Town of Kittery Planning Board Meeting August 10, 2023

- 4 ITEM 4 – 17 & 25 Route 236 – Site Plan – Sketch Plan Review
- 5 Action: Accept concept design or continue review.
- 6 **Proposal:** Develop a 61-bed rooming house and associated parking shared with an existing 7-unit
- 7 apartment.

1 2

3

13 14

15

16

17

18

19 20

21

25

26

27

28

29

- 8 **Location**: 17 & 25 US Route 236 Map 21 Lot 20 & Map 20, Lot 12
- 9 Zoning District: C-2, Route 236 Commercial Zone
- 10 Owner(s): 25 & 17 Route 236 LLC
- Agent(s): Geoff Aleva 11

12 **PROCESS SUMMARY**

REQ'D	ACTION	COMMENTS	STATUS
NO	Sketch Plan Acceptance/Approval	Scheduled for August 10 th , 2023 Meeting	Pending
YES	Preliminary Plan Review Completeness/Acceptance		
YES	Site Visit		
YES	Public Hearing	Required for Preliminary Site Plan or Subdivision Approval	
YES	Preliminary Plan Approval		
YES	Final Plan Review and Decision		

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.

OTHER PERMITS REQUIRED

- Wetland delineation study.
- DOT Traffic movement pattern.
- State Fire Marshal NFPA #13 fire protection system approval.
- DEP construction permitting and site review.

PROJECT INTRODUCTION

22 This is a conceptual review for a new 3-story rooming house that will consist of 61 beds and 35 total rental 23 24

units. The development is located on the properties of 17 & 25 Route 236, both of which are nonconforming lots due to road frontage. The proposed rooming house would be located entirely on the property of 17 Route 236, which currently contains woodlands and a shed that would be demolished. The existing apartment and parking lot are located entirely on 25 Route 236. The apartment is a non-conforming use in the C-2 zone but meets current parking requirements and will not be modified as a part of the development. A 420-foot driveway provides access to both lots from route 236, and directly abuts a 1,314 sq ft. wetland on the northwest side of the lot (the bottom left corner of the site plan).

The proposed rooming house would have nine 1-bedroom units and twenty-six 2-bedroom units for a total of 35 rooms. Each floor would have separate bathrooms for men and women, shared living room space, and a shared kitchen. Workers would be charged rent for staying in the rooming house, and a superintendent would live on the site in one of the single bed units, meaning the development meets the definition of a rooming house per §16.3. Parking spaces would connect to the existing parking lot for the apartment. Existing water and sewage for the apartment would be extended to the proposed development. The project proposes a tree line along Route 236.

The applicant provided the required conceptual plan and narrative information and is requesting modifications for landscaping and parking standards, as discussed in the notes below. Staff advise discussing prospective phasing during this meeting.

APPLICATION & PLAN REVIEW

Staff reviewed the submitted application and plan and have the following comments:

16.4.20 C-2 ZONING DISTRICT REGULATIONS

- 1. The proposed building appears to meet dimension requirements, The architectural concept plans indicate a mean roof of approximately 38.5,' which is within the 40' maximum.
- 2. The applicant is requesting relief to landscaping standards to the parking lot, as the property does not abut any residential buildings and the applicant plans to retain existing vegetation on the property to the greatest extent possible.
- 3. Both lots are nonconforming as they fail to meet the 150-foot road frontage minimum for the C-2 zone. Per §16.1.8.C.(6).(b).[1], because the two lots have the same owner and are both nonconforming, the lots must be joined into one parcel as doing so would decrease overall nonconformance. This will be updated in assessor records regardless of plan acceptance, as it is a code requirement.
 - a. 25 Route 236 is currently a flag-shaped lot with 62 feet of road frontage. Merging would increase the road frontage of 17 Route 236 from 0 feet to 62 feet. Because this reduces the overall nonconformance of the lot, merging is required.
- 4. Rental units of a rooming house are not considered dwelling units, meaning this proposal would not trigger affordable housing requirements under §16.5.4.

