adverse impact.

Conclusion: This requirement appears to be met

Vote: in favor against abstaining

Standard: 2. Not result in water pollution, erosion or sedimentation to surface waters;

Finding: Maine DEP Best Management practices will be followed for erosion and sedimentation control during site preparation and building construction to avoid impact on adjacent surface waters. An existing eroded slope will be revegetated.

Conclusion: This requirement appears to be met

Vote: in favor against abstaining

Standard: 3. Adequately provide for the disposal of all wastewater;

Finding: The proposed development includes a sewer connection.

Conclusion: This requirement appears to be met.

Vote: in favor against abstaining

Standard: 4. Not have an adverse impact on spawning grounds, fish, aquatic life, bird or other wildlife habitat;

<p>Finding: The proposed development does not appear to have an adverse impact on marine natural resources.</p> <p>Conclusion: This requirement appears to be met.</p>	<p>Vote: <u> </u> in favor <u> </u> against <u> </u> abstaining</p>
<p>Standard: 5. <i>Conserve shore cover and visual, as well as actual points of access to inland and coastal waters;</i></p> <p>Finding: The applicant appears not increase the lot's devegetation rate in areas any closer to the shore than that previously existed and access to the water edge appears to be preserved.</p> <p>Conclusion: This requirement appears to be met.</p>	<p>Vote: <u> </u> in favor <u> </u> against <u> </u> abstaining)</p>
<p>Standard: 6. <i>Protect archaeological and historic resources;</i></p> <p>Finding: There appears to be no archaeological and historical resources on the lot.</p> <p>Conclusion: This requirement is not applicable.</p>	<p>Vote: <u> </u> in favor <u> </u> against <u> </u> abstaining</p>
<p>Standard: 7. <i>Not adversely affect existing commercial fishing or maritime activities in a commercial fisheries/maritime activities district;</i></p> <p>Finding: The proposed development does not adversely impact existing commercial fishing or maritime activities, as a dwelling unit and garage are proposed to be constructed.</p> <p>Conclusion: This requirement appears to be met.</p>	<p>Vote: <u> </u> in favor <u> </u> against <u> </u> abstaining</p>
<p>Standard: 8. <i>Avoid problems associated with floodplain development and use;</i></p> <p>Finding: The property is designated Zone A2 by FEMA Flood Zone standards and is defined as a Special Flood Hazard Area (SFHA) along the small portions of the lot abutting the highest annual tide. The proposed development appears to be located outside the SFHA, yet future monitoring should take place as climate change affects the waterway and surrounding environment. In short, the proposed application does not appear to have an impact on the current floodplain or flood-prone area.</p> <p>Conclusion: This requirement appears to be met.</p>	<p>Vote: <u> </u> in favor <u> </u> against <u> </u> abstaining</p>
<p>Standard: 9. <i>Is in conformance with the provisions of this code;</i></p> <p>Finding: The proposed development complies with the applicable standards of Title 16.</p> <p>Conclusion: This requirement appears to be met.</p>	<p>Vote: <u> </u> in favor <u> </u> against <u> </u> abstaining</p>
<p>Standard: 10. <i>Be recorded with the York county Registry of Deeds.</i></p> <p>Finding: A plan suitable for recording will be prepared.</p> <p>Conclusion: As stated in the Notices to Applicant contained herein, Shoreland Development plans must be recorded with the York County Registry of Deeds within 90 days of approval prior to the issuance of a building permit.</p>	<p>Vote: <u> </u> in favor <u> </u> against <u> </u> abstaining</p>

NOW THEREFORE, the Kittery Planning Board adopts each of the foregoing Findings of Fact and based on these Findings determines the proposed Development will have no significant detrimental impact, and the Kittery Planning Board hereby grants final approval for the Development at the above referenced property, including any waivers granted or conditions as noted.

Waivers: None.

Conditions of Approval (to be depicted on final plan to be recorded):

1. No changes, erasures, modifications or revisions may be made to any Planning Board approved final plan. (Title 16.10.9.1.2)
2. Applicant/contractor will follow Maine DEP Best Management Practices for all work associated with site and building construction to ensure adequate erosion control and slope stabilization
3. With the exception of the vegetation identified on the plan for removal, no vegetation will be removed without prior approval by the Code Enforcement Officer or the Shoreland Resource Officer. Efforts to protect existing vegetation must be in place prior to grading or construction. The rock fill shall not replace existing vegetation.
4. Prior to the commencement of onsite construction, areas to remain undisturbed must be clearly marked with stakes and caution tape. All stakes, caution tape, silt fences, and other materials used during construction must remain until all onsite work is completed. Prior to removal, written permission to remove such materials must be given by the Code Enforcement Officer.
5. All Notices to Applicant contained herein (Findings of Fact dated 11/18/2021).

Conditions of Approval (not to be depicted on final plan):

1. Incorporate any plan revisions on the final plan as recommended by Staff, Planning Board or Peer Review Engineer, and submit for Staff review prior to plan endorsement by the Planning Board Chair.

The Planning Board authorizes the Planning Board Chair, or Vice Chair, to sign the Final Plan and the Findings of Fact upon confirmation of required plan changes.

Vote: ___in favor ___against ___abstaining

APPROVED BY THE KITTERY PLANNING BOARD ON _____

Dutch Dunkelberger, Planning Board Chair

Notices to Applicant:

1. Incorporate any plan revisions on the final plan as required by Planning Board and submit for Staff review prior to presentation of final mylar.
2. Prior to the release of the signed plans, the applicant must pay all outstanding fees associated with the permitting, including, but not limited to, Town Attorney fees, peer review, newspaper advertisements and abutter notification.
3. Three (3) paper copy of the final plan and any and all related state/federal permits or legal documents that may be required, must be submitted to the Town Planning Department for signing. Date of Planning Board approval shall be included on the final plan in the Signature Block. After the signed plan is recorded with the York County Registry of Deeds, a mylar copy of the signed original must be submitted to the Town Planning Department.
4. This approval by the Town Planning Board constitutes an agreement between the Town and the Developer, incorporating as elements the Development Plan and supporting documentation, the Findings of Fact, and any Conditions of Approval.

Appeal of Decision:

1. Per Title 16.6.2.A - An aggrieved party with legal standing may appeal a final decision of the Planning Board to the York County Superior Court in accordance with Maine Rules of Civil Procedures Section 80B, within forty-five (45) days from the date the decision by the Planning Board was rendered.



SDP-21-6

Shoreland Development Plan Application

Status: Active

Date Created: Oct 28, 2021

Applicant

Location

31 WATER STREET
KITTERY, ME 03904

Owner:

John Brady and Lise Seguin
31 WATER STREET KITTERY, ME 03904-1630

Project Information

Size of Waterbody

Unknown

Will this project create one acre or more of disturbed area? If yes, you will be required to file a MDEP Notice of Intent to Comply with the Maine Construction Permit. Excavation will require a Maine Dep certified contractor in erosion control measures.

No

Full description of the project

Removal of existing home and garage, Rebuilding new home and garage.

Lot Size (SF)

9,433

Base Zone

Residential-Urban (R-U)

Overlay Zone(s)

OZ-SL-250 Shoreland Overlay Zone\\tWater Body/Wetland Protection Area 250'

☐

OZ-SL-75 Shoreland Overlay Zone Stream Protection Area 75'

☐

OZ-CFMU Commercial Fisheries/Maritime Uses Overlay Zone

☒

OZ-RP Resource Protection Overlay Zone

☒

Project within buffer of overlay zone?

WITHIN 100FT or 75FT (0-100FT from Highest Annual Tide) see sect. A, B, C, D, F Planning Board Review

A. Devegetated Area - Parcel Devegetation

% Allowed (Enter 20% , 50%, 60% or 70% per narrative above)

Existing (sf) Devegated Area within 250' Shoreland Overlay Zone

2,864

Proposed (sf) Devegated Area within 250' Shoreland Overlay Zone

3,678

% Existing Devegated Area within 250' Shoreland Overlay Zone

30.4

% Proposed Devegated Area within 250' Shoreland Overlay Zone

39

B. Building Footprint - Principle and Accessory Structures**Structure distance from Highest Annual Tide or upland edge of wetland (FT)**

74

Building Coverage Existing (sf)

1,112

(%) Building Coverage Allowed

20

Building Coverage Proposed (sf)

1,428

(%) Building Coverage Existing

11.8

(%) Building Coverage Proposed

15.1

(%) Increase of Coverage

3.3

Type of Construction

Demo/Rebuild

Value (\$) of Construction

1,400,000

C. Building Height**Bldg. Height Existing (FT)**

18.28

Bldg. Height Proposed (FT)

19.6

D. Certifications

I certify I have provided, to the best of my knowledge, information requested for this application that is true and correct and I will not deviate from the Plan submitted without notifying the Code Enforcement Departments of any changes.



I understand an approved Shoreland Development Plan must be recorded in the York Country Registry of Deeds and I am responsible for incurred costs.







