

**Town of Kittery Maine
 Town Planning Board Meeting
 May 9, 2019**

ITEM 3 - 12 Moore's Island Lane – Shoreland Development Plan Review

Action: Accept or deny application; Approve or deny plan. Owner Jonathan W. Sobel Rev. Trust and applicant Jonathan W. Sobel request consideration to repair and renovate an existing single family dwelling with additional gable, dormers and second story infill on a 41,766 sf parcel located at 12 Moore's Island Lane (Tax Map 27 Lot 35) in the Residential - Kittery Point Village (R-KPV) and Shoreland Overlay (OZ-SH-250') Zones.

PROJECT TRACKING

| REQ'D | DESCRIPTION | COMMENTS | STATUS |
|-------|--|-------------------------------|---------|
| YES | Determination of Completeness/Acceptance | 5/9/2019 Meeting | PENDING |
| NO | Site Walk | Board's discretion | |
| NO | Public Hearing | Board's discretion | |
| YES | Final Plan Review and Decision | Possible for 5/9/2019 Meeting | |

Plan Review Notes reflect comments and recommendations regarding applicability of Town Land Use Development Code, and standard planning and development practices. Only the PB makes final decisions on code compliance and approves, approves with conditions or denies final plans. 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 recorded at the York County Registry of Deeds. PLACE THE MAP AND LOT NUMBER IN ¼: 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

Planning Board review of this project is required by 16.10.3.2 Other Development Review because it is located in the Shoreland Overlay Zone. The parcel is a non-conforming single family dwelling on a conforming lot. The lot meets minimum lot size for the Residential – Kittery Point Village (R-KPV) zone but the existing dwelling is entirely within the required 100-foot setback from the waterbody.

The existing dwelling was renovated and expanded in 2002 under the existing shoreland zoning that provided a 30% expansion limiting footprint and volume of the structure. The previous Planning Board approval was on January 8, 2002 and the project was completed in 2002 with a CO given.

The proposed renovation consists of expanding the second story master bedroom with an extension of the west facing main gable 9.6' over the existing covered porch, with a secondary south shed dormer and the addition of a north facing shed dormer for a proposed bathroom.

The existing dwelling is at its closest point is 29.9' to the Highest Annual Tide (HAT) line. There will be no increases to the building footprint or height with this renovation. No other changes to any structures on the property are proposed, nor is the site impacted.

Staff Review

1. The proposed expansion does not meet the requirements of the Shoreland Zone (OZ-SL-250'). However, the provisions of Article III. Nonconformance apply to the property and existing structures.

16.7.3.3. B Nonconforming Structure Repair and Expansion provides for expansion / alteration of a non-conforming structure within the Shoreland Zone within certain standards and requirements.

[5] [a]

All other legally existing nonconforming principal and accessory structures that do not meet the water body, tributary stream, or coastal or freshwater wetland setback requirements may be expanded or altered as follows, as long as other applicable municipal land use standards are met and the expansion is not prohibited by § 16.7.3.3B(3)(e)[2] or [3] above:

[a]

For structures located less than 100 feet 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 structure may not be made greater than 20 feet, or the height of the existing structure, whichever is greater.

There will be no increases to the building footprint or height with this renovation.

2. The proposed development does not alter the lot's devegetated area or building coverage percentages.

Recommendation / Action

Move to accept the Shoreland Development Plan application from owner Jonathan W. Sobel Rev. Trust and applicant Jonathan W. Sobel, dated April 12, 2019, to repair and renovate an existing single family dwelling with additional gable, dormers and second story infill on a 41,766 sf parcel located at 12 Moore's Island Lane (Tax Map 27 Lot 35) in the Residential Kittery Point Village (R-KPV) and Shoreland Overlay (OZ-SH-250') Zones as complete.

Move to approve the Shoreland Development Plan application from owner Jonathan W. Sobel Rev. Trust and applicant Jonathan W. Sobel dated April 12, 2019, to repair and renovate an existing single family dwelling with additional gable, dormers and second story infill on a 41,766 sf parcel located at 12 Moore's Island Lane (Tax Map 27 Lot 35) in the Residential Kittery Point Village (R-KPV) and Shoreland Overlay (OZ-SH-250') Zones.

**Kittery Planning Board
Findings of Fact
For 12 Moore’s Island Lane
Shoreland Development Plan Review**

UNAPPROVED

WHEREAS: Owner Jonathan W. Sobel Rev. Trust and applicant Jonathan W. Sobel request consideration to repair and renovate an existing single family dwelling with additional gable, dormers and second story infill on a 41,766 sf parcel located at 12 Moore’s Island Lane (Tax Map 27 Lot 35) in the Residential - Kittery Point Village (R-KPV) and Shoreland Overlay (OZ-SH-250’) Zones.

Hereinafter the “Development” and

Pursuant to the Plan Review meetings conducted by the Town Planning Board as noted {in the plan review notes prepared for 5/9/2019}

| | |
|-----------------------------------|----------|
| Shoreland Development Plan Review | 5/9/2019 |
| Approval | 5/9/2019 |

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, received 4/17/2019
2. Standard Boundary Surveys, Anderson Livingston Engineers, Inc., dated October 2000, revised 11/16/2001
3. Existing & Proposed First Floor Plans, Rykerson Architecture, dated 4/12/2019
4. Proposed Second Floor Plan, Rykerson Architecture, dated 4/12/2019
5. Proposed South Elevation Plan, Rykerson Architecture, dated 4/12/2019
6. Proposed West Elevation Plan, Rykerson Architecture, dated 4/12/2019

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 Shoreland Overlay Zone

(1)(d) 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...

Finding: The proposed development does not include changes to the site and so it does not increase the lot’s devegetated area.

Conclusion: The requirement is not applicable.

Vote: ___ in favor ___ against ___ abstaining

Chapter 16.7 GENERAL DEVELOPMENT REQUIREMENTS
Article III Nonconformance

16.7.3.1 Prohibitions and Allowances

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

Finding: The proposed development does not increase nonconformity of any structure or aspect of the lot.

Conclusion: The requirement appears to be met.