16.5.10 ESSENTIAL SERVICES

- 1. As required in the C-2 zone, proposed utilities are underground in the site plan.
- 2. The plan indicates the proposed area for a force sewer main and pump station, as well as stormwater BMP areas. Staff suggest the applicant confirm with Wastewater staff that treatment systems will have the capacity for the multi-unit project.

16.5.25 **SPRINKLER SYSTEMS**

1. Automatic sprinkler systems are required in all buildings of three stories or more. Approval will be determined by the state fire marshal and require the NFPA 13 standard of design.

16.5.27 STREETS

1. The existing driveway is non-conforming due to its failure to meet setbacks to the abutting wetland. The development cannot increase its nonconformity to the wetland setback.

- 76 2. The applicant stated the driveway is roughly 420 linear feet. Per **§16.3**, a driveway must be 500 feet or shorter, or it is considered a right of way and must meet dimensional standards.
 - 3. Public works staff noted an existing culvert in the driveway is undersized and requires restoration and potential upsizing. Because the driveway is privately owned, it is the responsibility of the owner to maintain it.

16.7.11 PARKING

78

79

80

81 82

83

84

85

86

87

88

89

90 91

92 93

94

95

96

97 98

99

105 106

111

- 1. The plan requests relief on minimum parking requirements. The standard calls for 2 spaces per apartment unit, and 1 space per rental unit in the rooming house. With 7 apartments and 35 units, this would require 47 spaces, but the plan proposes a total of 35. The applicant claims parking requirements will be minimized as the rooming house will cater solely to seasonal workers, and the owner will provide carpool services to employees. They are seeking to provide 1 parking space for every 3 beds, rather than for every single rental unit in the rooming house.
- 2. The proposed plan currently meets the requirement of ADA parking spaces.

DISCUSSION, NEXT STEPS, AND RECOMMENDATIONS

The sketch plan review is an opportunity to consider a concept, ask and answer questions, and **make specific suggestions** to the applicant. Staff suggest the board advise the applicant whether they would be willing to consider a waiver for the parking requirements, but believe the plan meets the requirements for a sketch review.

RECOMMENDED MOTIONS

100 Motion to accept the application as complete

- Move to accept the sketch plan by Geoff Aleva, for owner/applicants 25 & 17 Route 236 LLC, who
- proposes to Develop a 61-bed rooming house and associated parking shared with an existing 7-unit
- apartment located at the addresses of 17 & 25 Route 236, Tax Map 21 Lot 20 & Tax Map 20 Lot 12, in
- the Commercial-2 (C-2) zone.

Motion to continue the application

- Move to continue review of the sketch plan by Geoff Aleva, for owner/applicants 25 & 17 Route 236
- 108 LLC, who proposes to Develop a 61-bed rooming house and associated parking shared with an existing 7-
- unit apartment located at the addresses of 17 & 25 Route 236, Tax Map 21 Lot 20 & Tax Map 20 Lot 12,
- in the Commercial-2 (C-2) zone.

CIVIL CONSULTANTS MEMORANDUM

TO: Town of Kittery Planning Department

FROM: Geoffrey R. Aleva, PE

SUBJECT: SKETCH PLAN PROJECT NARRATIVE

DATE: 07/31/2023

PROJECT: 22-180.00 – 25 & 17 ROUTE 236 LLC



This project narrative is intended to accompany the sketch plan submission for the redevelopment at 17 and 25 Route 236, known as Map 20, Lot 12 and Map 21, Lot 20 on the Town of Kittery tax map system. The properties are owned by the same entity and will be merged into one lot. The combined lot area of the combined parcel will be 152,583 SF(3.5 Acres).

The intent of the project is to construct a new 3 story, 6,789 SF rooming house for the primary use of employees of the property owner. As most know, housing for workers is very difficult in this area of the state. This proposed rooming house will provide convenient housing for seasonal workers. The project will require a Major Site Plan review as it will result in the construction of over 5,000 SF of gross nonresidential floor area.

The property currently contains a 3,543 SF, 2-story seven-unit apartment building with associated parking and drainage facilities. A single two-way driveway (430 LF) is provided for access to Route 236. 13 parking spaces are provided for tenant parking. The remaining portion of the lot is undeveloped.