I understand calculations for area, volume, and de-vegetated areas must be included on the final plan and certified by a State of Maine registered architect, landscape architect, engineer, or land surveyor

**Applicant is**

Owner's Agent





Attachments

-  47457-00 Shoreland Development Plans_2021-10-29.pdf
Uploaded by ... on Nov 1, 2021 at 12:13 pm
-  P4_BRADY_10.28.21.pdf
Uploaded by ... on Oct 28, 2021 at 1:51 pm
-  water-st-deed.pdf
Uploaded by ... on Oct 28, 2021 at 1:59 pm
-  Brady Narrative-planning Sub. .pages
Uploaded by ... on Oct 28, 2021 at 2:22 pm

History

Date	Activity
Oct 26, 2021 at 2:21 pm	Tyler Jackson started a draft of Record SDP-21-6
Oct 27, 2021 at 11:06 am	Tyler Jackson altered Record SDP-21-6, changed ownerEmail from "johnb@brilliant-buds.com" to "John.b@brilliant-buds.com"
Oct 27, 2021 at 11:06 am	Tyler Jackson altered Record SDP-21-6, changed ownerPhoneNo from "6038017253" to "603-801-7253"
Oct 27, 2021 at 5:17 pm	Tyler Jackson altered Record SDP-21-6, changed ownerEmail from "John.b@brilliant-buds.com" to "john.b@brilliant-buds.com"
Oct 28, 2021 at 1:59 pm	Tyler Jackson added attachment water-st-deed.pdf to Record SDP-21-6
Oct 28, 2021 at 2:22 pm	Tyler Jackson added attachment Brady Narrative-planning Sub. .pages to Record SDP-21-6
Oct 28, 2021 at 2:23 pm	Tyler Jackson submitted Record SDP-21-6
Oct 28, 2021 at 2:23 pm	approval step Application Completeness Review was assigned to Bart McDonough on Record SDP-21-6

Timeline

Label	Status	Activated	Completed	Assignee	Due Date
 Application Completeness Review	Active	Oct 28, 2021 at 2:23 pm	-	Bart McDonough	-
 Shoreland Application Payment	Inactive	-	-	-	-
 Code Dept Approval - Final Plan	Inactive	-	-	-	-
 Final Plan Uploaded to ViewPoint Account	Inactive	-	-	-	-

**DEED OF SALE BY
PERSONAL REPRESENTATIVE (Testate)**


I, **Pamela J. Fuller**, of 366 Dow Highway, South Berwick, Maine 03908, duly appointed and acting Personal Representative of the **Estate of Ronald Bruce Marsh, a/k/a Ronald B. Marsh**, deceased, (testate), as shown by the probate records of York County, Maine, Docket No. 2021-0287, and not having given notice to each person succeeding to an interest in the real property described below at least ten (10) days prior to the sale, such notice not being required under the terms of the decedent's will, by the power conferred by the Probate Code, and every other power, for consideration paid grant to **John A. Brady and Lise B. Sequin**, whose mailing address is 36 Market Street, Portsmouth, NH 03801, as tenants in common, the real property in Kittery, York County, Maine, described as follows:

A certain lot or parcel of land, together with the buildings thereon, situate on Water Street, Kittery, County of York and State of Maine, bounded and described as follows:

Beginning on said Water Street at land formerly of Ernest P. Parker, and fifty-seven and one-half (57 ½) feet northerly from the former line of land of heirs of Thomas Abrams; thence running northerly by said Water Street fifty-seven and one-half (57 ½) feet to a hub; thence turning and running westerly, parallel with and equidistant from the line of land formerly of said Parker to low water mark of the Piscataqua River; thence southerly by said River to said Parker's line; thence easterly by line of land formerly of said Parker to Water Street at point of beginning.


Meaning and intending to convey the same premises conveyed to Ronald B. Marsh and Elinore R. Marsh by deed of Joanne I. Robinson and Anthony Glen Fournier dated January 5, 2000 and recorded in the York County Registry of Deeds at Book 9856, Page 267. The said Elinore R. Marsh died on September 12, 2018 leaving the said Ronald B. Marsh as the sole surviving joint tenant.

Witness my hand this 18th day of June, 2021.



Witness

Estate of Ronald Bruce Marsh



Pamela J. Fuller
Personal Representative

STATE OF NEW HAMPSHIRE

June 18 , 2021

ROCKINGHAM , SS:

Then personally appeared the above-named, Pamela J. Fuller, in her capacity as Personal Representative of the Estate of Ronald Bruce Marsh and acknowledged the foregoing instrument to be her free act and deed.

Before me,



Notary Public Name:

My commission expires:



PLAN REFERENCES:

- "RIGHT OF WAY SURVEY OF WATER STREET FOR THE TOWN OF KITTERY, KITTERY MAINE 03904" BY EASTERLY SURVEYING, DATED 1/23/96. DRAWING NO. 94611-2. PLAN IS NOT RECORDED.
- "BOUNDARY SURVEY FOR ARLENE DEVOID 29 WATER ST. KITTERY, MAINE" BY ANDERSON LIVINGSTON ENGINEERS, INC., DATED DECEMBER 11, 2002. YCRD PLAN #272-22.

NOTES:

- THE PARCEL IS LOCATED IN THE RESIDENTIAL-URBAN (R-U) ZONE & THE SHORELAND OVERLAY ZONE (OZ-SL-250 FEET), PARTIALLY IN THE RESOURCE PROTECTION OVERLAY ZONE (OZ-RP) AND PARTIALLY IN THE COMMERCIAL FISHERIES/MARITIME USES OVERLAY ZONE (OZ-CFMU).
- THE PARCEL IS SHOWN ON THE TOWN OF KITTERY ASSESSOR'S MAP 1 AS LOT 52.
- THE PARCEL IS PARTIALLY LOCATED IN FLOOD HAZARD ZONE A2 (EL.9) AS SHOWN ON FLOOD INSURANCE RATE MAP, YORK COUNTY, MAINE, PANEL 8 OF 10, MAP NUMBER 230171 0008 D, MAP REVISED: JULY 3, 1986.
- OWNER OF RECORD:
MAP 1 LOT 52
JOHN A. BRADY & LISE B. SEQUIN
36 MARKET STREET
PORTSMOUTH, NH 03801
YCRD BK.#18706 PG.#941

NOTES (CONT.):

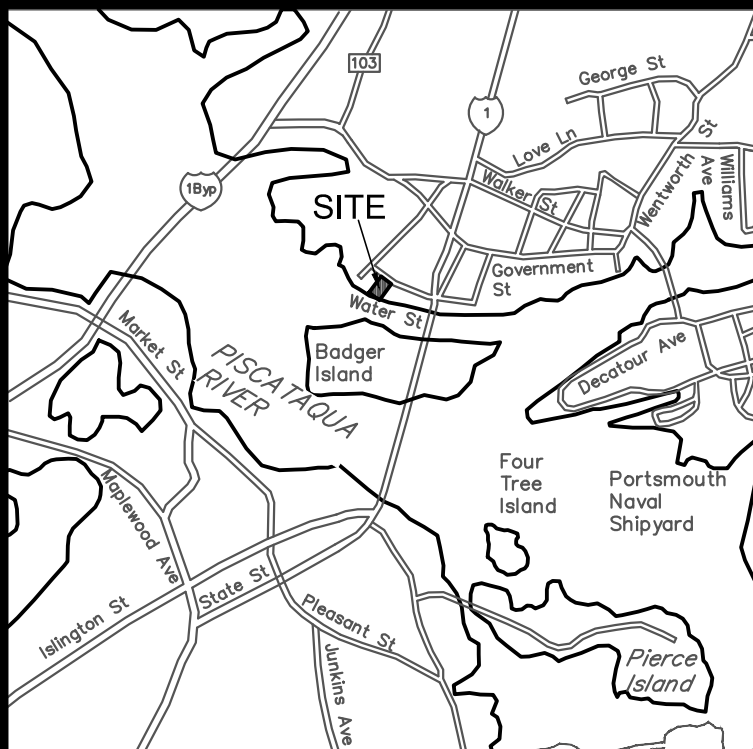
- ZONING REQUIREMENTS:
MINIMUM LOT AREA PER DWELLING UNIT: 20,000 S.F.
MINIMUM LOT SIZE: 9,433± S.F.
MINIMUM STREET FRONTAGE: 100 FT
MINIMUM YARD:
FRONT 30 FT
SIDE 15 FT
REAR 15 FT
MAXIMUM BUILDING COVERAGE: 20%
MAXIMUM BUILDING HEIGHT: 35 FT
OVERLAY ZONE: OZ-SL-250
MINIMUM LAND AREA PER DWELLING UNIT: 20,000 S.F.
MINIMUM LOT SIZE: 20,000 S.F.
MINIMUM SHORE FRONTAGE: 50 FT
PRINCIPAL/ACCESSORY STRUCTURE SETBACK: 100 FT
MAXIMUM DEVEGETATED COVERAGE: 50%
*SEE 16.3.2.17.D.1.d.3
PER TOWN OF KITTERY, MAINE TITLE 16 LAND USE & DEVELOPMENT SECTIONS 16.3.2.4.D.2 & 16.3.2.17.D
MINIMUM SETBACK FROM WATER BODY AND WETLAND WATER-DEPENDENT USES: 0 FT

- ADDITIONAL OVERLAY ZONES:
RESOURCE PROTECTION OVERLAY ZONE (OZ-RP) & COMMERCIAL FISHERIES/MARITIME USES OVERLAY ZONE (OZ-CFMU).

NOTES (CONT.):

- THE INTENT OF THIS PLAN IS TO SHOW THE LOCATION OF BOUNDARIES IN ACCORDANCE WITH THE CURRENT LEGAL DESCRIPTIONS. IT IS NOT AN ATTEMPT TO DEFINE UNWRITTEN RIGHTS, DETERMINE THE EXTENT OF OWNERSHIP OR DEFINE THE LIMITS OF TITLE.
- HORIZONTAL DATUM IS NAD83 (2011) PER STATIC GPS OBSERVATIONS. THE VERTICAL DATUM IS NAVD88 PER STATIC GPS OBSERVATIONS. THE CONTOUR INTERVAL IS 1 FOOT.
- THE PURPOSE OF THIS PLAN IS TO SHOW THE BOUNDARY LINES, TOPOGRAPHY AND MAJOR IMPROVEMENTS OF MAP 1 LOT 52.
- EXISTING USE OF THE PROPERTY IS RESIDENTIAL.
- FIELD SURVEY COMPLETED BY TODD C. EMERSON IN AUGUST 2021 USING A LEICA TS-16, A TOPCON HIPER SR AND A CARLSON RT-4 DATA COLLECTOR.
- EASEMENTS, RIGHTS, AND RESTRICTIONS SHOWN OR IDENTIFIED ARE THOSE WHICH WERE FOUND DURING RESEARCH PERFORMED AT THE YORK COUNTY REGISTRY OF DEEDS. OTHER RIGHTS, EASEMENTS, OR RESTRICTIONS MAY EXIST WHICH A TITLE EXAMINATION OF SUBJECT PARCELS WOULD DETERMINE.
- INTERTIDAL ZONES ARE SUBJECT TO THE RIGHTS OF THE PUBLIC PER COLONIAL ORDINANCE OF 1641-47.
- THE LOCATION OF ANY UNDERGROUND UTILITY INFORMATION SHOWN ON THIS PLAN IS APPROXIMATE. TFMORAN, INC. MAKES NO CLAIM TO THE ACCURACY OR COMPLETENESS OF UNDERGROUND UTILITIES SHOWN. PRIOR TO ANY EXCAVATION ON SITE THE CONTRACTOR SHALL CONTACT DIG SAFE.