Vote: ___ in favor ___ against ___ abstaining

16.7.3.3 Nonconforming Structures

16.7.3.3.B Nonconforming structure repair and/or expansion

16.7.3.3.B (e) [5] [a]

Finding: There will be no expansion of the footprint of the structure nor an increase in the height of the existing structure with the proposed renovation.

Conclusion: This requirement appears to be met.

Vote: ___ in favor ___ against ___ abstaining

16.6.6. Basis for Decision

16.6.6.A.2 In hearing appeals/requests under this Section, the Board of Appeals [note: Planning Board is also subject to this section per 16.7.3.3.B.(1) above] must use the following criteria as the basis of a decision:

- 1. Proposed use will not prevent the orderly and reasonable use of adjacent properties or of properties in adjacent use zones;*
- 2. Use will not prevent the orderly and reasonable use of permitted or legally established uses in the zone wherein the proposed use is to be located, or of permitted or legally established uses in adjacent use zones;*
- 3. Safety, the health, and the welfare of the Town will not be adversely affected by the proposed use or its location; and*
- 4. Use will be in harmony with and promote the general purposes and intent of this Code.*

Finding: The proposed development does not pose a concern.

Conclusion: The requirement appears to be met.

Vote: ___ in favor ___ against ___ abstain

Chapter 10 DEVELOPMENT PLAN APPLICATION AND REVIEW
Article 10 Shoreland Development Review

16.10.10.2 Procedure for Administering Permits

| |
|---|
| <p><i>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:</i></p> |
| <p><i>1. Maintain safe and healthful conditions;</i></p> <p><u>Finding:</u> The proposed development as represented in the plans and application does not appear to have an adverse impact.</p> <p><u>Conclusion:</u> This requirement appears to be met.</p> <p style="text-align: right;">Vote: ___ in favor ___ against ___ abstaining</p> |
| <p><i>2. Not result in water pollution, erosion or sedimentation to surface waters;</i></p> <p><u>Finding:</u> 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.</p> <p><u>Conclusion:</u> This requirement appears to be met</p> <p style="text-align: right;">Vote: ___ in favor ___ against ___ abstaining</p> |
| <p><i>3. Adequately provide for the disposal of all wastewater;</i></p> <p><u>Finding:</u> The proposed development does not have an impact on the existing wastewater disposal system.</p> <p><u>Conclusion:</u> This requirement is not applicable.</p> <p style="text-align: right;">Vote: ___ in favor ___ against ___ abstaining</p> |
| <p><i>4. Not have an adverse impact on spawning grounds, fish, aquatic life, bird or other wildlife habitat;</i></p> <p><u>Finding:</u> See Finding #2 above.</p> <p><u>Conclusion:</u> The requirement appears to be met.</p> <p style="text-align: right;">Vote: ___ in favor ___ against ___ abstaining</p> |
| <p><i>5. Conserve shore cover and visual, as well as actual points of access to inland and coastal waters;</i></p> <p><u>Finding:</u> Shore cover is conserved in accordance with the Code. There are no points of access.</p> <p><u>Conclusion:</u> This requirement appears to be met.</p> <p style="text-align: right;">Vote: ___ in favor ___ against ___ abstaining</p> |
| <p><i>6. Protect archaeological and historic resources;</i></p> <p><u>Finding:</u> There does not appear to be any resources impacted.</p> <p><u>Conclusion:</u> This requirement appears to be met.</p> <p style="text-align: right;">Vote: ___ in favor ___ against ___ abstaining</p> |
| <p><i>7. Not adversely affect existing commercial fishing or maritime activities in a commercial fisheries/maritime activities district;</i></p> <p><u>Finding:</u> The property is not located in the Commercial Fisheries / Maritime Use Zone.</p> <p><u>Conclusion:</u> This requirement is not applicable.</p> <p style="text-align: right;">Vote: ___ in favor ___ against ___ abstaining</p> |
| <p><i>8. Avoid problems associated with floodplain development and use;</i></p> |

Finding: The property is located within flood hazard zones, V2 (EL 14) & A2 (EL 11). The proposed construction will not create an adverse impact associated with floodplain management.

Conclusion: This requirement appears to be met.

Vote: ___ in favor ___ against ___ abstaining

9. Is in conformance with the provisions of this code;

Finding: The proposed construction is in conformance with the provisions of the Code.

Conclusion: This requirement appears to be met.

Vote: ___ in favor ___ against ___ abstaining

10. Be recorded with the York county Registry of Deeds.

Finding: A plan suitable for recording will be prepared.

Conclusion: As stated in the Notices to Applicant contained herein, shoreland Development plans must be recorded with the York County Registry of Deeds prior to the issuance of a building permit.

Vote: ___ in favor ___ against ___ abstaining

Based on the foregoing Findings, the Planning Board finds the applicant has satisfied each of the review standards for approval and, therefore, the Planning Board approves the Shoreland Development Plan Application and subject to any conditions or waivers, as follows:

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. No trees are to be removed without prior approval by the Code Enforcement Officer or the Shoreland Resource Officer. Efforts to protect existing trees must be in place prior to construction.
4. All Notices to Applicant contained herein (Findings of Fact dated 5/9/2019).

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

5. 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 presentation on final Mylar.

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 of ___ in favor ___ against ___ abstaining

APPROVED BY THE KITTELY PLANNING BOARD ON May 9, 2019

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. One (1) Mylar 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. An approved plan for expansion of a non-conforming structure must be recorded by the applicant with the York County Registry of Deeds within 90 days of approval. The recorded plan must show the existing and proposed footprint of the non-conforming structure, the existing and proposed structure height, the footprint of any structures on the parcel, the Shoreland Overlay zone and/or the Resource Protection Overlay zone boundary and evidence of approval by the municipal review authority.
5. 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.

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.

