



TOWN OF KITTERY MAINE

TOWN PLANNING AND DEVELOPMENT DEPARTMENT

200 Rogers Road, Kittery, Maine 03904

Phone: (207) 475-1323

Fax: (207) 439-6806

www.kittery.org

APPLICATION: SITE OR SUBDIVISION-SKETCH PLAN REVIEW

Application Fee:		<input checked="" type="checkbox"/> \$200.00		Amount Paid: \$		Date: 11/17/22		
PROPERTY DESCRIPTION	Parcel ID	Map	4	Zone(s)-Base:	MU-KF		Total Land Area	5,377sf +/-
		Lot	99	Overlay:			MS4	___ YES ___ NO
	Physical Address	3 WALKER ST						
PROPERTY OWNER'S INFORMATION	Name	3 WALKER, LLC			Mailing Address	76 EXETER RD NEWMARKET, NH 03857		
	Phone	603.502.8232						
	Fax							
	Email	lane@cheneyco.com						
APPLICANT'S AGENT INFORMATION	Name	BRANDON HOLBEN			Mailing Address	7 WALLINGFORD SQUARE UNIT 2099 KITTERY, ME 03904		
	Phone	207.703.4918						
	Fax							
	Email	brandon@winterholben.com						
PROJECT DESCRIPTION	<i>See reverse side regarding information to be provided.</i>							
	Existing Land Use(s):							
	OFFICE BUILDING MDL-94							
	Proposed Land Use(s) and Development:							
	MIXED USE BUILDING							
	Please describe any construction constraints (wetlands, shoreland overlay zone, flood plain, non-conformance, etc.)							
There is a storm drainage easement at the rear yard. EXIST Building is non-conforming side yard and open space.								
I certify, to the best of my knowledge, this application information is true and correct and I will not deviate from the Plan submitted without notifying the Town Planning and Development Department of any changes.								
Applicant's Signature:				Owner's Signature:				
Date:	11/17/22			Date:	11-17-22			

DLN: 1002240208579

MUNICIPAL QUITCLAIM DEED

TOWN OF KITTERY, a municipality organized under the laws of Maine, located in Kittery, York County, Maine, for consideration paid, releases to **3 WALKER STREET LLC**, a New Hampshire limited liability company, with a mailing address of 76 Exeter Road, Newmarket, New Hampshire, 03857, the real property located in Kittery, York County, Maine, more particularly bounded and described as follows:

Being a certain lot or parcel of land, together with any buildings thereon, situated on Walker Street in the Town of Kittery, and being more particularly bounded and described as follows:

Beginning at a concrete post which is set in the ground at said Walker Street at intersection of land now or formerly of Constitutional Aid Society, and thence running in a general southerly direction by said land now or formerly of the Constitutional Aid Society to a granite post which is set in the ground at land now or formerly of the Kittery Masonic Temple Association; thence turning and running in general westerly direction by said land now or formerly of the said Kittery Masonic Temple Association, to a hub at land now or formerly of the Kittery Grange Building Corporation; thence turning and running in a general northerly direction, by said land now or formerly of the said Kittery Grange Building Corporation, to said Walker Street; thence turning and running in a general easterly direction, by said Walker Street, to a concrete post and the point of beginning.

EXCEPTING, however, that portion of the premises taken during 1953 on said Walker Street for highway purposes.

Meaning and intending to convey and hereby conveying the same premises granted by Kimberly E. Sylvester, Personal Representative of the Estate of Diana T. Sylvester, to Town of Kittery, dated July 30, 2020, and recorded in the York County Registry of Deeds in Book 18331, Page 565.

The property herein conveyed (the "**Property**") is expressly SUBJECT TO the perpetual restriction, and the grantee, for itself, and its successors and assigns (collectively, the "**Grantee**"), forever, covenant that the Property shall not be used, or allowed to be used for surface parking, provided, however, surface parking ancillary to the approved development of the Property shall be permitted. This restriction and covenant runs with, binds and burdens the

land herein conveyed. This restriction and covenant shall be specifically enforceable by the Town.

The said Town of Kittery has caused this instrument to be signed in its corporate name by Kendra Amaral, Town Manager, duly authorized, this 1 day of September 2022.

WITNESS:

[Signature]

TOWN OF KITTERY

By: [Signature]
Kendra Amaral, Town Manager
Duly authorized

STATE OF ~~MAINE~~ NEW HAMPSHIRE
COUNTY OF ~~YORK~~ ROCKINGHAM

SEPT 1, 2022

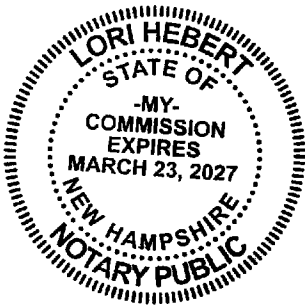
Then personally appeared the above-named Kendra Amaral, Town Manager of the Town of Kittery, and acknowledged the foregoing instrument to be her free act and deed in her said capacity, and the free act and deed of Town of Kittery.