LOCATION PLAN



PISCATAQUA RIVER
BACK CHANNEL
(TIDAL)

DEVEGETATED AREAS WITHIN SHORELAND ZONE:

TOTAL LOT AREA = 9,433± S.F. SHORELAND ZONE AREA = 9,433± S.F.

	EXISTING
DWELLING	785 S.F.
GARAGE	296 S.F.
SHED	31 S.F.
DECKS/STEPS	214 S.F.
PAVED DRIVEWAY	1,092 S.F.
CONCRETE PAD	19 S.F.
BRICK/PLANTERS	49 S.F.
WALKWAYS	242 S.F.
WOOD STEPS TO DOCK	136 S.F.
A/C UNITS	0 S.F.
TOTAL	2,864 S.F.
DEVEGETATED %*	30.4% (2,864 S.F./9,433± S.F.)

BUILDING HEIGHT CALCULATION:

	EXISTING DWELLING	EXISTING GARAGE
AVERAGE GRADE:	26.4'	22.9'
PEAK ELEVATION:	49.9'	37.7'
BUILDING HEIGHT:	23.5'	14.8'

	EXISTING DWELLING
AVERAGE GRADE:	27.0'
PEAK ELEVATION:	49.9'
EAVE ELEVATION:	40.9'
BUILDING HEIGHT:	18.4'

BUILDING COVERAGE:

	EXISTING
DWELLING:	785 S.F.
GARAGE:	296 S.F.
SHED:	31 S.F.
(AREA ABOVE H.A.T.)	
TOTAL:	1,112 S.F.
COVERAGE %	11.8% (1,112 S.F./9,433± S.F.)

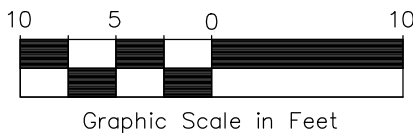


CONTACT DIG SAFE 72 BUSINESS HOURS PRIOR TO CONSTRUCTION

LEGEND:

ASSESSOR'S MAP AND LOT NUMBER
BK. PG.
EL.
EM
EP
FF
LPG
N/F
YCRD
S.F.
TBM
WM
IRON PIPE/ROD FOUND
BOUND FOUND
UTILITY POLE
MAILBOX
POST
STUMP
CONIFEROUS TREE
WATER GATE VALVE

————— HIGHEST ANNUAL TIDE (H.A.T.)(EL.5.8')
——— OHU ——— OVERHEAD UTILITIES
—○— CHAINLINK FENCE
——— BOUNDARY LINE
——— SETBACK LINE
——— SHRUB LINE
——— S ——— SEWER LINE
——— W ——— WATER LINE
——— 100' ——— EXISTING CONTOUR
——— STONEWALL
——— APPROXIMATE FLOOD ZONE BOUNDARY
——— 250' SHORELAND SETBACK
——— 75' RESOURCE PROTECTION SETBACK
——— CONCRETE
——— PAVEMENT
——— BRICK
——— WOODEN DECK
——— LANDSCAPING
——— STONES



REV.	DATE	DESCRIPTION	DR	CK
1	10/29/2021	REVISED PER TOWN COMMENTS	BMK	JCC

TAX MAP 1 LOT 52
SHORELAND DEVELOPMENT PLAN
EXISTING CONDITIONS PLAN
31 WATER STREET
KITTERY, MAINE
COUNTY OF YORK
OWNED BY
JOHN A. BRADY & LISE B. SEQUIN

SCALE: 1" = 10' (22x34)
1" = 20' (11x17)

OCTOBER 27, 2021

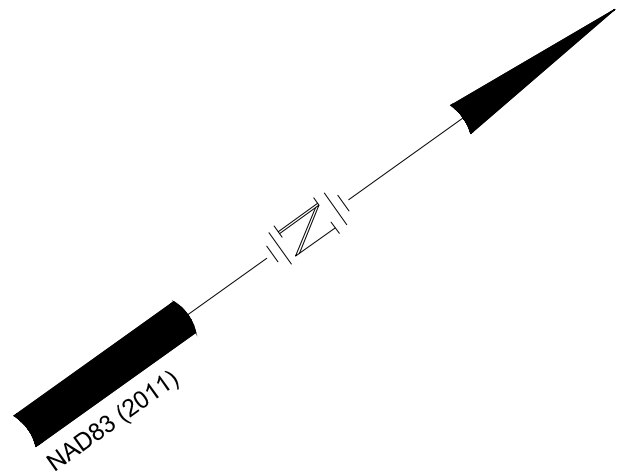
Seacoast Division



Civil Engineers
Structural Engineers
Traffic Engineers
Land Surveyors
Landscape Architects
Scientists

170 Commerce Way, Suite 102
Portsmouth, NH 03801
Phone (603) 431-2222
Fax (603) 431-0910
www.tfmoran.com

FILE	47457.00	DR	PJT	FB	564	S-1
CK	BMK	CADFILE	47457-00 Survey.dwg			



PLAN REFERENCES:

1. "RIGHT OF WAY SURVEY OF WATER STREET FOR THE TOWN OF KITTERY, KITTERY MAINE 03904" BY EASTERLY SURVEYING, DATED 1/23/96. DRAWING NO. 94611-2. PLAN IS NOT RECORDED.
2. "BOUNDARY SURVEY FOR ARLENE DEVOID 29 WATER ST. KITTERY, MAINE" BY ANDERSON LIVINGSTON ENGINEERS, INC., DATED DECEMBER 11, 2002. YCRD PLAN #272-22.

NOTES:

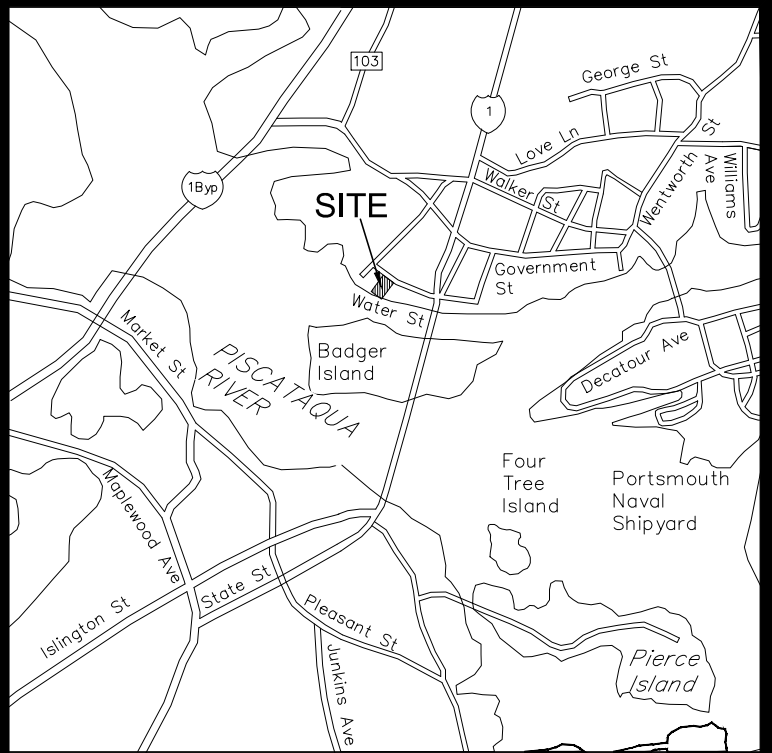
1. THE PARCEL IS LOCATED IN THE RESIDENTIAL-URBAN (R-U) ZONING DISTRICT AND THE SHORELAND OVERLAY ZONE (OZ-SL-250 FEET), PARTIALLY IN THE RESOURCE PROTECTION OVERLAY ZONE (OZ-RP) AND PARTIALLY IN THE COMMERCIAL FISHERIES/MARITIME USES OVERLAY ZONE (OZ-SFMU).
2. THE PARCEL IS SHOWN ON THE TOWN OF KITTERY ASSESSOR'S MAP 1 AS LOT 52.
3. THE PARCEL IS PARTIALLY LOCATED IN FLOOD HAZARD ZONE A2 (EL.9) AS SHOWN ON FLOOD INSURANCE RATE MAP, YORK COUNTY, MAINE, PANEL 8 OF 10, MAP NUMBER 230171 0008 D, MAP REVISED: JULY 3, 1986.
4. OWNER OF RECORD:
MAP 1 LOT 52
JOHN A. BRADY & LISE B. SEQUIN
36 MARKET STREET
PORTSMOUTH, NH 03801
YCRD BK.#18706 PG.#941

NOTES (CONT.):