SHORELAND DEVELOPMENT PLAN APPLICATION

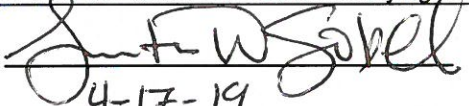
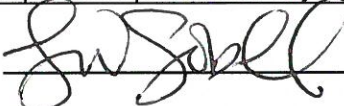


TOWN OF KITTERY
 Planning & Development Department
 200 Rogers Road, Kittery, ME 03904
 Telephone: 207-475-1323 Fax: 207-439-6806

| |
|-----------------------------|
| MAP <u>27</u> LOT <u>35</u> |
| DATE: <u>4/17/19</u> |
| FEE: \$ <u>200.00</u> |
| ASA*: _____ |

| | | | | |
|------------------------------|------------------|------------------------------------|------------------|--|
| PROPERTY DESCRIPTION | Physical Address | 12 MOORE'S ISLAND LANE, Kittery ME | | |
| | Base Zone | | Overlay Zone (s) | |
| OWNER INFORMATION | Name | JONATHAN W. SOBEL rev. TR | | Mailing Address 49 Sheafe St PORTSMOUTH, N.H. 03801 |
| | Phone | 603 703 3979 | | |
| | Email | JWSOBEL@GMAIL | | |
| AGENT INFORMATION | Name | | | Company |
| | Phone | SAME | | Mailing Address |
| | Email | | | |
| | Fax | | | |
| APPLICANT INFORMATION | Name | JONATHAN W SOBEL | | Mailing Address same |
| | Phone | 603 703 3979 | | |
| | Email | JWSobel@GMail.com | | |

| | | |
|----------------------------|---|---|
| PROJECT DESCRIPTION | <u>Existing Use:</u> | Residential single family |
| | <u>Proposed Use (describe in detail):</u> | same see detailed typed cover letter |

| | | |
|--|---|---|
| PROJECT DESCRIPTION | Please describe any construction constraints (wetlands, shoreland overlay zone, flood plain, non-conformance, etc.) | |
| | repair and renovate with additional gable, dormers, and 2nd story bathroom see typed cover letter for full description | |
| 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 Planning and Development Department of any changes. | | |
| Applicant's Signature: |  | Owner's Signature: |
| Date: | 4-17-19 |  |
| | Date: | |

*Applicant Service Accounts: Fees to pay other direct costs necessary to complete the application process, not including application fees. Title 3, Chapter 3.3.

| MINIMUM PLAN SUBMITTAL REQUIREMENTS | |
|--|--|
| <input type="checkbox"/> 12 Copies of this Application Form, all supporting documents, and the Development Plan and Vicinity Map 10 plan copies may be half-size (11"x17") and 2 must be full-size (24"x36") | |
| Shoreland Development Plan format and content: | |
| A) Paper Size; no less than 11" X 17" or greater than 24" X 36" | |
| B) Plan Scale | |
| <input checked="" type="checkbox"/> Under 10 acres: no greater than 1" = 30' <input type="checkbox"/> 10 + acres: 1" = 50' | |
| C) Title Block | |
| <input checked="" type="checkbox"/> Title: Shoreland Development Plan <input checked="" type="checkbox"/> Applicant's name and address <input checked="" type="checkbox"/> Name of preparer of plan with professional information <input type="checkbox"/> Parcel's Kittery tax map identification (map – lot) in bottom right corner <input checked="" type="checkbox"/> Vicinity Map or aerial photo showing geographic features 5,000 feet around the site. | |
| D) Signature Block | |
| <input checked="" type="checkbox"/> Area for signature by Planning Board Chair and Date of Planning Board Approval | |

| Development Plan must include the following existing and proposed information: | |
|--|---|
| Existing: <input checked="" type="checkbox"/> Land Use Zones and boundaries <input checked="" type="checkbox"/> Topographic map (optional) <input type="checkbox"/> Wetlands and flood plains <input checked="" type="checkbox"/> Water bodies and water courses <input checked="" type="checkbox"/> Parcel area <input checked="" type="checkbox"/> Lot dimensions <input checked="" type="checkbox"/> Utilities (Sewer/septic, water, electric, phone) <input checked="" type="checkbox"/> Streets, driveways and rights-of-way <input checked="" type="checkbox"/> Structures <input type="checkbox"/> Distance from structure to water body and property lines <input checked="" type="checkbox"/> Floor area, volume, devegetated area, and building coverage | Proposed: (Plan must show the lightened existing topography under the proposed project plan for comparison.) <input checked="" type="checkbox"/> Recreation areas and open space <input checked="" type="checkbox"/> Setback lines and building envelopes <input checked="" type="checkbox"/> Lot dimensions <input checked="" type="checkbox"/> Utilities (Sewer/septic, water, electric, phone) <input checked="" type="checkbox"/> Streets, driveways and rights-of-way <input checked="" type="checkbox"/> Structures <input checked="" type="checkbox"/> Floor area, volume, devegetated area, and building coverage Distance to: <input checked="" type="checkbox"/> Nearest driveways and intersections <input checked="" type="checkbox"/> Nearest fire hydrant <input checked="" type="checkbox"/> Nearest significant water body; ocean, wetland, stream |

AN APPLICATION THE TOWN PLANNER DEEMS SUFFICIENTLY LACKING IN CONTENT WILL NOT BE SCHEDULED FOR PLANNING BOARD REVIEW.

Expansion/Construction Analysis within the Shoreland Overlay Zone¹
(see Table 16.9)

Size of water body or wetland: <500 sf <501 sf-1 acre >1 acre

Structure distance from water body: 29.9 feet - 4318 feet

| | | | | |
|---|---|---|-------------|-----------|
| STRUCTURE | Existing | Proposed | % Increase* | NO CHANGE |
| SF (Area) | sf | sf | % | |
| Construction: | New: <input type="checkbox"/> | Demo/Rebuild: <input checked="" type="checkbox"/> (Partial) | Value: | \$ 35,000 |
| | Maintenance/repair: <input checked="" type="checkbox"/> | | | |
| *Total increase in area may not exceed 30% for any new construction since 1/1/1989. | | | | |

| PARCEL DE-VEGETATION | % Allowed* | Existing SF | Proposed SF | % Proposed* |
|--|------------|-------------|-------------|-------------|
| Lot Size (sf) <u>41,766</u> | % | * sf | 0 sf | % |
| *See underlying zone standards for de-vegetated area percent allowed within a Shoreland Overlay. | | | | |

NO DE-VEGETATION

| BUILDING COVERAGE | % Allowed* | Existing SF | Proposed SF | % Proposed* |
|---|------------|-------------|-------------|-------------|
| Lot Size (sf) <u>41,766</u> | % | * sf | 0 sf | % |
| *See underlying zone standards for building coverage percent allowed. | | | | |

NO INCREASE OF FOOT PRINT

¹Calculations 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.