The proposed development will consist of a 6,789 SF 3-story rooming house on southern portion of the lot, with associated drainage facilities and new parking areas. The new parking lot will contain 22 parking spaces and will be accessed through the existing apartment parking lot.

ZONING INFORMATION

The property is in the Commercial 2 (C-2) zone. The existing apartment is a non-conforming use that will not be altered by this development. The new building will be a rooming house, which is an allowable use per section 16.4.20.B.10 of the Kittery Land Use Zone Regulations. The definition of rooming house is "A residential use in which the owner or manager of the facility resides on the premises and in which more than three persons who are not part of the owner's manager's family are house in rooms for compensation with or without meals."



The intent of the new rooming house building is for workers for the owner's local businesses and for other similar businesses that have seasonal help requirements.

The 6,789 SF 3-story rooming house with shared living space will have approximately 20 beds per floor for a total of 61 beds. The majority will be two beds per unit, there will be several one bed units. The building superintendent will occupy one of the first-floor units. Each floor will also contain separate men's and women's bathrooms, a common living room space, and common kitchen space.

Due to the nature of the building occupants, it is anticipated that a large portion of the workers will not be driving or own vehicles but will be driven to and from the site. Transportation to and from work will be via work vans, work-related carpools and rideshares. The parking requirements of section 16.7.11.F.4.d of the Kittery Ordinance do not accurately represent the expected parking demand of this type of use.

In reviewing the parking requirements dwellings require 2 vehicle spaces per dwelling unit, the proposed parking provides two spaces for the existing apartments. The ordinance does not have a specific requirement for rooming houses for this type of tenant. The intent of this housing is not for the general public. The users are intended to be seasonal and foreign workers for the owners business. Seasonal workers are needed year-round, but the length of stay varies. Due to the nature of the proposed renters, the one vehicle per unit does not appear to be appropriate. It is assumed that the parking demand will be reduced and closer to one parking space per three beds. With 61 proposed beds, a minimum of 21 parking spaces would be required.

The existing apartment building is a two-story, seven-unit building. The existing lot contains 13 existing parking spaces, including one ADA accessible space. Based on ordinance, a seven-unit apartment building requires 14 parking spaces. The total number of required parking spaces is therefore 35. The proposed number of parking spaces is 35, including 2 ADA parking spaces. We believe this provides sufficient parking for the existing apartment and proposed seasonal rooming house.

The proposed development is set back from any public right-of-way. The property is naturally separated from surrounding lots, with Map 21 Lot 19 to the east being the closest developed lot. This lot contains Gagne and Son landscaping supply store. There are no residences in the surrounding lots. For this reason, we believe the parking lot is adequately screened and will not require any additional landscaping. Existing vegetation will remain to the greatest extent possible. It is requested that the Planning Board not require a Landscape Architect to prepare plans and details indicating the proposed vegetation.

A lighting plan will be presented with the application as the project moves forward. The lighting will indicate downlit fixtures that comply with the dark sky requirements.

The combined lot area is 152,583 SF (3.5 acres). There is 61.5 ft of frontage along Route 236. Although the zoning regulations require 150 ft in the C-2 zone, Kittery Ordinance



Section 16.1.8.C.6.a.1 states "nonconforming lots may be built upon consistent with the uses in the particular zone". The proposed development is allowed per the C-2 zoning regulations and the existing nonconformance will not be increased.

The maximum allowable lot coverage is 40%, or 61,033 SF. Existing lot coverage is 12.7%, while proposed lot coverage is 22.1%. The maximum building height is limited to 40 ft. Per the requirements of the zoning district, the new building will be located to meet the 30 ft side and rear setbacks. The proposed development meets the zoning requirements for frontage and lot coverage. Additional information is provided on the attached site plans.

There is a small 1,314 SF wetland at the northwest corner of Lot 12. The proposed project will have no impact on the wetland as the new development does not direct stormwater in this direction. No new development is located within the 50 ft building/structure setback requirements. The existing driveway is located within the 30 ft setback from the wetland, this driveway has been in existence since the construction of the apartment building in late 1960's / early 1970's.