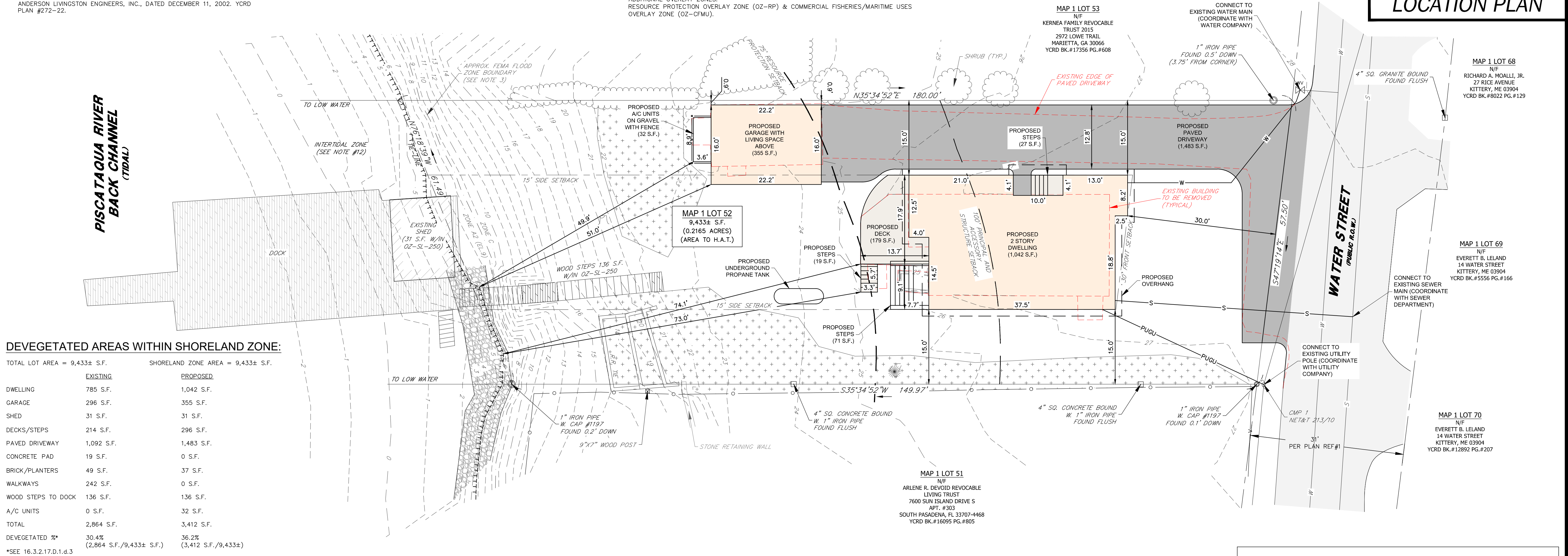
5. ZONING REQUIREMENTS:
- | BASE ZONE: | ZONE R-U | EXISTING | PROPOSED |
|-------------------------------------|-------------|-------------|-------------|
| MINIMUM LOT AREA PER DWELLING UNIT: | 20,000 S.F. | 9,433± S.F. | 9,433± S.F. |
| MINIMUM LOT SIZE: | 20,000 S.F. | 9,433± S.F. | 9,433± S.F. |
| MINIMUM STREET FRONTAGE: | 100 FT | 57.5 FT | 57.5 FT |
| MINIMUM YARD: | | | |
| FRONT | 30 FT | 31.7 FT | 30.0 FT |
| SIDE | 15 FT | 17.7 FT | 15.0 FT |
| REAR | 15 FT | N/A | N/A |
| MAXIMUM BUILDING COVERAGE: | 20% | 11.8% | 15.1% |
| MAXIMUM BUILDING HEIGHT: | 35 FT | SEE TABLE | SEE TABLE |
- OVERLAY ZONE:
- | ZONE | EXISTING | PROPOSED |
|--|-------------|-------------|
| OZ-SL-250 | | |
| MINIMUM LAND AREA PER DWELLING UNIT: | 20,000 S.F. | 9,433± S.F. |
| MINIMUM LOT SIZE: | 20,000 S.F. | 9,433± S.F. |
| MINIMUM SHORE FRONTAGE: | 50 FT | 61.5± FT |
| PRINCIPAL/ACCESSORY STRUCTURE SETBACK: | 100 FT | N/A |
| MAXIMUM DEVEGETATED AREA: | 50%* | 30.4% |
- *SEE 16.3.2.17.D.1.d.3
- PER TOWN OF KITTERY, MAINE TITLE 16 LAND USE & DEVELOPMENT SECTIONS 16.3.2.4.D.2 & 16.3.2.17.D
- MINIMUM SETBACK FROM WATER BODY AND WETLAND WATER-DEPENDENT USES: 0 FT
- ADDITIONAL OVERLAY ZONES:
RESOURCE PROTECTION OVERLAY ZONE (OZ-RP) & COMMERCIAL FISHERIES/MARITIME USES OVERLAY ZONE (OZ-SFMU).

NOTES (CONT.):

6. THE INTENT OF THIS PLAN IS TO SHOW THE LOCATION OF BOUNDARIES IN ACCORDANCE WITH THE CURRENT LEGAL DESCRIPTIONS. IT IS NOT AN ATTEMPT TO DEFINE UNWRITTEN RIGHTS, DETERMINE THE EXTENT OF OWNERSHIP OR DEFINE THE LIMITS OF TITLE.
7. HORIZONTAL DATUM IS NAD83 (2011) PER STATIC GPS OBSERVATIONS. THE VERTICAL DATUM IS NAVD88 PER STATIC GPS OBSERVATIONS. THE CONTOUR INTERVAL IS 1 FOOT.
8. THE PURPOSE OF THIS PLAN IS TO SHOW THE BOUNDARY LINES, TOPOGRAPHY AND MAJOR IMPROVEMENTS OF MAP 1 LOT 52.
9. EXISTING USE OF THE PROPERTY IS RESIDENTIAL.
10. FIELD SURVEY COMPLETED BY TODD C. EMERSON IN AUGUST 2021 USING A LEICA TS-16, A TOPCON HIPER SR AND A CARLSON RT-4 DATA COLLECTOR.
11. EASEMENTS, RIGHTS, AND RESTRICTIONS SHOWN OR IDENTIFIED ARE THOSE WHICH WERE FOUND DURING RESEARCH PERFORMED AT THE YORK-COUNTY REGISTRY OF DEEDS. OTHER RIGHTS, EASEMENTS, OR RESTRICTIONS MAY EXIST WHICH A TITLE EXAMINATION OF SUBJECT PARCELS WOULD DETERMINE.
12. INTERTIDAL ZONES ARE SUBJECT TO THE RIGHTS OF THE PUBLIC PER COLONIAL ORDINANCE OF 1641-47.
13. THE LOCATION OF ANY UNDERGROUND UTILITY INFORMATION SHOWN ON THIS PLAN IS APPROXIMATE. TFMORAN, INC. MAKES NO CLAIM TO THE ACCURACY OR COMPLETENESS OF UNDERGROUND UTILITIES SHOWN. PRIOR TO ANY EXCAVATION ON SITE THE CONTRACTOR SHALL CONTACT DIG SAFE.



LOCATION PLAN



DEVEGETATED AREAS WITHIN SHORELAND ZONE:

TOTAL LOT AREA = 9,433± S.F.		SHORELAND ZONE AREA = 9,433± S.F.	
	EXISTING	PROPOSED	
DWELLING	785 S.F.	1,042 S.F.	
GARAGE	296 S.F.	355 S.F.	
SHED	31 S.F.	31 S.F.	
DECKS/STEPS	214 S.F.	296 S.F.	
PAVED DRIVEWAY	1,092 S.F.	1,483 S.F.	
CONCRETE PAD	19 S.F.	0 S.F.	
BRICK/PLANTERS	49 S.F.	37 S.F.	
WALKWAYS	242 S.F.	0 S.F.	
WOOD STEPS TO DOCK	136 S.F.	136 S.F.	
A/C UNITS	0 S.F.	32 S.F.	
TOTAL	2,864 S.F.	3,412 S.F.	
DEVEGETATED %	30.4%	36.2%	
	(2,864 S.F./9,433± S.F.)	(3,412 S.F./9,433± S.F.)	

*SEE 16.3.2.17.D.1.d.3

BUILDING COVERAGE:

	EXISTING	PROPOSED
DWELLING:	785 S.F.	1,042 S.F.
GARAGE:	296 S.F.	355 S.F.
SHED:	31 S.F.	31 S.F.
(AREA ABOVE H.A.T.)		
TOTAL:	1,112 S.F.	1,428 S.F.
COVERAGE %	11.8%	15.1%
	(1,112 S.F./9,433± S.F.)	(1,428 S.F./9,433± S.F.)

RECORDING INFORMATION

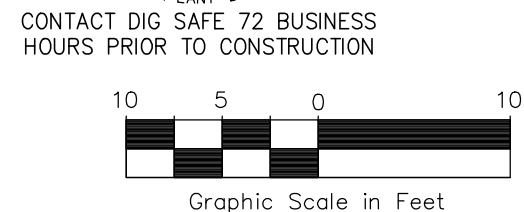
BUILDING HEIGHT CALCULATION:

INSIDE 100' SETBACK:		EXISTING		PROPOSED	
		DWELLING	GARAGE	DWELLING	GARAGE
AVERAGE GRADE:	22.9'	26.4'	22.9'	26.4'	22.9'
PEAK ELEVATION:	49.9'	49.9'	37.7'	48.0'	44.8'
BUILDING HEIGHT:	23.5'	14.8'	21.6'	21.9'	
OUTSIDE 100' SETBACK:		EXISTING		PROPOSED	
		DWELLING	GARAGE	DWELLING	GARAGE
AVERAGE GRADE:	27.0'	27.0'	27.0'	27.0'	27.0'
PEAK ELEVATION:	49.9'	49.9'	40.9'	53.6'	
EAVE ELEVATION:	40.9'				
BUILDING HEIGHT:	18.4'			34.2'	

LEGEND:

- ASSESSORS MAP AND LOT NUMBER
BOOK / PAGE
ELEVATION
ELECTRIC METER
EDGE OF PAVEMENT
FINISHED FLOOR
LIQUEFIED PETROLEUM GAS
NOW OR FORMERLY
YORK COUNTY REGISTRY OF DEEDS
SQUARE FEET
TEMPORARY BENCHMARK
WATER METER
IRON PIPE/ROD FOUND
BOUND FOUND
UTILITY POLE
MAILBOX
POST
STUMP
CONIFEROUS TREE
WATER GATE VALVE