Existing House 1813 sq ft
" boat house 292 sq ft

NOTE: NO increase in foot print
and no de-vegetation proposed

4-17-19
gws

Jonathan and Valerie Sobel
12 Moore's Island Lane
Kittery Point, ME 03905
Mailing 49 Sheafe St., Portsmouth, NH 03801

Planning Board
Town of Kittery
Kittery, Me 03904

April 17, 2019

Re 12 Moore's Island Lane, Map27 lot 35 R-KPV
Building Permit #367, 12 Moore's Island Lane
Request for Renovations Reconstruction of Residential
home within Shoreland Zone

Dear Planning Board:

This property was renovated and expanded in 2002 under the existing Shoreland Zoning that provided a 30% expansion limiting footprint and volume of the structure. The site plans prepared by Livingston Anderson engineers are on file and included in this application for your convenience. The previous Planning Board approved on 1-8-2002 and the project was completed in 2002 with inspection and CO.

More recently, we obtained a building Permit #367, 7-10-2018, for routine repair and maintenance of the house, which was amended in October 2018 due to the extensive repairs required.

In 2001-2002 we were limited in the scope of renovation due to the Volume restriction which significantly limited the improvements and reconstruction. At this time, due to recently revised Shoreland Zoning regulations for the State of Maine and adopted by Kittery, allowing for vertical- volumetric changes, we request permission for further renovations and reconstruction.

We propose to extend the second story Master bedroom with extension of the West facing main gable 9.6 feet over the existing covered porch, with secondary south shed dormer, and addition of North facing shed or Gable dormer for proposed bath. These renovations will **not** expand the existing footprint of the house, and will **not** exceed the existing height of the building roof-ridge line. (See proposed and existing condition drawings-blueprints by D. Rykerson, AIA, and prior building documentation on file per Anderson-Livingston surveyors.)

This proposal does not impact the Shoreland Zoning regulations in particular The Title 16 Land Use and Development Code 16.7.3.3.b, - effective Kittery on January 9, 2019, in that all of the proposed renovations or construction are within the previously allowed footprint, and does not increase existing height of of the building. Thus, relative to the regulations, this is not an expansion of the structure into the Shoreland Zone, but is confined within the legally allowed envelope of the structure, and construction can be permitted directly by the Code Enforcement office and allowed with administrative approval of the Planning Board.

In preparation for this proposal, I discussed the volumetric renovation of this structure within 75 feet of a natural resource with Collin Clark of the Maine DEP. He noted that he had signed off on the Kittery adopted Code, and that within the footprint and constructed less than or equal to the existing height of the structure, renovations or construction "would not even be considered an expansion (relative to Shoreland Zoning)" and that the addition of Gables or Dormers, as I explained to him, would be "absolutely permissible". (4-8-10 Telephonic).

In addition, we obtained architectural review of the proposal as it relates to the current shoreland zoning and a letter from Rykerson Architecture, Deane Rykerson AIA, is included that confirm that the proposal is NOT an expansion of Footprint or Height and would NOT negatively impact the Shoreland Zone.

We also reviewed with the Code Enforcement office the current Permit and need for an additional permit for the Gable and Dormers and Planning Board Approval as this proposal is located the Shoreland Zone.

Therefore we are requesting approval as specified in the Architectural plans.

Sincerely, Jonathan and Valerie Sobel

Attachments- Building Plans with elevation, Site Survey, Plot plan, Architectural Review and letter by Deane Rykerson, AIA



1 SALT MARSH LANE
KITTERY POINT ME 03905
207-439-8755 RYKERSONARCHITECTURE@COMCAST.NET

Deane Rykerson
1 Salt Marsh Lane
Kittery Point ME 03905
rykersonarchitecture@comcast.net

15 April 2019

Re: 12 Moore's Island Alterations

To Whom It May Concern:

In preparing the alteration designs for 12 Moore's Island Lane, Kittery Point drawings, I have reviewed The Kittery Land Use and Development Code, effective January 9, 2019.

§ 16.7.3.3 Non-conforming structures

3 (a) A nonconforming structure may be repaired or maintained and may be expanded in conformity with the dimensional requirements, such as setback, height, etc., as contained in this title.

The alterations do not change setbacks or heights of existing structure.

§ 16.8.28.1 **The total ground-floor area, including cantilevered or similar overhanging extensions, of all principal and accessory structures is limited to a maximum of 1,500 square feet. This limitation may not be altered by variance.**

The existing ground floor area is 1315 square feet and there is no plan for expansion.

§ 16.10.3.4 B.1 There will be no devegetated area with these alterations.

I find the proposed alterations in conformance with The Kittery Land Use and Development Code. Please contact me with any questions.

Sincerely,

A handwritten signature in black ink that reads "Deane Rykerson".



PEPPERRELL COVE

LOW WATER

CHAUNCY'S CREEK

APPROX. LOW WATER LINE

12 MOORE'S ISLAND LANE
PROPOSED EXPANSION:
KITCHEN - BATH - LIVING - COVERED PORCH

27-33B
N/F MARCIA E. GIBBONS
8113/91

27-34
N/F MARK & SUSAN HOLLINGSWORTH
5215/217

REFERENCE PLANS:

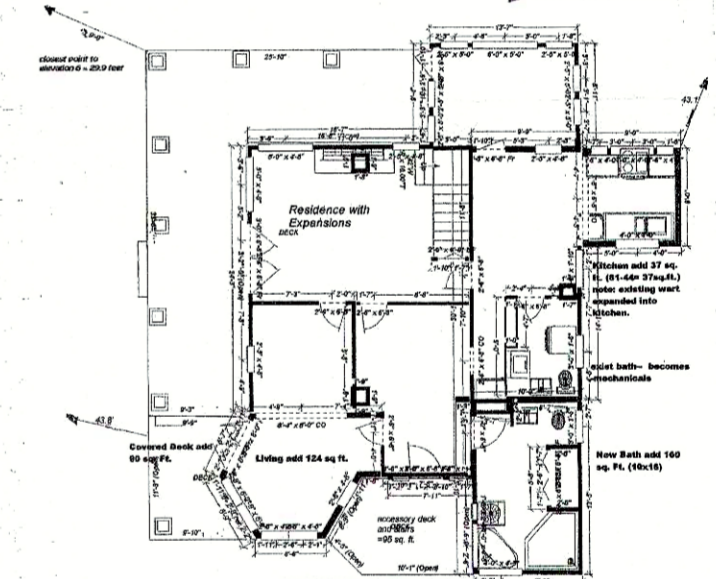
- 1. PLAN SHOWING PROPERTY OF LILLIAN D. WYATT - DATED SEPTEMBER 12, 1956 - BY MOULTON ENGINEERING CO. RECORDED Y.C.R.D. PB 21 PC 55-B
- 2. PLAN OF PART OF MOORE'S ISLAND FOR ROGER B. CHARLESWORTH - DATED DECEMBER 1969 - BY JOHN W. DURGIN

NOTES:

- 1. ELEVATIONS ARE BASED UPON NVGD 1929 DATUM, USGS DISK TITIAL 4; ELEVATION 11.906
- 2. NHWL(NORMAL HIGH WATER LINE) SHOWN IS ELEVATION 6.0 AS DEFINED BY THE TOWN OF KITTEERY ZONING ORDINANCE. WETLANDS ON THE NORTH SIDE OF THE PROPERTY WOULD ALSO BE DESIGNATED AS A NHWL.
- 3. FLOOD ZONE V2 AND A2 ELEVATIONS ARE FROM FEMA FLOOD INSURANCE RATE MAP COMMUNITY-PANEL #230171 0005C DATED JULY 5, 1984
- 4. LOT AREA TO THE NHWL IS 41,766 sq ft, 0.96 ACRES
- 5. LOT IS SUBJECT TO A RIGHT OF WAY FOR THE USE OF LOT 27-34
- 6. THE EXISTING HOUSE FOOTPRINT IS 1,402 SQ FT, THE EXISTING BOAT HOUSE FOOTPRINT IS 275 SQ FT
- 7. THE EXISTING HOUSE VOLUME IS APPROXIMATELY 17,440 CUBIC FEET, THE EXISTING BOAT HOUSE VOLUME IS APPROXIMATELY 2,870 CUBIC FEET
- 8. ACCORDING TO SECTION 16.28.130, NONCONFORMING BUILDINGS, OF THE LAND USE AND DEVELOPMENT CODE ZONING ORDINANCE FOR THE TOWN OF KITTEERY, A STRUCTURE CAN BE EXPANDED IN FLOOR AREA OR VOLUME BY 30%

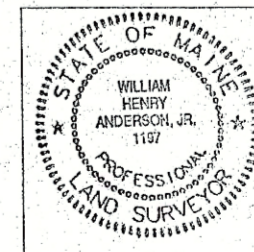
DEED REFERENCE:

- 1. JOHN F. ASSELT, JR. TO JONATHAN WATSON SOBEL REVOCABLE TRUST; DATED SEPTEMBER 6, 2000, RECORDED AT THE Y.C.R.D. BOOK 10215 PAGE 150
- 2. JOHN F. ASSELT, JR. AND ISABEL M. ASSELT TO JAMES P. AND TUBOR M. AUSTIN; DATED APRIL 27, 1994; RECORDED AT THE Y.C.R.D. BOOK 7046 PAGE 47
- 3. JOHN F. ASSELT, JR. TO CENTRAL MAINE POWER CO.; DATED APRIL 6, 1995; RECORDED AT THE Y.C.R.D. BOOK 7399 PAGE



12 MOORE'S ISLAND LANE, KITTEERY, MAINE
 Main, max of 35 existing footprint: 1,402 sq. ft., volume 17,440 cu. ft. (per Kittery rule 16.28.130, 30% expansion permitted = 420 sq. ft. + 5,285 cu. ft.)
Expansion Project
 Jonathan and Valerie Sobel
 12 Moore's Lane
 Kittery Point, Maine
 mailing: 12 Deer Meadow, Durham, N.H.
 11/24/2001

STANDARD BOUNDARY SURVEY
 FOR
 JONATHAN & VALERIE SOBEL
 12 MOORES ISLAND
 KITTEERY, MAINE



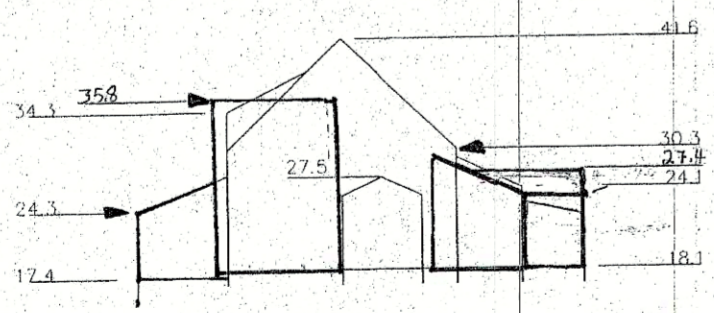
ANDERSON LIVINGSTON ENGINEERS, INC.
 Suite 401 Cottage Place
 433 II U.S. Route One
 York, Maine 03909
 (207)363-4414

Scale: 1 in = 20 ft.
 Date: OCTOBER 2000
 REVISIONS: 11-16-01

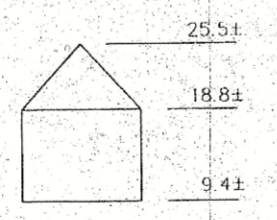
OWNER:
 JONATHAN WATSON SOBEL
 REVOCABLE TRUST
 12 DEER MEADOW ROAD
 DURHAM, NH 03824