Per Section 16.4.20.D.m of the Kittery Ordinance, underground utilities are required. The site is already serviced by year-round sewer. The existing apartment utilizes a private well. The existing sewer line will be extended to the proposed building, and a new water line will be extended from the water main along Route 236. Overhead wires extend from Route 236 to Lot 12 along multiple utility poles on site. The proposed building will be connected to CMP pole number 30.21 with new underground services.

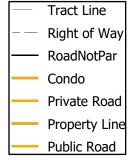
The design intent is to provide stormwater BMP's to address the stormwater flows created by the new development, which will increase existing impervious area on site from 12.7% to 22.1%. A detailed report and maintenance plan will be prepared and submitted as the project moves forward.

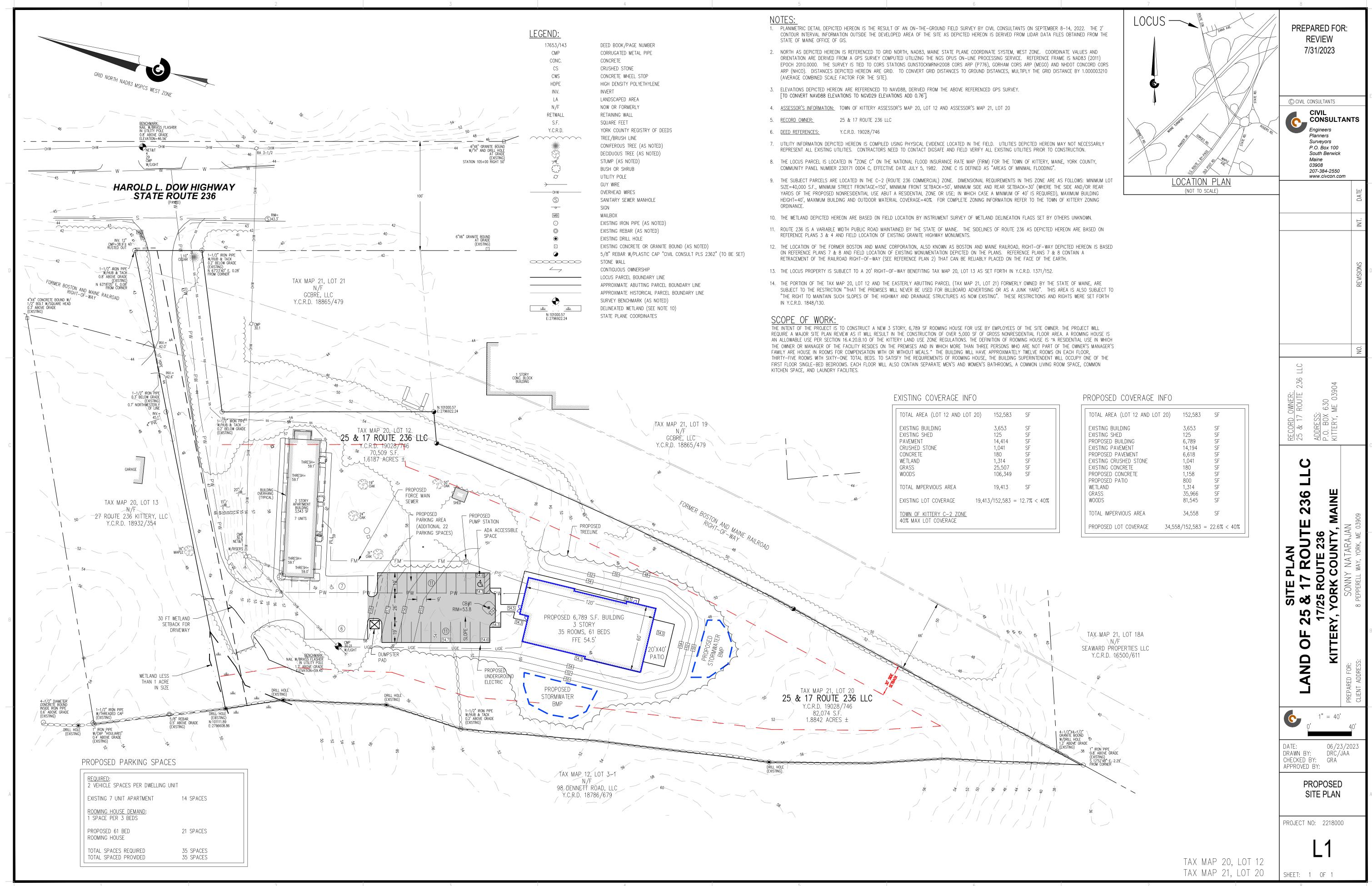
CONCLUSION:

It is our opinion that this project meets the requirements and intent of the Kittery Land Use Ordinance. The applicant looks forward to presenting the project at the next available meeting.