- HIGHEST ANNUAL TIDE (H.A.T.)(EL.5.8')
—— OHU ——— OVERHEAD UTILITIES
—— CHAINLINK FENCE
—— BOUNDARY LINE
—— SETBACK LINE
—— SHRUB LINE
—— S ——— SEWER LINE
—— W ——— WATER LINE
—— 100' ——— EXISTING CONTOUR
—— APPROXIMATE FLOOD ZONE BOUNDARY
—— 250' SHORELAND SETBACK
—— 75' RESOURCE PROTECTION SETBACK
—— PUGU ——— PROPOSED UNDERGROUND UTILITY LINE
—— S ——— PROPOSED SEWER LINE
—— W ——— PROPOSED WATER LINE
—— ——— PROPOSED FENCE
—— ——— EXISTING BUILDING/FEATURE TO BE REMOVED
—— PAVEMENT
—— WOODEN DECK
—— LANDSCAPING
—— STONES
—— PROPOSED BUILDING
—— PROPOSED DECK
—— PROPOSED PAVEMENT



TOWN OF KITTERY, MAINE APPROVAL

CODE ENFORCEMENT OFFICER _____ DATE _____

REV.	DATE	DESCRIPTION	BMK	JCC
1	10/29/2021	REVISED PER TOWN COMMENTS		
DR			CK	BMK
FB			CADFILE	
564			47457-00 Survey.dwg	

TAX MAP 1 LOT 52
SHORELAND DEVELOPMENT PLAN
PROPOSED CONDITIONS
31 WATER STREET
KITTERY, MAINE
COUNTY OF YORK
OWNED BY
JOHN A. BRADY & LISE B. SEQUIN

SCALE: 1" = 10' (22x34)
1" = 20' (11x17)

OCTOBER 27, 2021

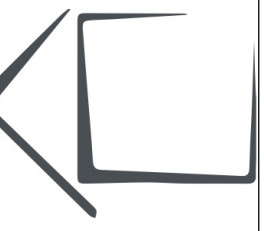
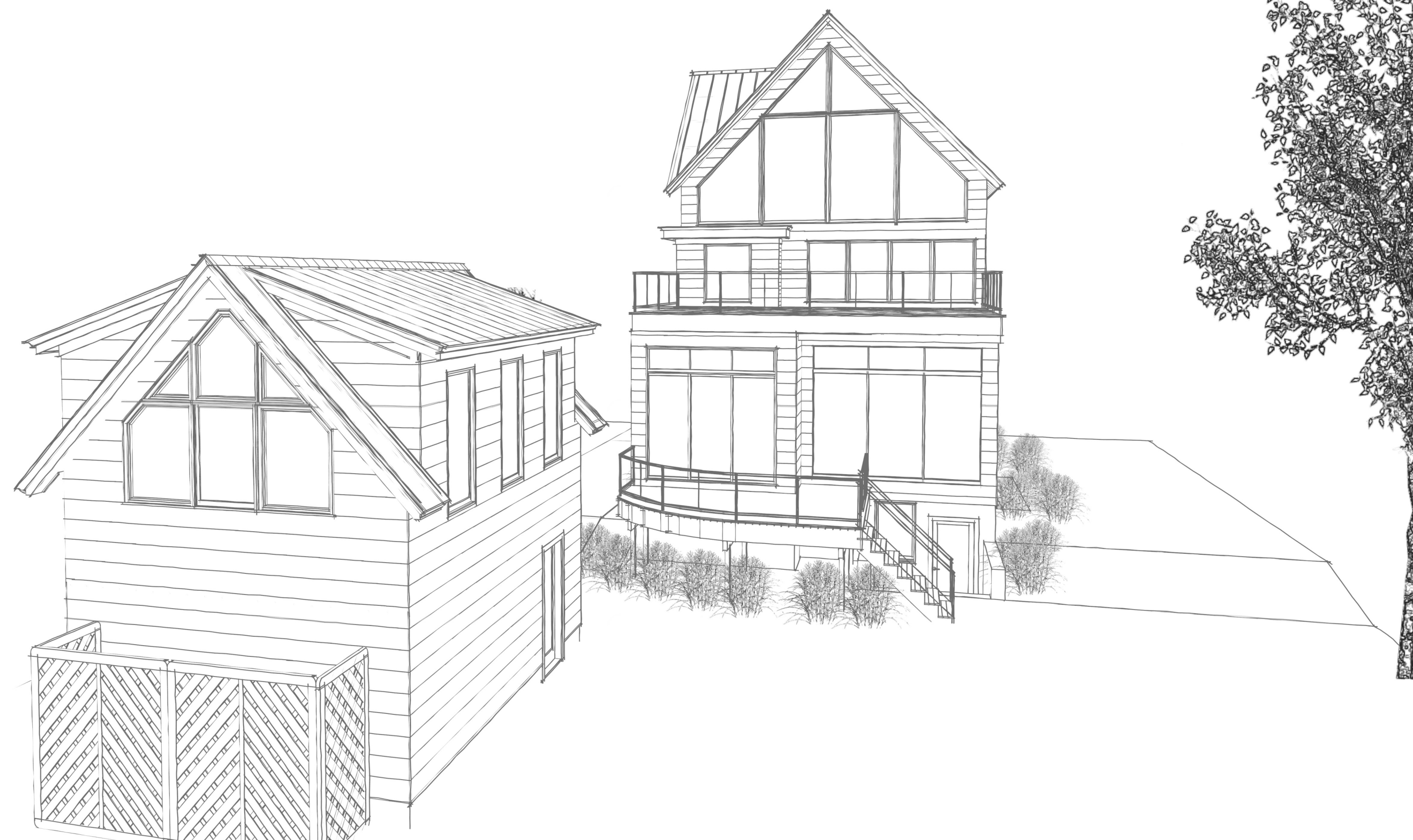
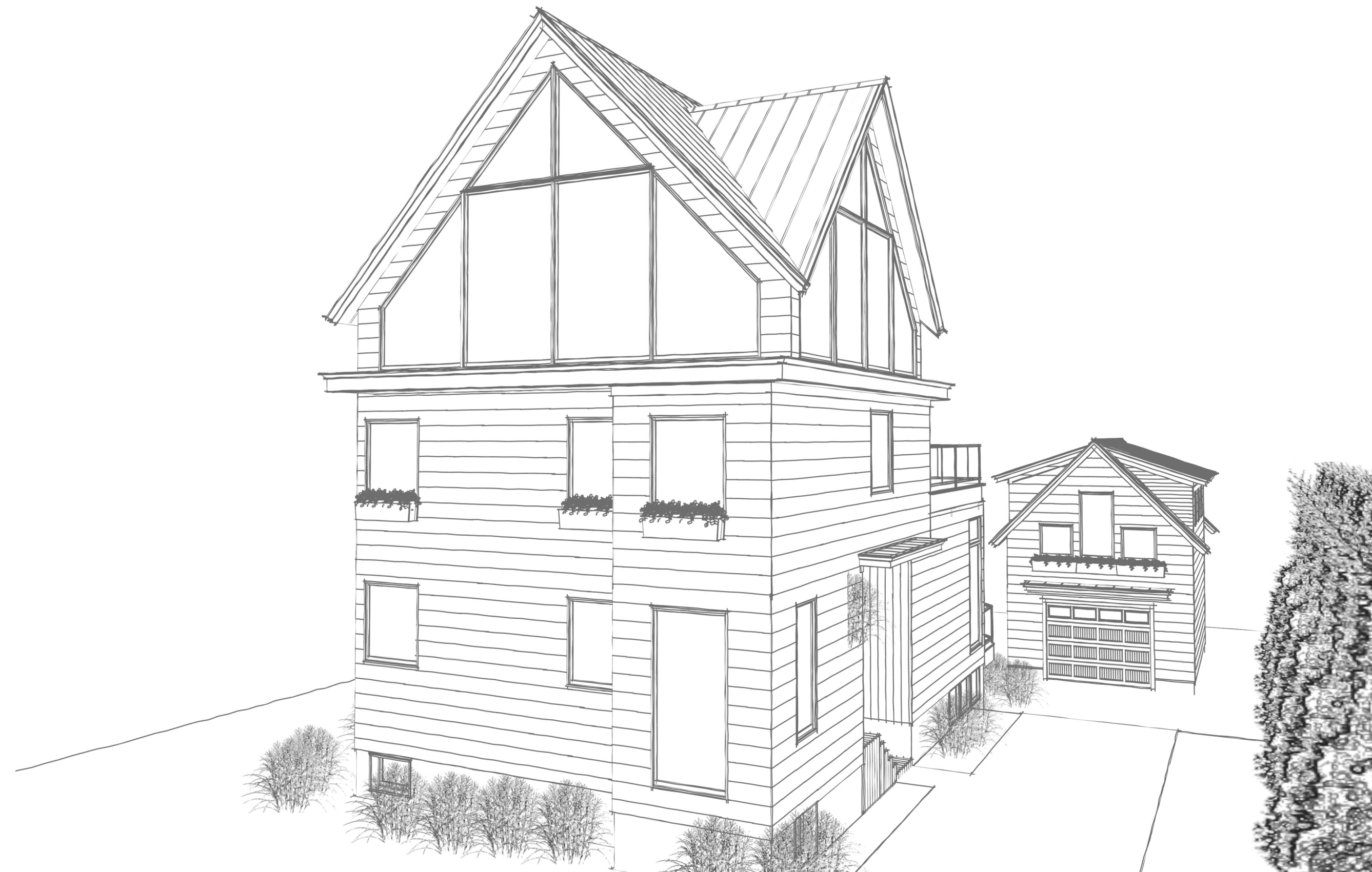
Seacoast Division



Civil Engineers
Structural Engineers
Traffic Engineers
Land Surveyors
Landscape Architects
Scientists