TRUSTEE:
 JONATHAN W. SOBEL

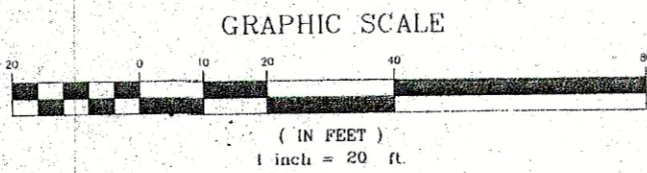
Sheet 1 of 1



HOUSE CROSS SECTION WITH ELEVATIONS EXPANSION IN BOLD

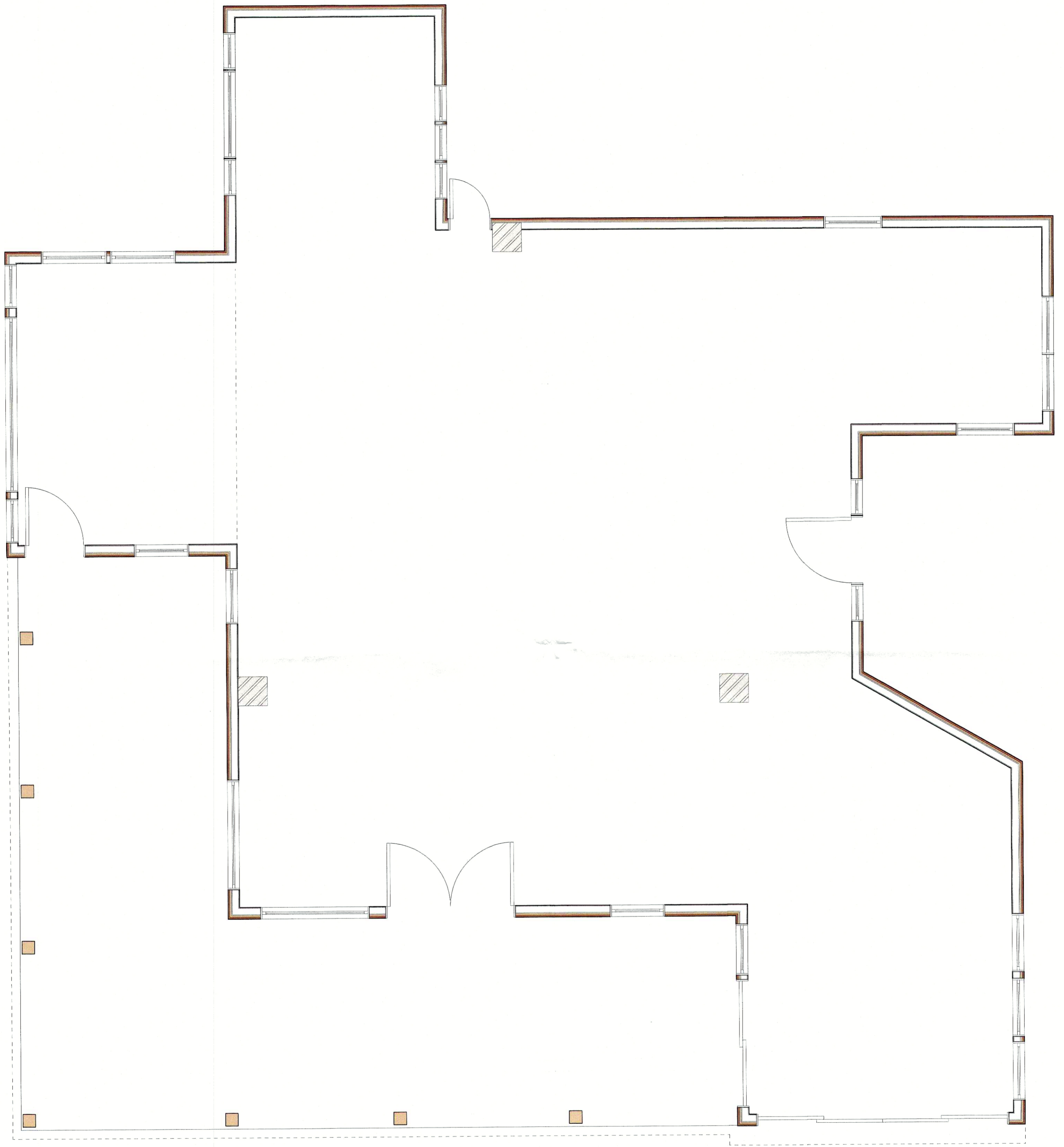


BOAT HOUSE ELEVATIONS



FILE NO.: 6063
PLAN NO.: 1821.001201

CERTIFICATION:
This Survey substantially conforms to the Maine Board of Registration for Land Surveyors Standards for a Category 1, Condition 1 boundary survey.