J:\aaa\2022\2218000\PLANNING BOARD\SKETCH PLAN\20230726_2218000-NARRATIVE.docx

17 & 25 RT 236 CAI Technologies Kittery, ME 1 inch = 250 Feet www.cai-tech.com July 18, 2023 750 250 31 PROJECT LOCATION ON BOTH LOTS 12 1,95 5 1,95 1 AND 20 18





TOTAL 11 12



	1	
П	UNIT COUNT	This document, the property of, prepared and issued by the architect, is submitted for the specific project namely and the recipient by accepting this document assumes custody and agrees that this document will not be copied or reproduced in part or in whole, and any special features peculiar to this design shall not be incorporated in any other project, unless prior agreement has been obtained in writing. These documents will be returned immediately upon completion of the project or upon the request of the architect. This document is the exclusive property of the architect, no rights to ownership are transferable, or shall be lost by the filing of this document with any and all public authorities for the purpose of compliance with Codes and or Ordinances, i.e. Building Permit, etc.
D		KITTERY HOUSING
D D	1 BD ROOM 2 BD ROOM 3 STARS	ROUTE 236, ME ISSUE: SA PROJECT TEAM: PRINCIPAL PROJ. ARCH DRAFTER JOB CAPT. INTERIORS SEAL:
B	STATIS OF WINNESS OF W	SECOND FLOOR PLAN
A	SECOND FLOOR PLAN THE ABSTRACT OF THE AN 1 2 3 4 5 6	SILVESTRI ARCHITECTS • PC 1321 MILLERSPORT HWY PH. 716.691.0900 AMHERST, NY 14221 FAX 716.691.4773 SA JOB #: 23063.01 DATE: 07-11-23 DRAWING #: A-102

	1	2	3	4		5		6		
E						DWELLING UNITS 1 BD ROOM 2 BD ROOM TOTAL	1ST 2ND FLOOR B 3 3 8 9 11 12	3RD TOTAL- 3 9	NOTICE This document, the property of, prepare by the architect, is submitted for the spenamely recipient by accepting this document as and agrees that this document will not be reproduced in part or in whole, and any features peculiar to this design shall not incorporated in any other project, unless agreement has been obtained in writing documents will be returned immediated completion of the project or upon the rearchitect. This document is the exclusive property architect, no rights to ownership are transhall be lost by the filing of this docume and all public authorities for the purpose compliance with Codes and or Ordinan i.e. Building Permit, etc.	red and issued recific project and the ssumes custody be copied or my special of the respective prioring. These ely upon request of the ransferable, or ment with any ose of unces,
D									KITTERY HOUSING	
	1 BD	ROOM 1 BD ROOM		120'-0"			DINING		ROUTE 236, ME ISSUE:	,
O	1 Bl	D ROOM STORAGE	2 BD ROOM 2 BD ROOM	2 BD ROOM 2 BD ROOM	2 BD ROOM		OMMON KITCHEN		SA PROJECT TEAM: PRINCIPAL PROJ. ARCH DRAFTER JOB CAPT INTERIORS SEAL:	R
B		STAIRS DN 2 BD ROOM	2 BD ROOM 2 BD ROOM	2 BD ROOM	MENS WOMENS	HC	COMMON LIVING ROOM MECH./ ELEC.		THIRD FLO PLAN	
A	1	THIRD FLOOR PLAN SCALE: 3/16" = 1'-0"	3	4		5		6	SILVEST ARCHITECTS 1321 MILLERSPORT HWY PH. 716 AMHERST, NY 14221 FAX 716 SA JOB #: 23063.01 DRAWING #: A-10	6 - PC 16.691.0900 16.691.4773 -11-23