170 Commerce Way, Suite 102
Portsmouth, NH 03801
Phone (603) 431-2222
Fax (603) 431-0910
www.tfmoran.com

47457.00	DR	PJT	FB	564	S-2
CK	BMK	CADFILE	47457-00 Survey.dwg		



OVERVIEW

A3 - OVERVIEW
A4 - FLOOR PLANS
A5 - FLOOR PLANS
A6 - FLOOR PLANS
A13- ELEVATIONS
A14- ELEVATIONS

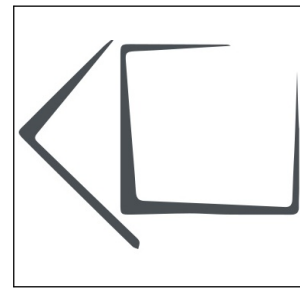
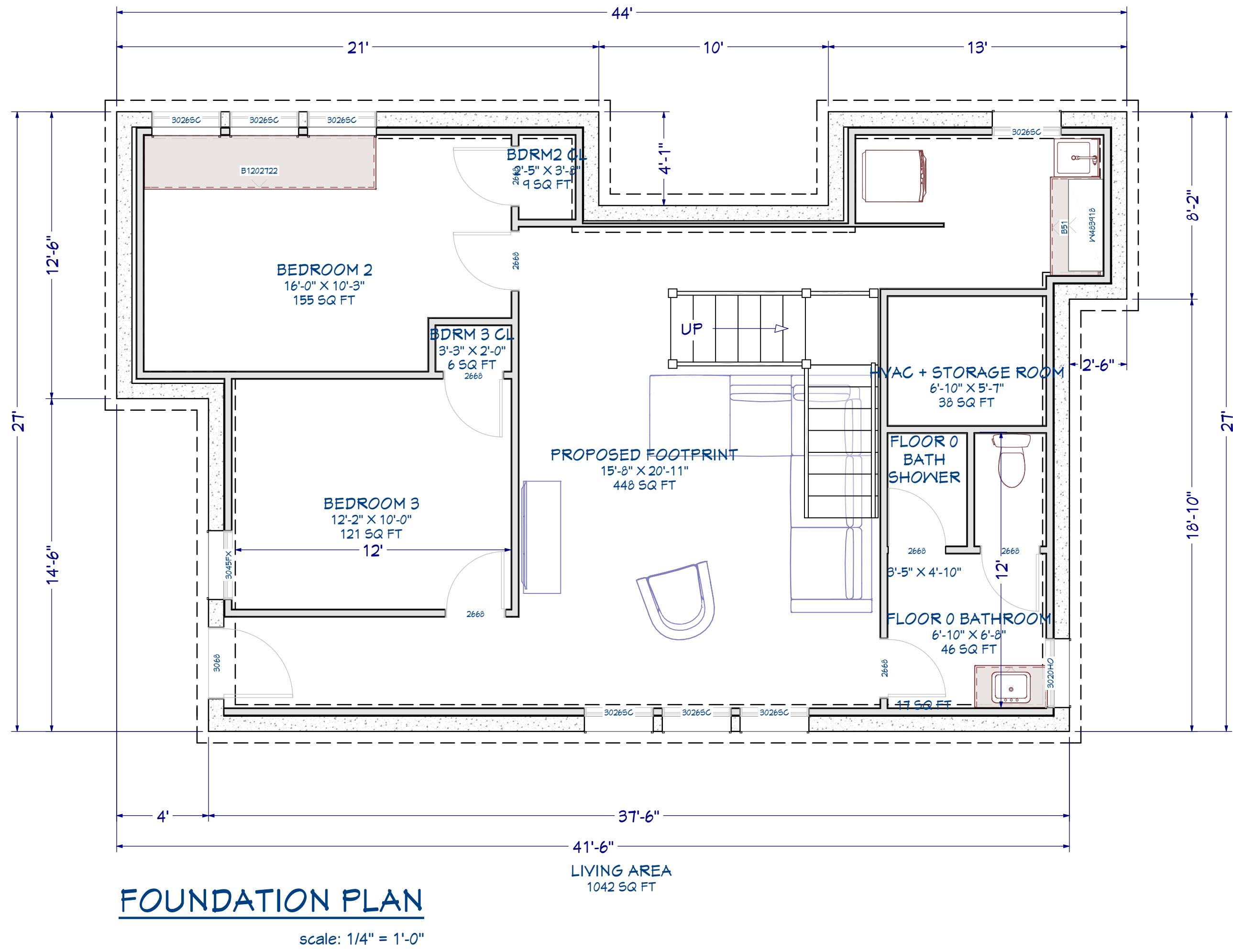
CLIENT:
BRADY RESIDENCE
31 WATER STREET
KITTERY, MAINE

CONTACT:
AMY DUTTON HOME
9 WALKER STREET | KITTERY, ME
amy@duttonhome.com
207.703.0696

DATE:
10/28/21

SCALE:
SCALED FOR:
24" X 36"
SEE SCALE
ON DRAWINGS

SHEET:
A3



A3 - OVERVIEW
A4 - FLOOR PLANS
A5 - FLOOR PLANS
A6 - FLOOR PLANS
A13- ELEVATIONS
A14- ELEVATIONS

CLIENT:
BRADY RESIDENCE
31 WATER STREET
KITTERY, MAINE

CONTACT:
AMY DUTTON HOME
9 WALKER STREET | KITTERY, ME
amy@amyduttonhome.com
207.703.0696

DATE:
10/28/21

SCALE:
SCALED FOR:
24" X 36"
SEE SCALE
ON DRAWINGS

SHEET:
A4



CLIENT:
BRADY RESIDENCE
31 WATER STREET
KITTERY, MAINE

CONTACT:
AMY DUTTON HOME
9 WALKER STREET | KITTERY, ME
amy@amyduttonhome.com
207.703.0696

DATE:

0/28/21

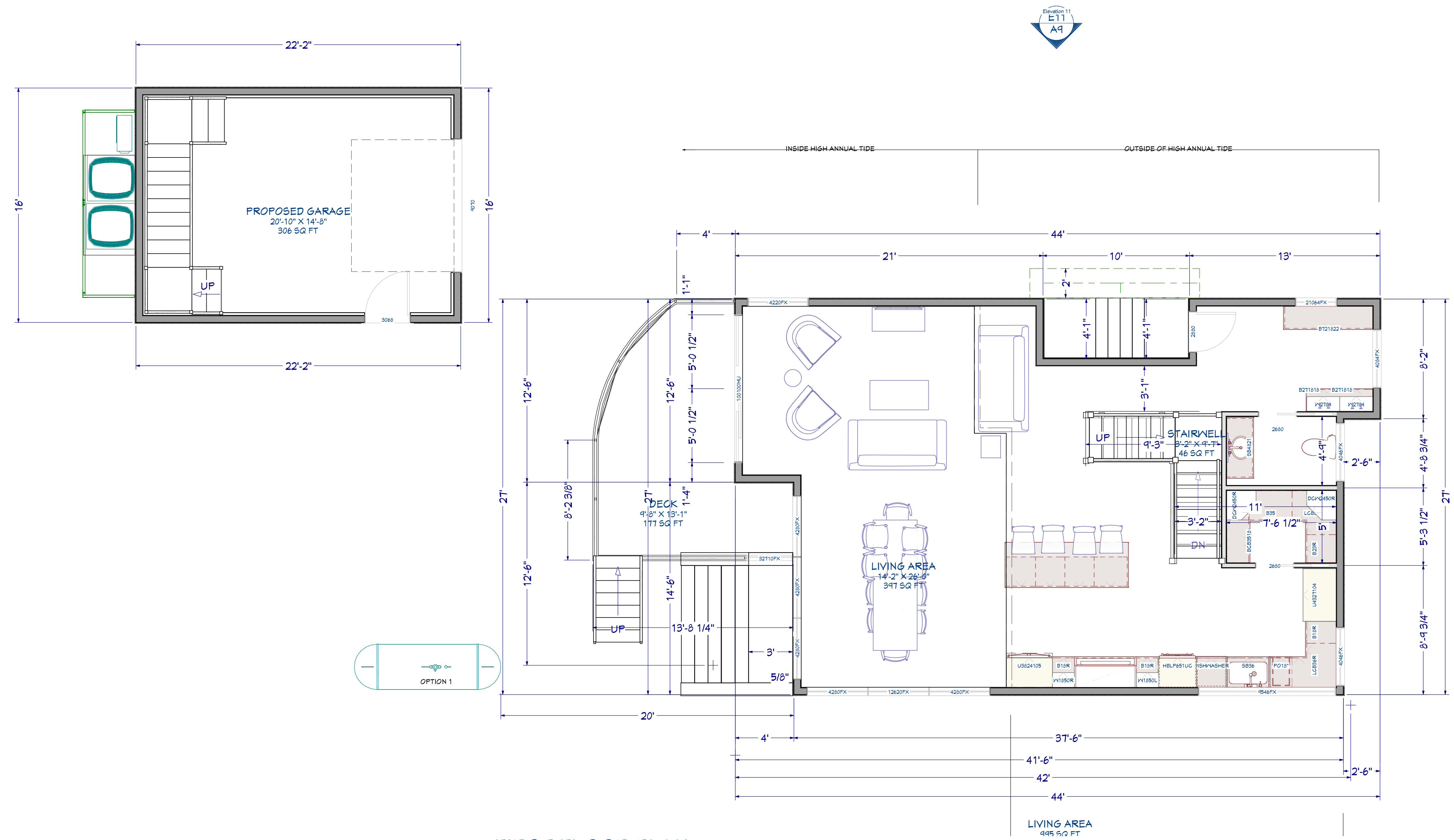
SCALE:

SCALED FOR:
24" X 36"