Before me,

[Signature]
Notary Public/Maine Attorney-at-law

Print Name: _____

Commission Expires: _____
(Affix notarial seal)



Zoning Summary – Tax Map 4, Lot 99

Date:	17 NOV 2022
To:	Planning Board
Subject:	3 Walker Street
CC to:	

The owner's (3 Walker Street LLC c/o Lane Cheney) vision for the property at 3 Walker St (Map 4, Lot 99) in the Kittery Foreside is an ideal location for a mixed-use building that continues the downtown vibe in the neighborhood. The proposed building will include a ground floor retail space and one apartment on the top two floors. The existing structure is non-conforming with the current zoning requirements, is in disrepair, a health hazard and is proposed to be demolished. The design goal is to engage pedestrians from both Wallingford Square and Walker Street with an innovative building form that responds to its context while also creating an amenity for the Foreside. A portion of the existing driveway will be replaced with green space that will connect with the adjacent patio space at Lil's and create a more pedestrian friendly alley between buildings.

The contextual mixed -use buildings that define Wallingford square are 3-story mixed use buildings with low slope roofs (70-78 Wallingford Square & 7-17 Wallingford Square). These building types work well to allow for a retail ground floor and a combination of business and residential uses in the upper floors. The other defining building is 60-68 Wallingford Square that is a much larger 4-story building that utilizes a mansard roof type. The change in material and roof edge detailing successfully reduces the scale of the building that is greater than the 40' maximum building height. See the context map for more detail.

Town of Kittery, ME Title 16: Land Use and Development Code
Chapter 16.4.25 Mixed Use - Kittery Foreside (MU-KF)

The purpose of the Mixed-Use – Kittery Foreside MU-KF Zone is to provide business, service and community functions within the Mixed-Use – Kittery Foreside Zone and to provide a mix of housing opportunities in the historic urbanized center of the community and to allow for use patterns which recognize the densely built-up character of the zone and the limitations for providing off-street parking. Design standards are used to facilitate the revitalization of downtown Kittery Foreside as a neighborhood center, while promoting economic development of service businesses and walk-in shopping as well as respecting the zone's historic and residential character.

Permitted Uses:

- Dwellings, multifamily (up to 12 units per lot)
- Retail sales
- Restaurant

Standards:

- Minimum land area per dwelling unit: 5,000sf
- Minimum lot size: 5,000sf
- Minimum street frontage: zero feet
- Minimum front yard: zero feet
- Minimum rear and side yards: 10 feet
- Maximum building height: 40 feet

- Maximum building coverage: 60%
- Minimum open space on the site: 40%
- Maximum building footprint: 1,500sf (can be larger as long as the width is equal to the preexisting)
- Design Standards: see 16.4.25(4)
- Revised parking standards: can be met with off-site agreements
 - 1.5 spaces per dwelling unit
 - Retail = 1 space/ 400gsf
 - Restaurants = 1 space/ 100gsf of public use area
 - Each nonresidential use is exempt from providing off-street parking for the first three required spaces. For uses requiring a demand of greater than three, then the off-street parking is to be provided on site and/or in accordance with off-site parking requirements.

Please refer to the table below and the exist Site Sketch for existing and proposed building a site features. * Lot area needs to be confirmed. Survey has been completed. Additional research required to finalize boundary and lot area.

	<u>Required</u>	<u>Existing</u>	<u>Proposed</u>
Lot Area =	5,000sf min	+/-5,377sf	+/-5,377sf
Building Footprint =	1,500sf max	1,178sf	1,500sf
Max Building Coverage=	60%	+/-22%	+/-27.8%
Open Space =	40%	+/-29.7%	+/-30%
Side Yard (right) =	10'	+/-4.8'	+/-5.0'
Side Yard (left) =	10'	+/-24.0'	+/-13.3'
Rear Yard =	10'	+/-22.5"	+/-43.5'
Parking:			
Residential (1 unit) =	1.5 spaces		3 spaces
<u>Ground Floor Option 1</u>			
Retail 1,300sf/400sf =	3.25 spaces (non-res 3 space credit)		1 space
<u>Ground Floor Option 2</u>			
Restaurant 500sf/100sf =	5 spaces (non-res 3 space credit)		2 spaces

The total parking requirement for Option 1 is 1.75 (2) spaces.

The total parking requirement for Option 2 is 3.5 (4) spaces.

The proposed parking is 4 spaces.