RYKERSON
A RCHITECTURE
 1 SALT MARSH LANE
 KITTERY POINT MAINE 03905
 207 439 8755



12 MOORE'S ISLAND
 KITTERY POINT ME
 12 APRIL 2019

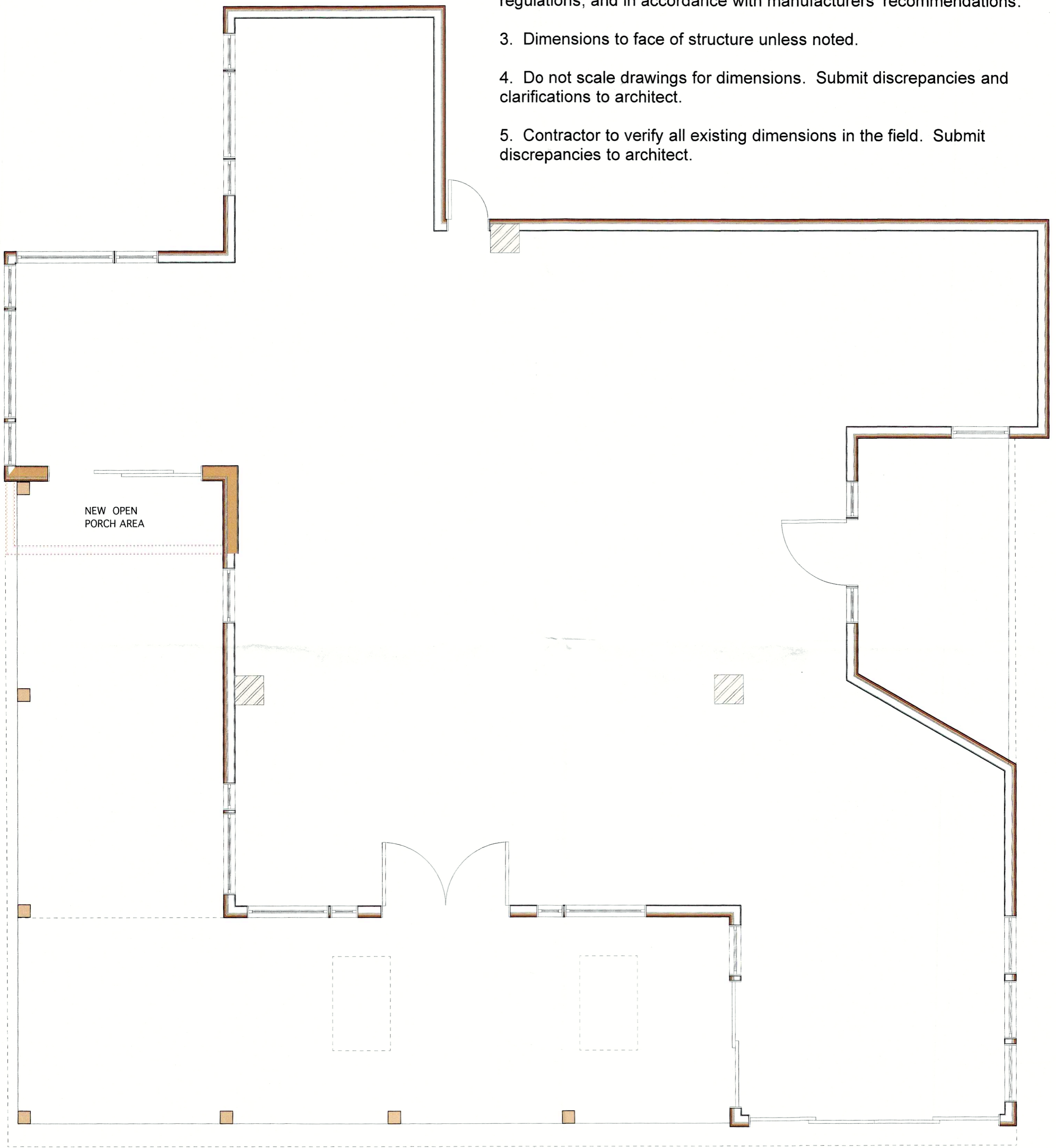
**EXISTING FIRST
 FLOOR**

X-1



GENERAL NOTES:

1. Structure is in Shoreland Protection Zone. Alterations include no expansion of building footprint or height.
2. All work to be in accordance with local, state, and federal codes and regulations, and in accordance with manufacturers' recommendations.
3. Dimensions to face of structure unless noted.
4. Do not scale drawings for dimensions. Submit discrepancies and clarifications to architect.
5. Contractor to verify all existing dimensions in the field. Submit discrepancies to architect.



