



DEPARTMENT OF THE NAVY

PORTSMOUTH NAVAL SHIPYARD
PORTSMOUTH, NH 03804-5000

IN REPLY REFER TO:

6240/4
Ser 2300/058

JUN 14 2018

Ann Grinnell
Planning Board Chair
Town of Kittery
200 Rogers Road
Kittery, ME 03904

Dear Ms. Grinnell:

Portsmouth Naval Shipyard intends to file an application with the State of Maine for a new Hazardous Waste Storage Facility License. This application is to license a facility that will replace the existing Building 96 hazardous waste storage facility at the Shipyard. Enclosed is a copy of the Public Notice form that will be published in the Portsmouth Herald on June 15, 2018.

The application and supporting documentation will be filed at the Town of Kittery Municipal Office on or about July 10, 2018 and no later than July 12, 2018. A Public Informational Meeting will be held at 7:00 p.m. on June 26, 2018 at the Kittery Town Hall Council Chamber.

The Shipyard's point of contact for this matter is Peter Greenblatt, (207) 438-5886. Please feel free to contact him if you require further information. Thank you.

Sincerely,

A handwritten signature in blue ink, appearing to read "Stephen B. Fahey", is written over the typed name.

STEPHEN B. FAHEY

By direction
of the Shipyard Commander

Enclosure: 1. Notice of Intent to File

NOTICE OF INTENT TO FILE

Please take notice that on or about July 10th 2018; the Portsmouth Naval Shipyard (Portsmouth, NH 03804-5000, Public Affairs Office (207) 438-1525) intends to file an application with the Maine Department of Environmental Protection pursuant to the provisions of Title 38 M.R.S.A., Section 1301, et seq. for the Storage of Hazardous Waste. The application is for a consolidation and temporary container storage facility license at the Shipyard in Kittery, Maine; prior to shipment for disposal at licensed facilities off-site.

Requests for the Board of Environmental Protection to assume jurisdiction over the application or requests for a hearing on the application must be submitted to the Department in writing no later than 20 days after the application is accepted as complete for processing.

A Public Informational Meeting will be held at 7:00 p.m. on June 26th at the Kittery Town Hall Council Chamber. A purpose of the meeting is for the applicant to inform the public of the project and its anticipated environmental impacts and to educate the public about the opportunities for public comment on the project.

Upon filing, the application and supporting documentation will be available for review at Department offices in Augusta, located in the Ray Building on the AMHI Complex off Hospital Street during normal working hours. A copy of the application and supporting documentation may also be seen at the municipal office in Kittery, Maine after the application has been filed.

Written public comments may be sent to the Licensing Unit Leader at the Maine Department of Environmental Protection Bureau of Remediation and Waste Management, Division of Hazardous Waste Management, 17 State House Station, Augusta, Maine 04333-0017 or they may be reached at (207) 287-7688.

An Overview of Kittery's Zoning

From an inclusionary housing perspective

There are 18 base zoning districts in Kittery. Of these:

- 6 are residential
- 3 are mixed-use
- 6 are commercial
- 1 is industrial (basically the shipyard)
- 1 is transportation-based (I-95 corridor, weigh station etc.)
- 1 is conservation lands (Kittery Land Trust-owned land etc.)

Net Residential Calculations: Under Kittery's ordinance, all land in proposed or existing right-of-ways, travel ways and parking areas, all wetlands and hydric soils, 50% of wetland setbacks and poorly drained soils, all land zoned commercial, all exposed ledge, areas of one acre+ with 20% or greater slopes, all cemeteries and their setbacks along with several shoreland-related restrictions must be removed before applying minimum land area per dwelling unit.

Residential Zones

Zone	Multifamily (3+ units) allowed	ADU allowed	Single-family allowed	Min. Lot Size	Minimum land area per dwelling unit (net residential calculations apply)	Units per Acre	Comments
Residential - Rural	No	Yes	Yes	40k sf	40k sf for single-family	1	Note that the rural zone has the same minimum lot size as R-S below.