The ground floor commercial space will be either a retail space or a small restaurant. In the restaurant design Option 2 the public access area would be limited to 500sf or additional parking requirements would be met with an off-site parking agreement.

Thank You,

Brandon Holben, AIA, LEED AP
Principal Architect
WINTER HOLBEN



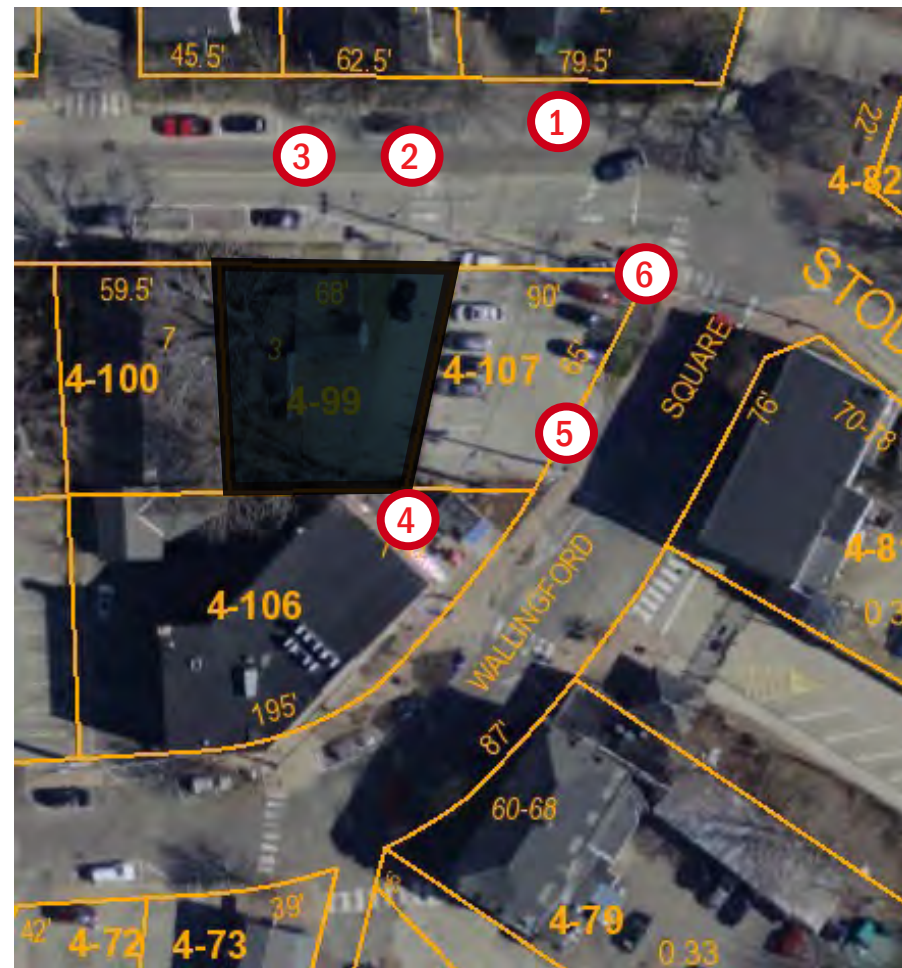
IMAGE 1: SITE - LOOKING SOUTHWEST



IMAGE 4: SITE - LOOKING NORTHWEST



IMAGE 2: SITE - LOOKING SOUTH



SITE SHOWN SHADED - 3 WALKER STREET



IMAGE 5: SITE - LOOKING WEST



IMAGE 3: SITE - LOOKING SOUTH



IMAGE 6: SITE - LOOKING SOUTHWEST



IMAGE 1: 7 WALKER STREET - THE DANCE HALL



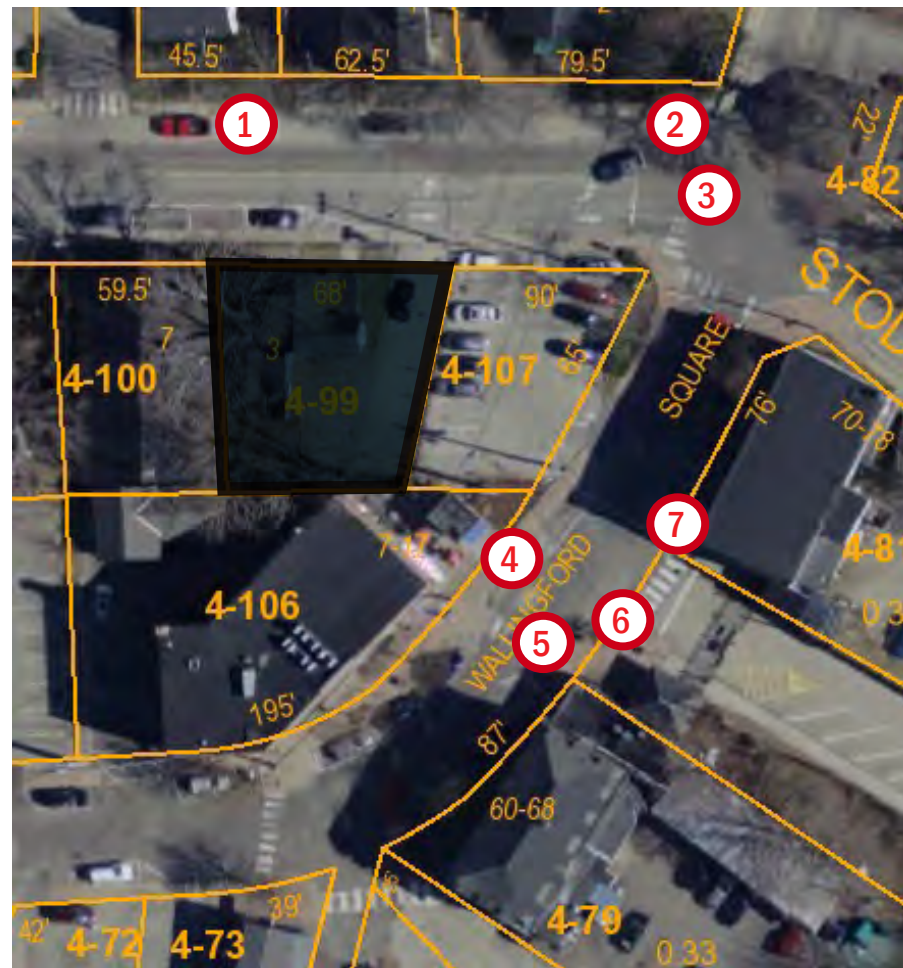
IMAGE 4: 70-78 WALLINGFORD SQUARE BUILDING



IMAGE 5: 60-68 WALLINGFORD SQUARE BUILDING



IMAGE 2: WALLINGFORD SQUARE PARKING



SITE SHOWN SHADED - 3 WALKER STREET



IMAGE 6: 7-17 WALLINGFORD SQUARE BUILDINGS



IMAGE 3: 70-78 WALLINGFORD SQUARE BUILDING



IMAGE 7: 7-17 WALLINGFORD SQUARE BUILDINGS

NOTES:

1. REFERENCE: TAX MAP 4, LOT 99
3 WALKER STREET
KITTERY, MAINE
2. TOTAL PARCEL AREA: SQ. FT. OR AC.
3. OWNER OF RECORD: TOWN OF KITTERY
200 ROGERS ROAD
KITTERY, MAINE 03904
Y.C.R.D. BK. 18331 PG. 0565
4. FIELD SURVEY PERFORMED BY L.P.S. & A.K.H. (DOUCET SURVEY) ON AUGUST 22, 2022 USING A TRIMBLE S7 TOTAL STATION AND A TRIMBLE R10 SURVEY GRADE GPS WITH A TRIMBLE TSC3 DATA COLLECTOR AND A TRIMBLE DINI DIGITAL AUTO LEVEL. TRAVERSE ADJUSTMENT BASED ON LEAST SQUARE ANALYSIS.
5. HORIZONTAL DATUM BASED ON NAD83(2011) MAINE WEST STATE PLANE COORDINATE ZONE (1802) DERIVED FROM REDUNDANT GPS OBSERVATIONS UTILIZING THE KEYNET GPS VRS NETWORK.