SEE SCALE
ON DRAWINGS

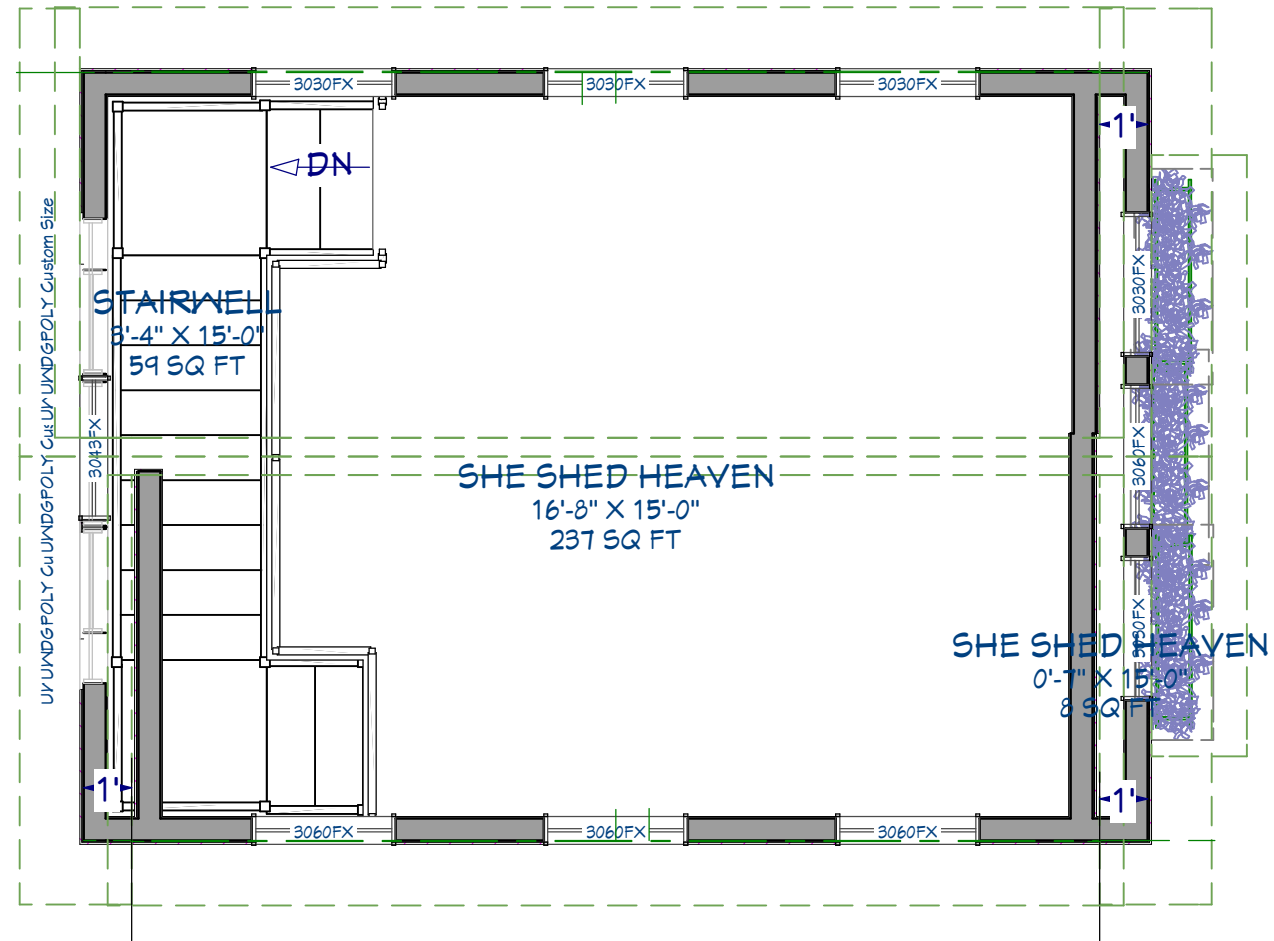
SHEET:

A5

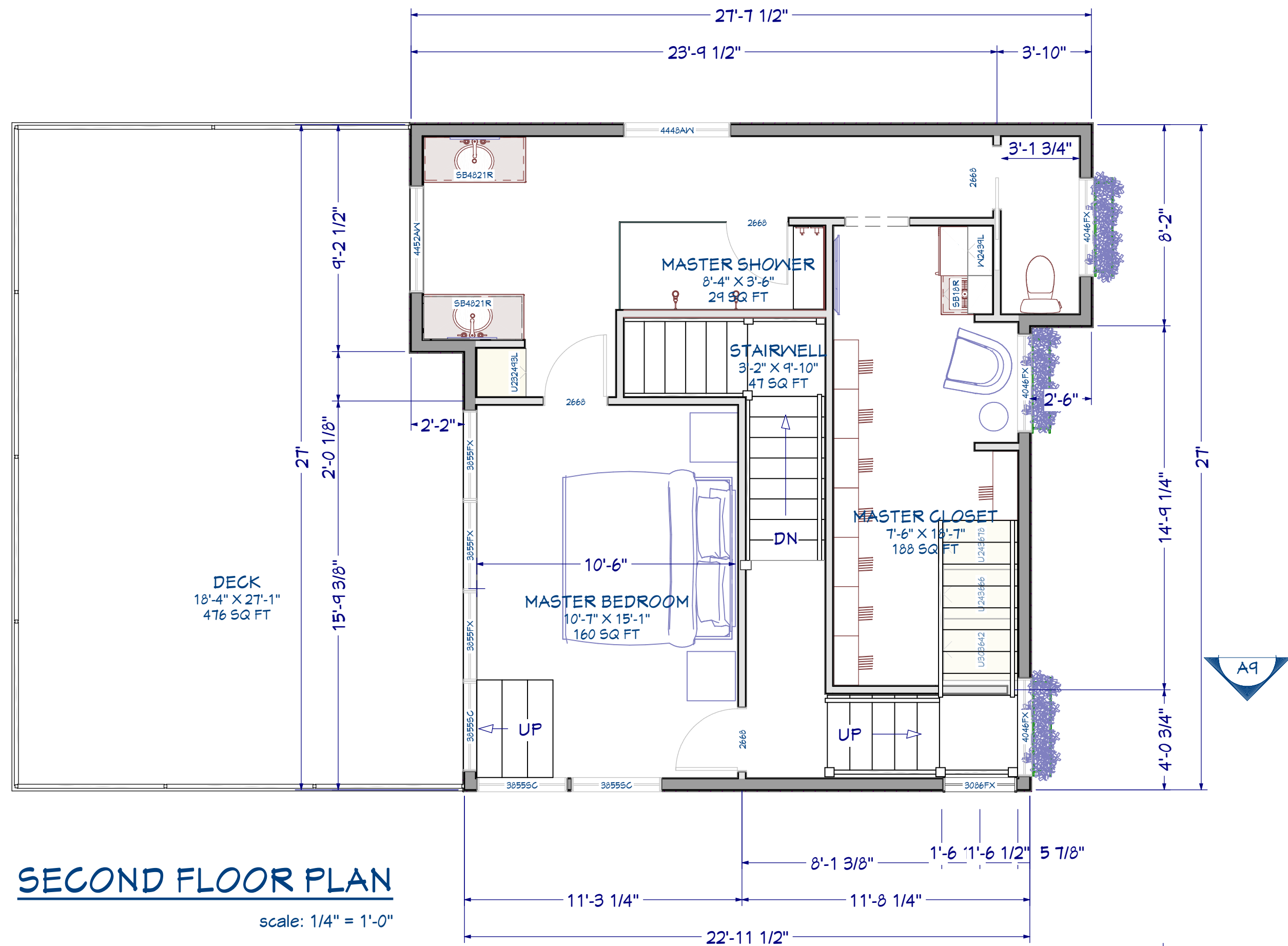


FIRST FLOOR PLAN

scale: 1/4" = 1'-0"

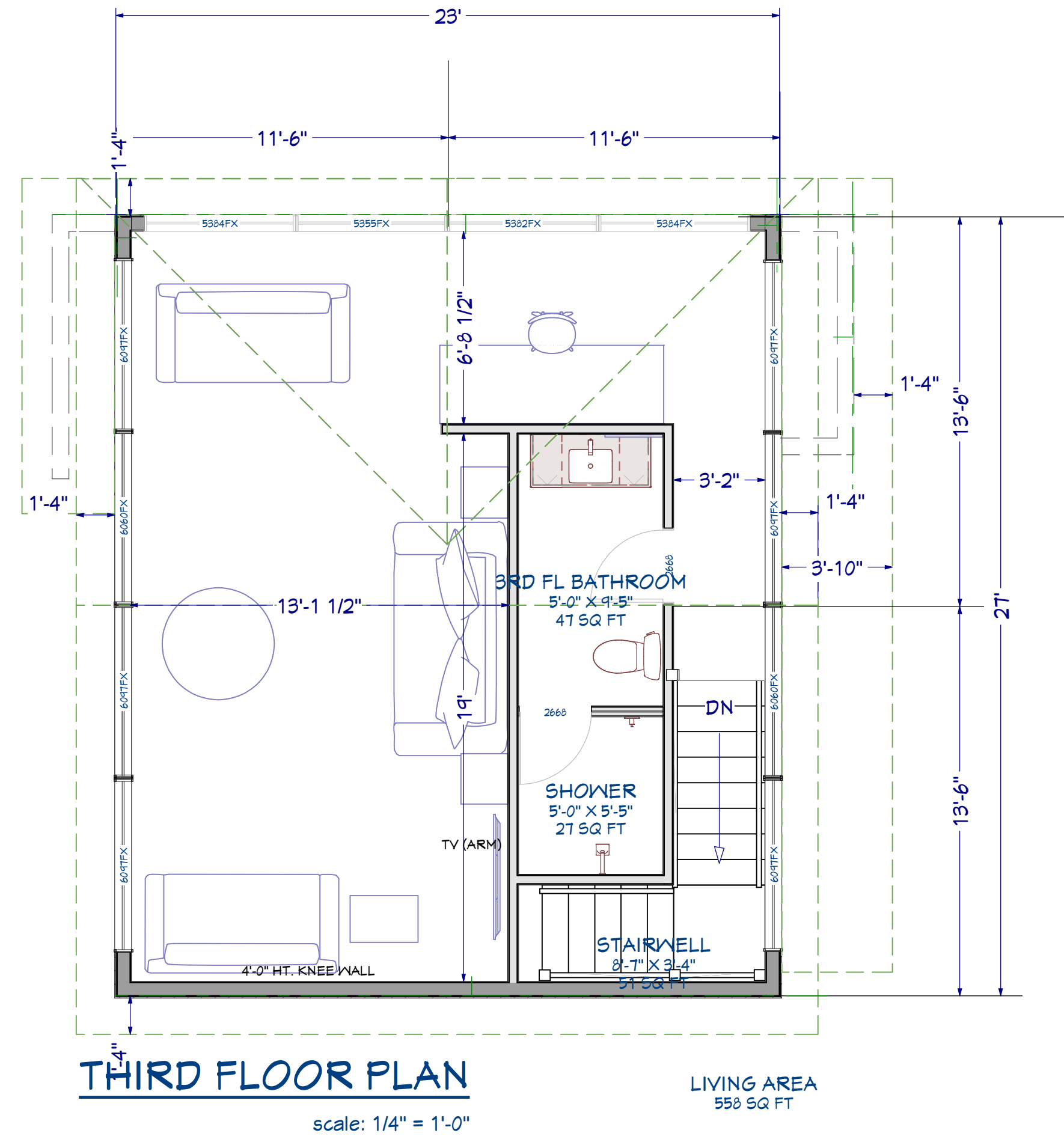


LIVING AREA
278 SQ FT



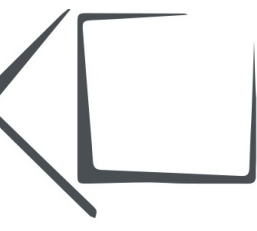
SECOND FLOOR PLAN
scale: 1/4" = 1'-0"