Zone	Multifamily (3+ units) allowed	ADU allowed	Single-family allowed	Min. Lot Size	Minimum land area per dwelling unit (net residential calculations apply)	Units per Acre	Comments
Residential - Suburban	Yes (as well as duplexes)	Yes	Yes	40k sf/septic 30k sf/sewer	40k sf/septic 30k sf/sewer	1	Many Martin Road, Stevenson Road, Dana Ave, and some Fernald Lane lots are smaller than minimum 40k sf required.
Residential – Kittery Point Village	Yes (as well as duplexes)	Yes	Yes	40k sf	40k sf except in cluster subdivision. Only 4 units/building	1	Existing lot sizes vary widely.
Residential - Urban	Yes, special exception	Yes	Yes	20k sf	20k sf	2	Many lots are not 20k sf
Residential – Village	No	Yes	Yes	6k sf	4k sf	11	Duplexes are permitted
Residential – Rural Conservation	No	Yes	Yes	80k sf	80k sf	.5	

Commercial Zones

Zone	Multifamily allowed	ADU allowed	Single-family allowed	Min. Lot Size	Minimum land area per dwelling unit (net residential calculations apply)	Units per Acre	Comments
Business -Local	Yes, special exception	Yes	Yes	None	20k sf/septic – all-residential building 8k sf/sewer – all residential building 20k sf/septic – entire first floor commercial 4k sf/sewer – entire first floor commercial	2 5 2 11	Roof pitches must be 4:12 or demonstrate not practical to PB. Entire first floor must be commercial to use the 4k sf which can make the bar high – no liner buildings, no residential garages or parking, no first floor ADA-compliant units
Business - Local 1	Yes	Yes	Yes	20k sf	8k sf – all-residential building 20k sf – entire first floor commercial	5 2	See comments for B-L zone. Small zone –lot sizes vary.

Zone	Multifamily allowed	ADU allowed	Single-family allowed	Min. Lot Size	Minimum land area per dwelling unit (net residential calculations apply)	Units per Acre	Comments
Business Park (to be renamed Neighborhood Mixed-Use)	Possible in a cluster mixed-use development	No	Only as a cluster residential development	120k sf	10k sf	4	Amendments are before the PB which will allow and encourage multifamily buildings. The Neighborhood Mixed-Use Zone will allow 16 dwelling units per acre for multifamily and 14 for a mixed-use building.
Commercial - 1	No	Yes	No	40k sf	N/A		There are some residential properties on Adams Drive. Roof pitches must be 4:12 or demonstrate not practical to PB.
Commercial - 2	No	Yes	No	40k sf	N/A		Outlet mall area. See C-1 note on roof pitch above.
Commercial - 3	No	Yes	No	40k sf	N/A		One side of Old Post Road in this zone is mostly residential. See C-1 note on roof pitch above.

Mixed Use Zones

Zone	Multifamily allowed	ADU allowed	Single-family allowed	Min. Lot Size	Minimum land area per dwelling unit (net residential calculations apply)	Units per Acre	Comments
Mixed-Use	Yes, but limited to upper floors of mixed use buildings served by sewer. Housing for elderly allowed as part of a mixed-use project		Only on lots of record existing prior to 4-1-2004	200k sf on Route 1 80k sf others	10k sf – part of mixed use building only 7.5k sf - if parking is encompassed within the building 15k sf – elderly housing on sewer 10k sf – if parking is encompassed within the building 40k sf - anything in the Resource Protection zone	4 6 2 4 1	Existing single-family are allowed uses. Roof pitches must be 4:12 unless demonstrated not practical to PB
Mixed-Use – Badgers Island	Yes	Yes	Yes	6k sf	3k sf for first two, 6k sf thereafter	8	
Mixed-Use – Foreside	Yes, up to 12 per lot	Yes	Yes	5k sf	5k sf	9	8:12 roof pitch unless a hip roof. Providing off-street parking can be challenging.