6. VERTICAL DATUM IS BASED ON APPROXIMATE NAVD88(GEIOD18) (±.2') DERIVED FROM REDUNDANT GPS OBSERVATIONS UTILIZING THE KEYNET GPS VRS NETWORK.
7. FLOOD HAZARD ZONE: "X", PER FIRM MAP #2321710008D, DATED 7/3/1986. REVISED OCTOBER 14, 2021.
8. PROPER FIELD PROCEDURES WERE FOLLOWED IN ORDER TO GENERATE CONTOURS AT 1' INTERVALS. ANY MODIFICATION OF THIS INTERVAL WILL DIMINISH THE INTEGRITY OF THE DATA, AND DOUCET SURVEY, WILL NOT BE RESPONSIBLE FOR ANY SUCH ALTERATION PERFORMED BY THE USER.
9. UNDERGROUND UTILITIES SHOWN HEREON ARE BASED ON OBSERVED PHYSICAL EVIDENCE AND PAINT MARKS FOUND ON-SITE.
10. THE ACCURACY OF MEASURED UTILITY INVERTS AND PIPE SIZES/TYPES IS SUBJECT TO NUMEROUS FIELD CONDITIONS, INCLUDING; THE ABILITY TO MAKE VISUAL OBSERVATIONS, DIRECT ACCESS TO THE VARIOUS ELEMENTS, MANHOLE CONFIGURATION, ETC.
11. THE INTENT OF THIS PLAN IS TO SHOW THE LOCATION OF BOUNDARIES IN ACCORDANCE WITH AND IN RELATION TO THE CURRENT LEGAL DESCRIPTION, AND IS NOT AN ATTEMPT TO DEFINE UNWRITTEN RIGHTS, DETERMINE THE EXTENT OF OWNERSHIP, OR DEFINE THE LIMITS OF TITLE.
12. DUE TO THE COMPLEXITY OF RESEARCHING ROAD RECORDS AS A RESULT OF INCOMPLETE, UNORGANIZED, INCONCLUSIVE, OBLITERATED, OR LOST DOCUMENTS, THERE IS AN INHERENT UNCERTAINTY INVOLVED WHEN ATTEMPTING TO DETERMINE THE LOCATION AND WIDTH OF A ROADWAY RIGHT OF WAY. THE EXTENT OF WALKER STREET AS DEPICTED HEREON IS/ARE BASED ON RESEARCH CONDUCTED AT THE YORK COUNTY REGISTRY OF DEEDS AND MAINE DEPARTMENT OF TRANSPORTATION.