LIVING AREA
612 SQ FT



THIRD FLOOR PLAN
scale: 1/4" = 1'-0"

LIVING AREA
558 SQ FT



FLOOR PLANS 2ND | 3RD

- A3 - OVERVIEW
- A4 - FLOOR PLANS
- A5 - FLOOR PLANS
- A6 - FLOOR PLANS
- A13- ELEVATIONS
- A14- ELEVATIONS

CLIENT:
BRADY RESIDENCE
31 WATER STREET
KITTERY, MAINE

CONTACT:
AMY DUTTON HOME
9 WALKER STREET | KITTERY, ME
amy@duttonhome.com
207.703.0696

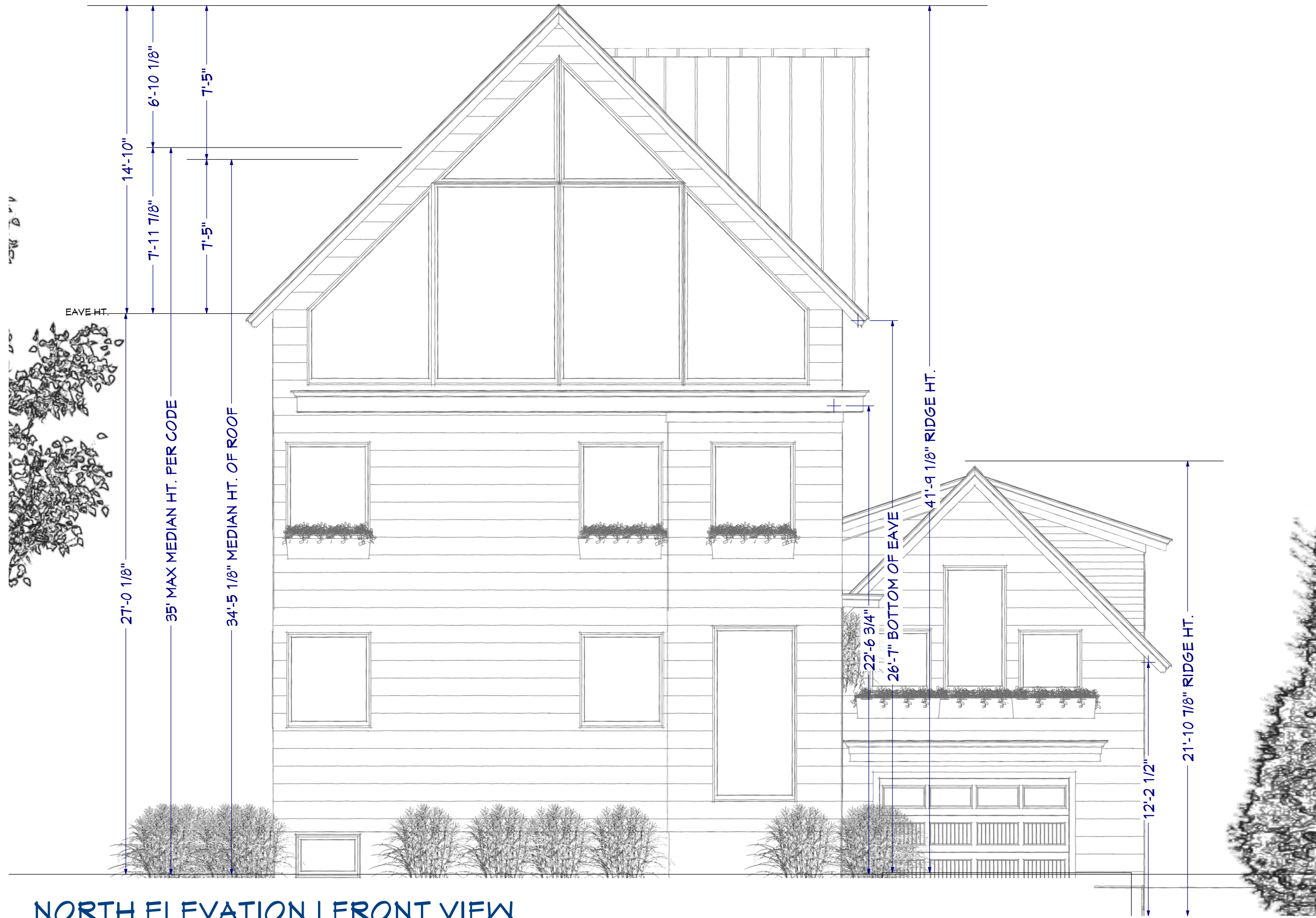
DATE:
10/28/21

SCALE:
SCALED FOR:
24" X 36"

SEE SCALE
ON DRAWINGS

SHEET:

A6



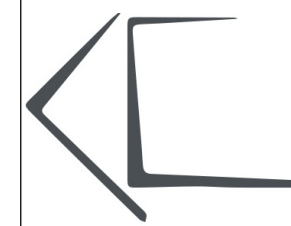
NORTH ELEVATION | FRONT VIEW

SCALE: 1/4" = 1'-0"



SOUTH ELEVATION | REAR VIEW

SCALE: 1/4" = 1'-0"



ELEVATIONS

- A3 - OVERVIEW
- A4 - FLOOR PLANS
- A5 - FLOOR PLANS
- A6 - FLOOR PLANS
- A13- ELEVATIONS
- A14- ELEVATIONS

CLIENT:

BRADY RESIDENCE
31 WATER STREET
KITTERY, MAINE

CONTACT:

AMY DUTTON HOME
9 WALKER STREET | KITTERY, ME
amy@duttonhome.com
207.703.0696

DATE:

10/28/21

SCALE:

SCALED FOR:
24" X 36"

SEE SCALE
ON DRAWINGS

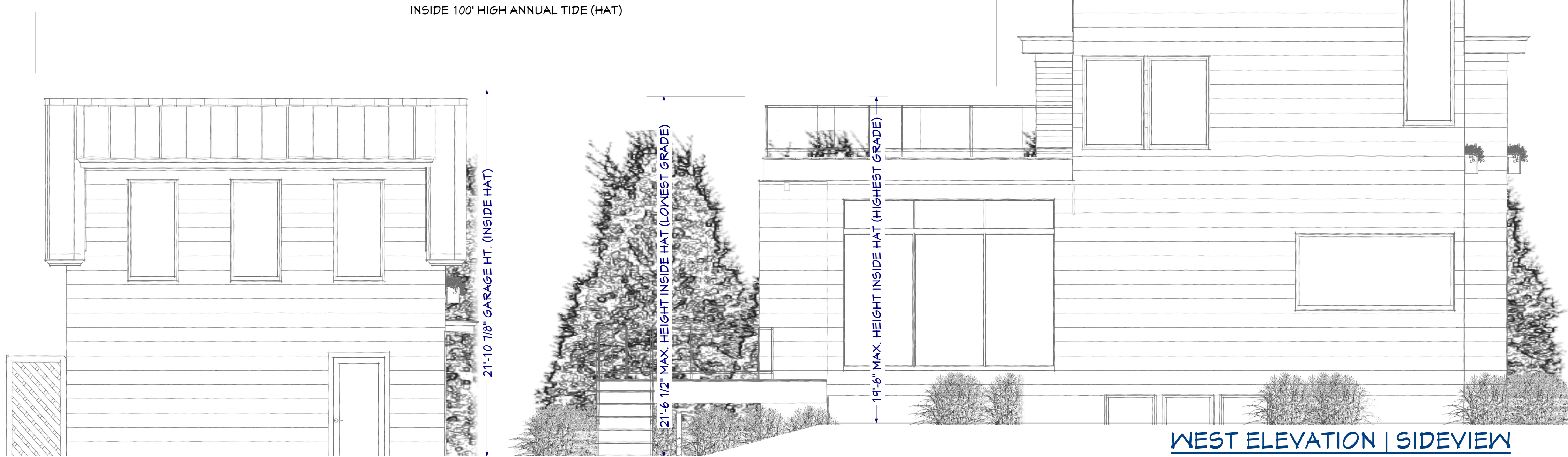
SHEET:

A13



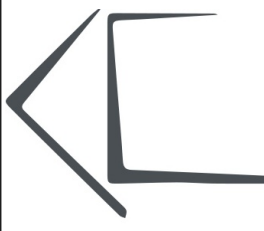
EAST ELEVATION | SIDEVIEW

SCALE: 1/4" = 1'-0"



WEST ELEVATION | SIDEVIEW

SCALE: 1/4" = 1'-0"



ELEVATIONS

A3 - OVERVIEW
A4 - FLOOR PLANS
A5 - FLOOR PLANS
A6 - FLOOR PLANS
A13- ELEVATIONS
A14- ELEVATIONS

CLIENT:
BRADY RESIDENCE
31 WATER STREET
KITTERY, MAINE

CONTACT:
AMY DUTTON HOME
9 WALKER STREET | KITTERY, ME
amy@amyduttonhome.com
207.703.0696

DATE:
10/28/21

SCALE:
SCALED FOR:
24" X 36"
SEE SCALE
ON DRAWINGS

SHEET:
A14
ELEVATIONS