RYKERSON
ARCHITECTURE
1 SALT MARSH LANE
KITTERY POINT MAINE 03905
207 439 8755

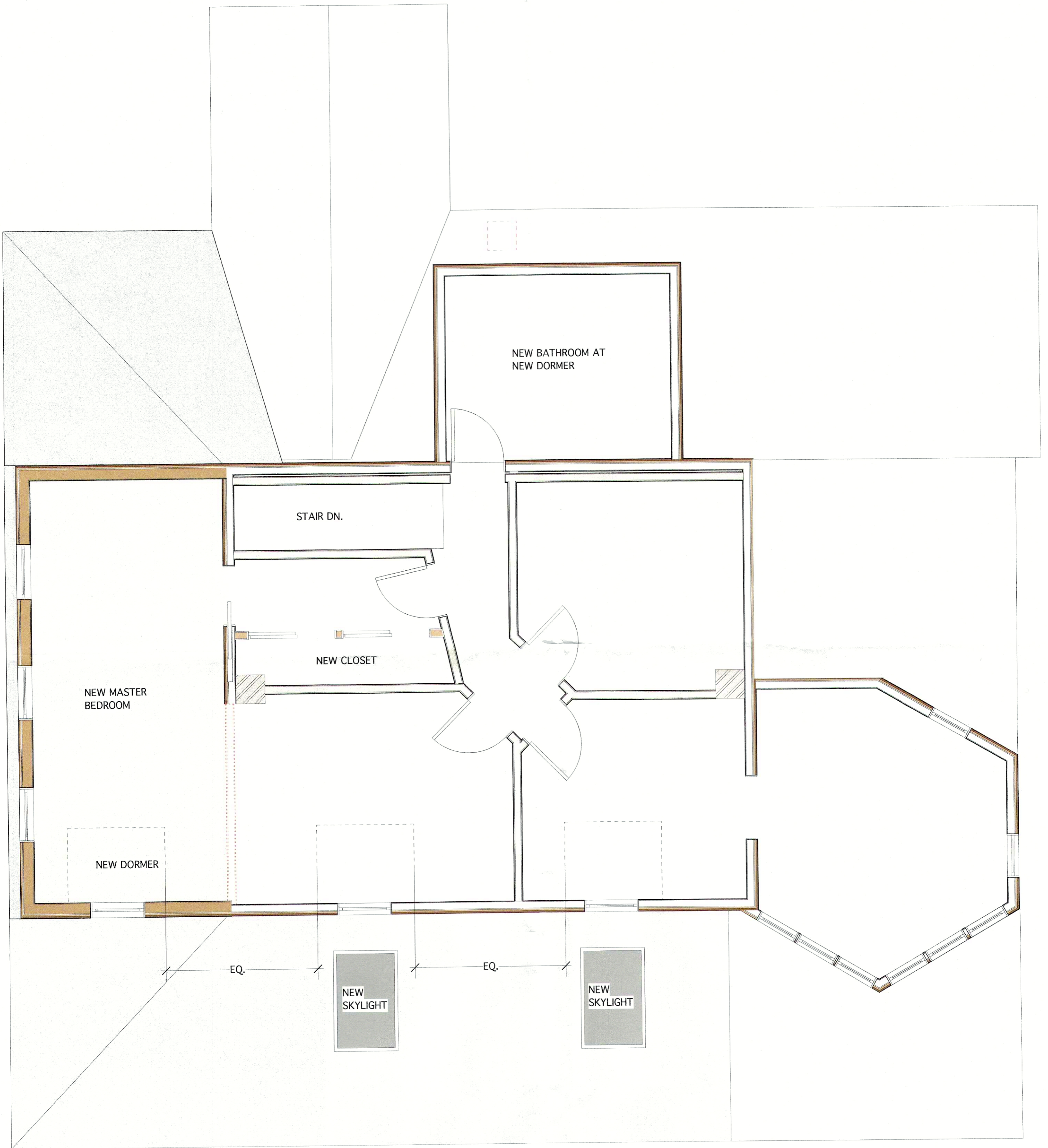


12 MOORE'S ISLAND
KITTERY POINT ME
15 APRIL 2019

**PROPOSED FIRST
FLOOR**

A-1





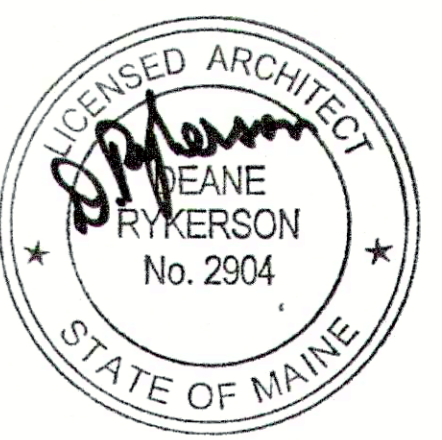
RYKERSON
ARCHITECTURE
 1 SALT MARSH LANE
 KITTERY POINT MAINE 03905
 207 439 8755



12 MOORE'S ISLAND
 KITTERY POINT ME
 12 APRIL 2019

**PROPOSED
 SECOND FLOOR**

A-2





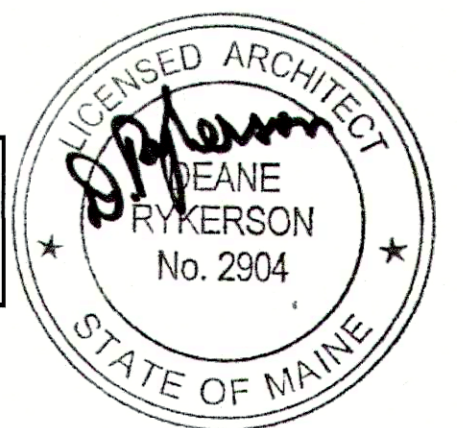
RYKERSON
A RCHITECTURE
 1 SALT MARSH LANE
 KITTERY POINT MAINE 03905
 207 439 8755

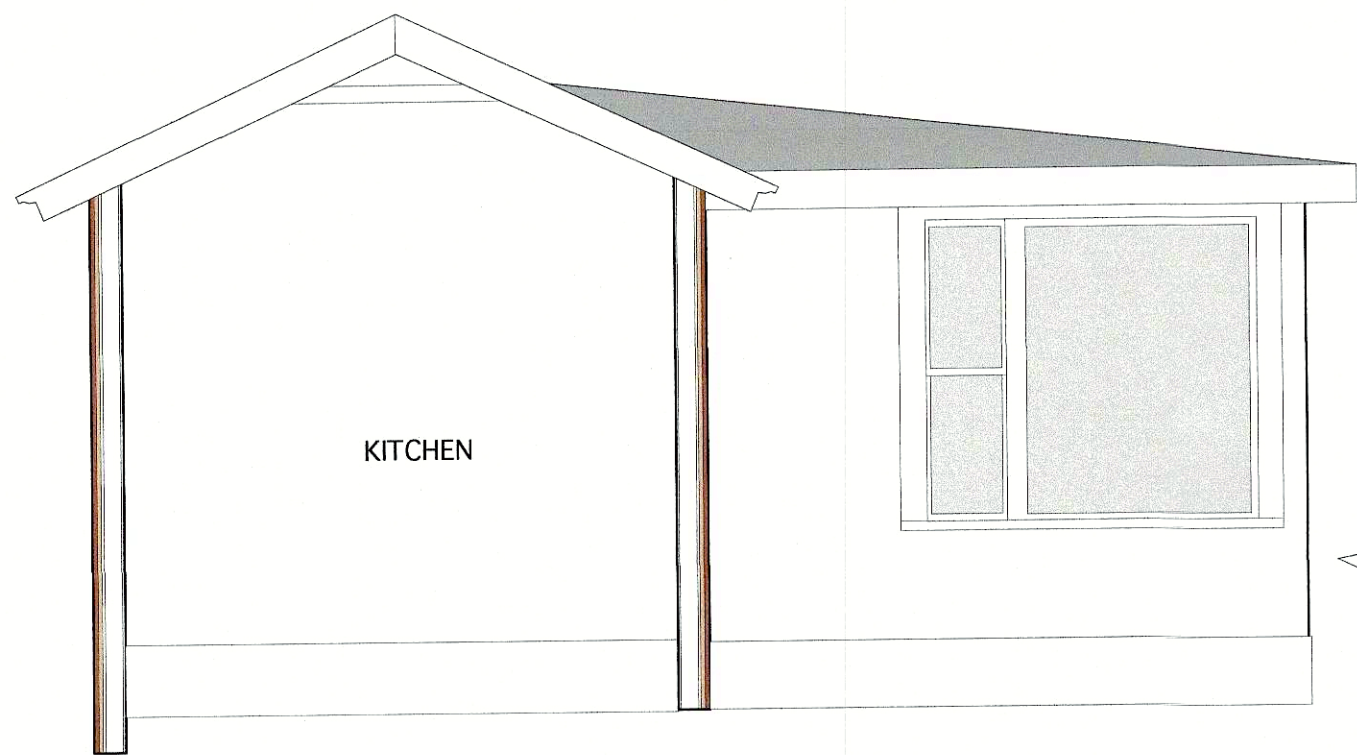


12 MOORE'S ISLAND
 KITTERY POINT ME
 12 APRIL 2019

**PROPOSED SOUTH
 ELEVATION**

A-4





SECTION/ELEVATION FROM NORTH



RYKERSON
ARCHITECTURE
1 SALT MARSH LANE
KITTERY POINT MAINE 03905
207 439 8755



12 MOORE'S ISLAND
KITTERY POINT ME
12 APRIL 2019

**PROPOSED WEST
ELEV.**

A-5