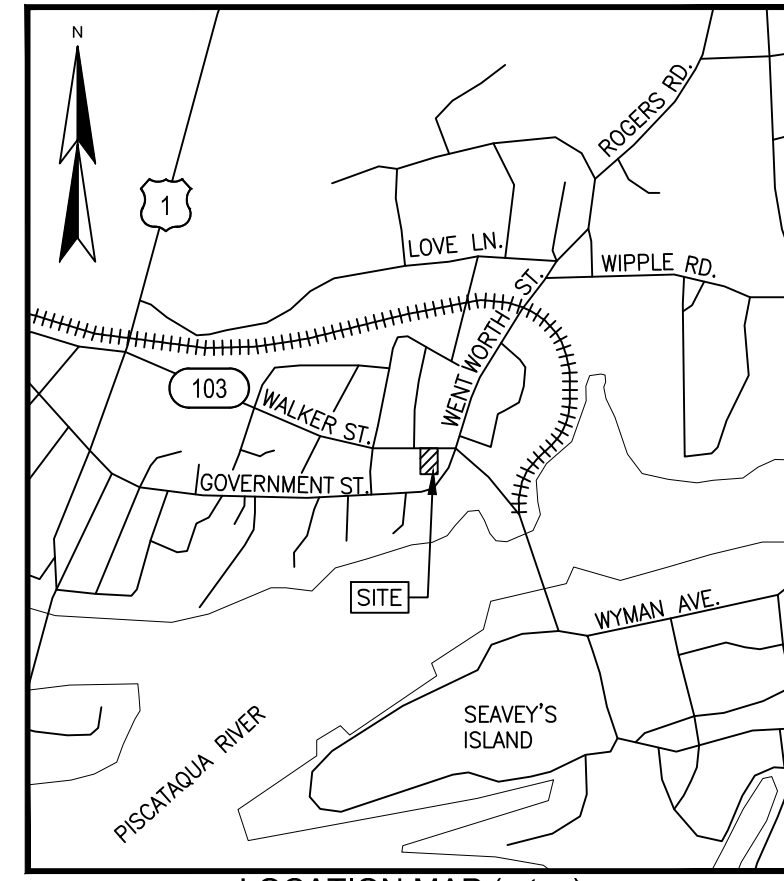
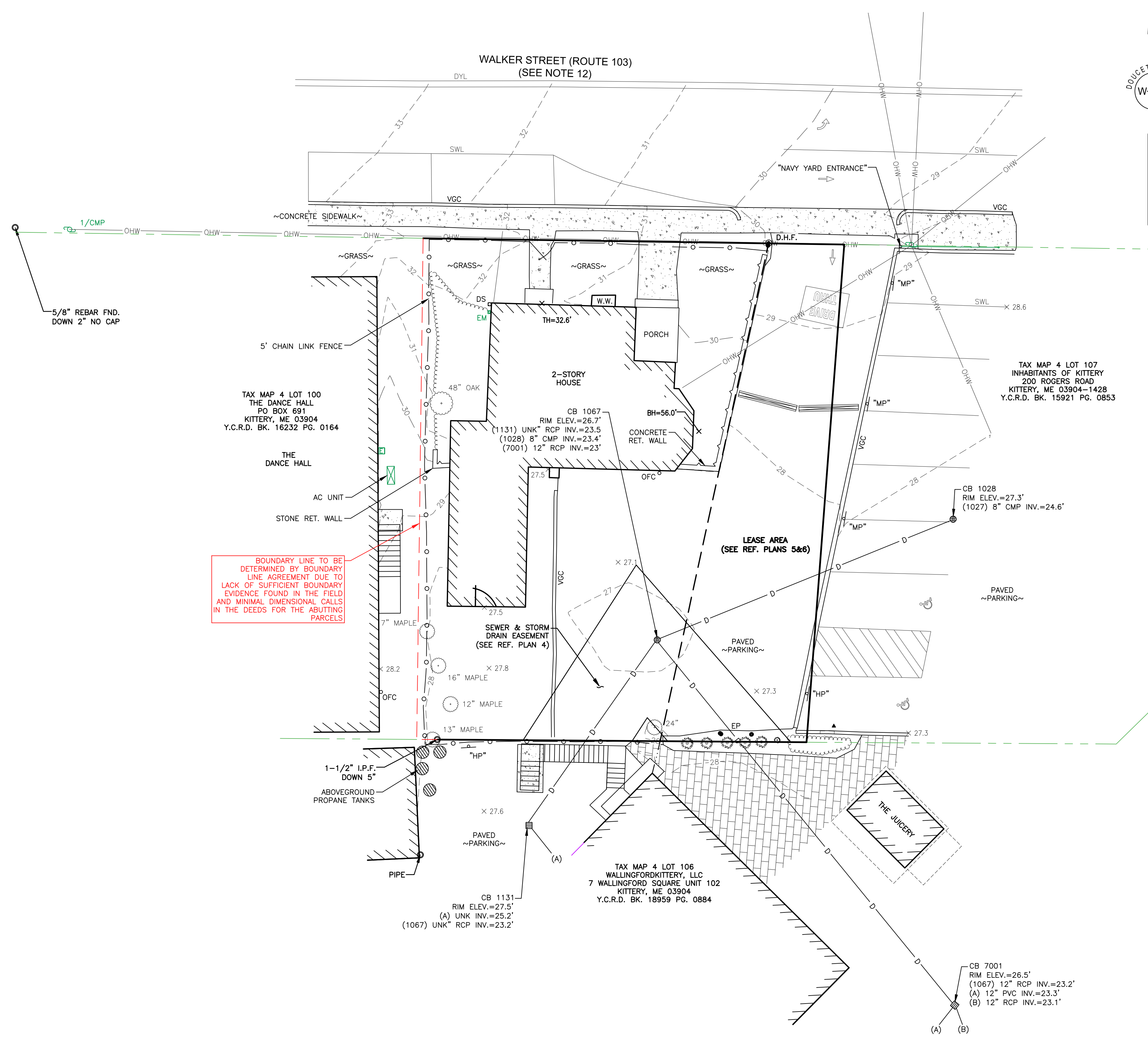
THE LIMITS OF RIGHT OF WAY OF WALKER STREET ARE BASED ON THE ALIGNMENT OF THE ROW PER REFERENCE PLAN 3 TO HIGHWAY BOUND FOUND AT STATION 76+08.27(PC) AND THE BUILDING CORNER AT STATION 75+35.

13. ALL UNDERGROUND UTILITIES (ELECTRIC, GAS, TEL, WATER, SEWER DRAIN SERVICES) ARE SHOWN IN SCHEMATIC FASHION, THEIR LOCATIONS ARE NOT PRECISE OR NECESSARILY ACCURATE. NO WORK WHATSOEVER SHALL BE UNDERTAKEN USING THIS PLAN TO LOCATE THE ABOVE SERVICES. CONSULT WITH THE PROPER AUTHORITIES CONCERNED WITH THE SUBJECT SERVICE LOCATIONS FOR INFORMATION REGARDING SUCH. CALL DIG-SAFE AT 1-888-DIG-SAFE.

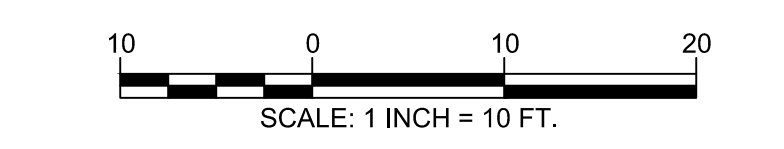
- REFERENCE PLANS:
1. "ALTA/ACSM LAND TITLE SURVEY, WALKER STREET, KITTERY MAINE, BOA KITTERY" DATED 08-02-10 BY HOLDEN ENGINEERING & SURVEYING INC.
 2. "STATE OF MAINE DEPARTMENT OF TRANSPORTATION BUREAU OF HIGHWAYS RIGHT OF WAY MAP, STATE HIGHWAY "100" KITTERY YORK COUNTY, D.O.T. FILE NO. 16-261" DATED MAY 1981 Y.C.R.D. PLAN BOOK 139 PAGE 57.
 3. "MAINE STATE HIGHWAY COMMISSION, RIGHT OF WAY MAP, STATE HIGHWAY "A-3", KITTERY, YORK COUNTY, ACCESS ROAD AD-2", DATED SEPTEMBER 1952, Y.C.R.D. PLAN BOOK 34, PAGE 44.
 4. "TOWN OF KITTERY, MAINE, LOWER GOVERNMENT STREET, SEWER AND STORM DRAIN EASEMENT PLAN NO. 6", BY SEA CONSULTANTS, INC., DATED AUGUST 1986, Y.C.R.D. PLAN BOOK 189, PAGE 25.
 5. "PLAN SHOWING A PORTION OF PROPERTY OF JAMES H. & RUTH E. DINEEN, WALKER STREET, KITTERY, MAINE, LEASE TO FIRST NATIONAL BANK OF PORTLAND, MAINE", BY MOULTON ENGINEERING CO. INC., DATED AUGUST 28, 1963, Y.C.R.D. PLAN BOOK 32, PAGE 50.
 6. STANDARD BOUNDARY SURVEY OF LAND FOR MAINE NATIONAL BANK, WALKER STREET & GOVERNMENT STREET, KITTERY, MAINE", BY ANDERSON ASSOCIATES, DATED AUGUST 1988, UNRECORDED.

THIS SURVEY CONFORMS TO THE MAINE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS RULES OF APRIL 2001, CHAPTER 90 "STANDARDS OF PRACTICE".

MATTHEW W. FAGGINGER-AUER, P.L.S. 2531
THE CERTIFICATIONS SHOWN HEREON ARE INTENDED TO MEET REGISTRY OF DEED REQUIREMENTS AND ARE NOT A CERTIFICATION TO TITLE OR OWNERSHIP OF PROPERTY SHOWN. OWNERS OF ADJOINING PROPERTIES ARE ACCORDING TO CURRENT TOWN ASSESSORS RECORDS.



- LEGEND
- EXISTING LOT LINE
 - MAJOR CONTOUR LINE
 - MINOR CONTOUR LINE
 - RETAINING WALL
 - CHAIN LINK FENCE
 - OVERHEAD WIRE
 - DRAWN WIRE
 - SHRUB LINE/LANDSCAPE AREA
 - CONCRETE
 - BRICK
 - SPOT GRADE
 - UTILITY POLE
 - UTILITY POLE & GUY WIRE
 - CATCH BASIN
 - ELECTRIC METER
 - SIGN
 - BOLLARD
 - COLUMN/SUPPORT
 - ACCESSIBLE PARKING SPACE
 - DECIDUOUS TREE
 - CONIFEROUS SHRUB
 - JERSEY BARRIER
 - BUILDING HEIGHT ELEVATION
 - CORRUGATED METAL PIPE
 - DS DOWN SPOUT
 - DYL DOUBLE YELLOW LINE
 - EP EDGE OF PAVEMENT
 - HP HANDICAP PARKING SIGN
 - MP MUNICIPAL PARK SIGN
 - NP NO PARKING SIGN
 - PVC POLYVINYL CHLORIDE PIPE
 - RCP REINFORCED CONCRETE PIPE
 - RET. WALL RETAINING WALL
 - SWL SINGLE WHITE LINE
 - TH THRESHOLD ELEVATION
 - UNK UNKNOWN
 - VGC VERTICAL GRANITE CURB
 - W.W. WING WALL
 - (X) INVERT I.D. CONNECTION UNKNOWN



EXISTING CONDITIONS PLAN
FOR
THE CHENEY COMPANIES
OF
TAX MAP 4 LOT 99
3 WALKER STREET / ME ROUTE 103
KITTERY, MAINE

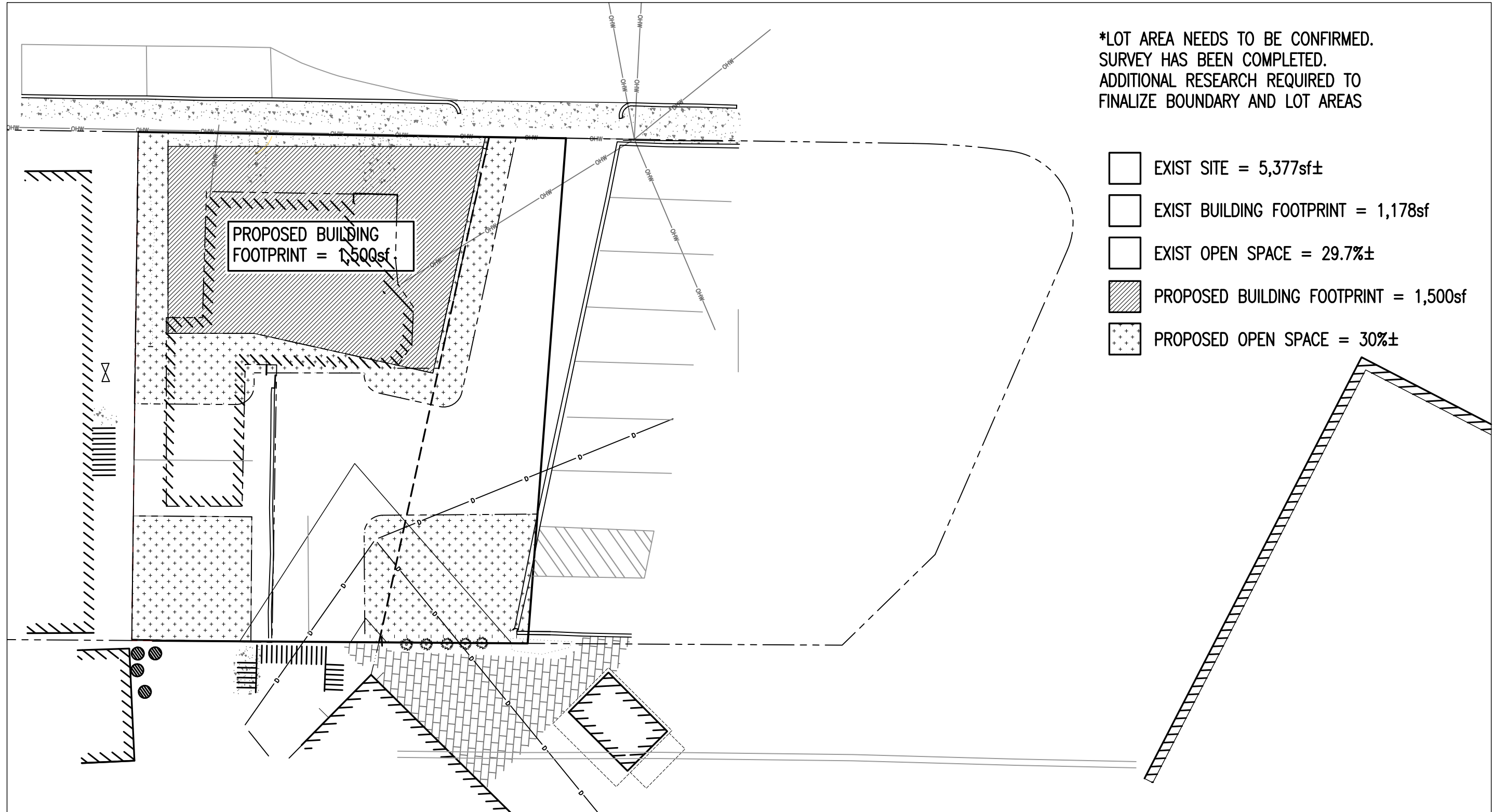
NO.	DATE	DESCRIPTION	BY

DRAWN BY: M.T.L.	DATE: AUGUST 25, 2022
CHECKED BY: D.C.B.	DRAWING NO. 7620A
JOB NO. 7620	SHEET 1 OF 1

DOUCET SURVEY
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Offices in Bedford & Keene, NH and Kennebunk, ME
http://www.doucetsurvey.com

DRAFT
10/14/22

FILE NAME: I:\PROJECTS\2022\CONTRACTS\2022-08-14 (100) WALKER ST - 100 (1) DOUCET SURVEY, INC. AUGUST 14, 2022 - 11:28am



*LOT AREA NEEDS TO BE CONFIRMED.
 SURVEY HAS BEEN COMPLETED.
 ADDITIONAL RESEARCH REQUIRED TO
 FINALIZE BOUNDARY AND LOT AREAS

- EXIST SITE = 5,377sf±
- EXIST BUILDING FOOTPRINT = 1,178sf
- EXIST OPEN SPACE = 29.7%±
- PROPOSED BUILDING FOOTPRINT = 1,500sf
- PROPOSED OPEN SPACE = 30%±

PROPOSED BUILDING
 FOOTPRINT = 1,500sf

3 WALKER MIXED USE
 3 WALKER STREET
 KITTERY, MAINE 03904

SITE SKETCH

7 WALLINGFORD SQUARE
 UNIT 2099
 KITTERY, ME 03904
 207.994.3104



07NOV2022
 WINTER HOLBEN:BMH
 SCALE: 1/16"=1'-0"
 PROJECT NO: 22102

DRAWING NO.
A1