



TOWN OF KITTERY
PLANNING AND CODE DEPARTMENT
200 Rogers Road, Kittery, ME 03904
Telephone: 207-475-1305 Fax: 207-439-6806
kitteryme.org

NOTICE OF DECISION

PROPERTY OWNER AND APPLICANT:	Inhabitants of Kittery Maine
MAILING ADDRESS:	200 Rogers Rd, Kittery, ME 03904
PROPERTY LOCATION:	1 Wood Island
MAP LOT/ZONE:	MAP 51 LOT 14/ R-RC
APPLICATION:	MINOR MODIFICATION TO AN APPROVED PLAN
DATE:	May 22, 2019

Review Threshold

16.10.9.3 Modifications to an Approved Plan

16.10.9.3.1 Minor Modifications.

Modifications to a Planning Board approved plan, that do not require Planning Board review per Section 16.10.3.2, may be approved by the Code Enforcement Officer and Town Planner. Such approvals must be issued in writing to the developer with a copy to the Planning Board. The developer must provide the revised plan to the Town Planner and be recorded in the York County Registry of Deeds when applicable.

This notice serves to fulfill Section 16.10.9.3.1. The Town Planner and Code Enforcement Officer determined that Planning Board review is **not required** considering the thresholds outlined in 16.10.3.2 not being met, specifically, *Expansion of existing use where the expanded use will require fewer than six additional parking spaces*; and the proposed modifications, replacement of the Planning Board approved ADA ramp with a ramp of less impact and designed to meet the approval of the Maine Fire Marshall's barrier free review. Does not meet the requirement of 16.10.9.3.2, B Major modifications.

Application

The Town Planner and Code Enforcement Officer have reviewed the Minor Plan Modification application and Shoreland Development Plan, dated September 7, 2017, as revised from Tighe & Bond. Subsequently the following plans were submitted and/or reviewed:

- 1) Planning Board approved Shoreland Development Plan (1/11/2018), and
- 2) Proposed 2019 Access Plan (Repair), prepared by Rykerson Architecture, dated 4/9/2019.

And make the following findings:

Prior Approval and Proposed Modification

1) The Shoreland Development Plan was approved by the Planning Board on 1/11/2018 and recorded at the YCRD BK 393 PG 35. The approved plan includes a proposed ADA ramp to the west side of the building, which was denied by the Fire Marshall's Office plans reviewer. The proposed plan is very similar but moves the ramp to the east side and provides for better access and less impact on the site. The following were on the approved plan and are proposed to be modified:

- a) Move the ADA ramp to the easterly side of the main building and allow access to the ADA bath in the accessory structure as shown on Plan A-1 from Rykerson Architecture, dated 4/9/2019.

Conclusion

The proposed change listed above falls within the jurisdiction of the Planner and Code Enforcement Officer to approve per 16.10.9.3 *Modifications to an Approved Plan*, as it does not appear to be a *Major modification* per 16.10.9.3.2. The ADA ramp that is being proposed to be changed was originally approved by the Planning Board and the modest relocation to aid in the access of the handicap accessible bathroom appears to be within the review permitted under 16.10.9.3.1 *Minor modifications*.

With consideration of the following conditions of approval the Town Planner and Code Enforcement Officer find the proposed development, as described in the application and associated plans, exhibits and email, to conform to applicable provisions of the town’s land use code Title 16 and thereby approves the proposed plan modification.

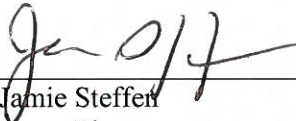
Condition of approval:

- 1) Submission of a mylar, one paper copy and an electronic version of the as-built plan to the Planning and Development Department for the town’s records.

This Notice of Decision **IS NOT** a building permit or a sign permit.

Any proposed field changes, diversion or revisions to the plan and construction documents after approval shall be reported to the Code Enforcement Officer prior to proceeding with the proposed changes. Any site changes not approved in this Notice of Decision will be in violation of State law and Town Codes.

BY:



Jamie Steffen
Town Planner



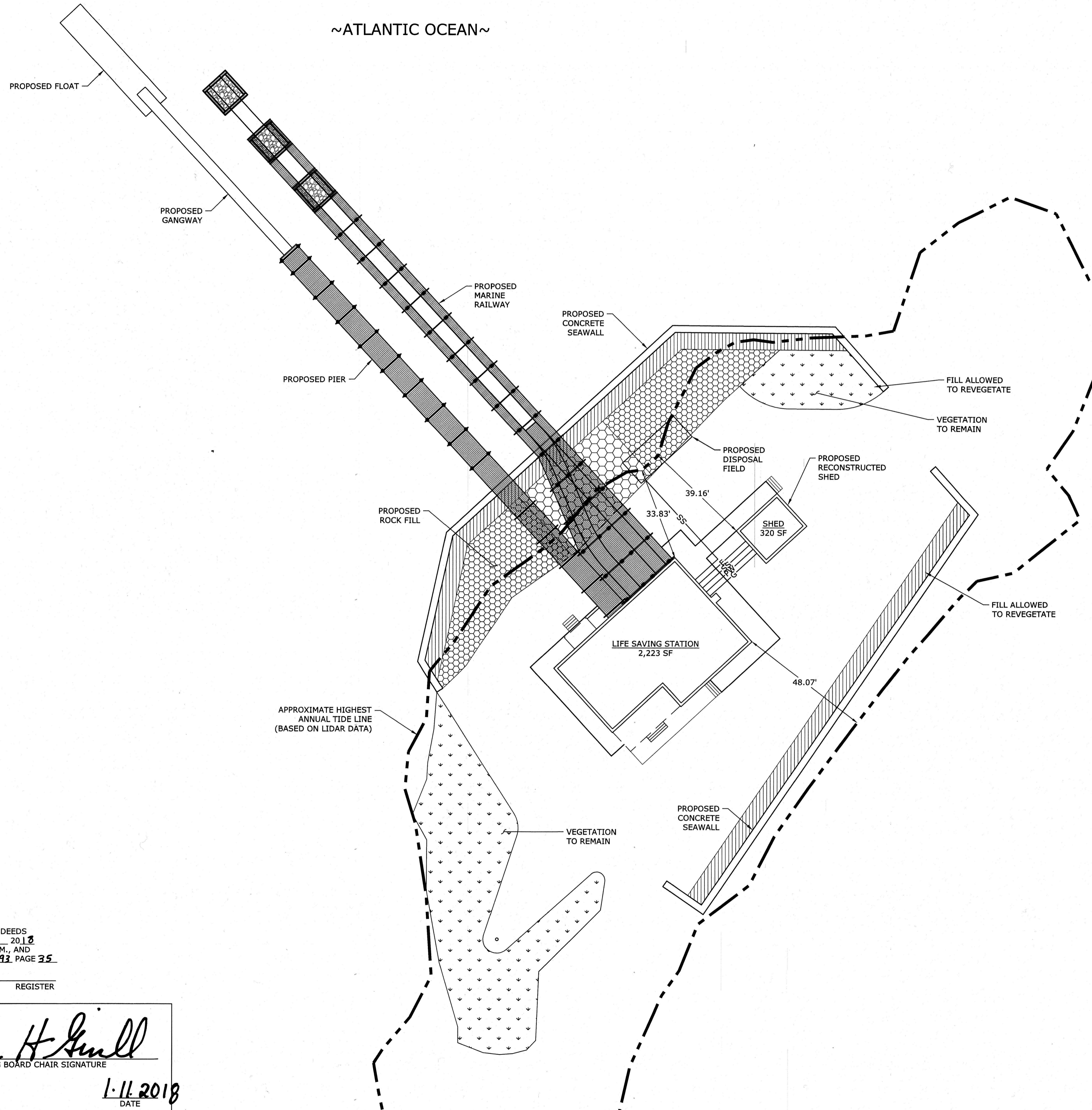
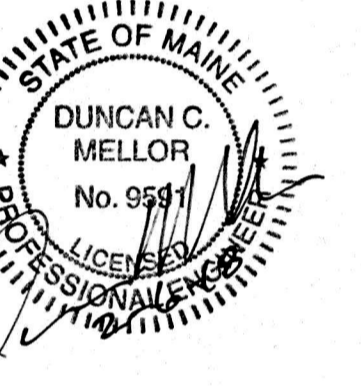
Jessa Kellogg
Interim Code Enforcement Officer

Cc: Planning Board, and File

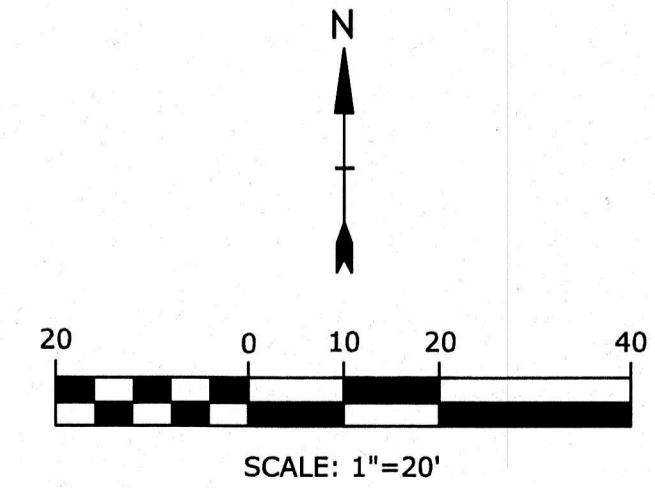
- GENERAL NOTES:**
- OWNER/APPLICANT: TOWN OF KITTERY
 200 ROGERS ROAD
 KITTERY, ME 03904
 - AGENT: WOOD ISLAND LIFE SAVING STATION ASSOCIATION
 P.O. BOX 11
 KITTERY POINT, ME 03905
 - KITTERY TAX MAP 51, LOT 14.
 - PARCEL AREA: 34,848 SF.
 - EXISTING/PROPOSED DEVEGETATED AREA: 33,982 SF (97.5%).
 - ALLOWED DEVEGETATED AREA: 6,970 SF (20%).
 - EXISTING/PROPOSED BUILDING COVERAGE AREA: 2,543 SF (7.3%).
 - ALLOWED BUILDING COVERAGE: 5,227 SF (15%).
 - BASE ZONE: RESIDENTIAL - RURAL (R-RL).
 - OVERLAY ZONES: RESOURCE PROTECTION OVERLAY ZONE (OZ-RP) AND SHORELAND OVERLAY ZONE - WATER BODY/WETLAND PROTECTION AREA (OZ-SL-250').
 - PER FEMA FIRM PANEL #2301710006C, WOOD ISLAND IS NOT SHOWN IN THE CORRECT LOCATION BUT IT IS BELIEVED THAT THE SITE IS WITHIN FLOOD ZONE A.

- EXISTING CONDITIONS NOTES:**
- PLAN BASED ON NH GRANIT AERIAL AND FIELD MEASUREMENTS.
 - UTILITIES SHOWN ARE SCHEMATIC AND APPROXIMATE. FINAL LOCATION TO BE DETERMINED BY CES INC. IN THE FIELD TO AVOID CONFLICTS.
 - HIGHEST ANNUAL TIDE LINE BASED ON LIDAR CONTOUR DATA FROM MEGIS.

- CONDITIONS OF APPROVAL:**
- NO CHANGES, ERASURES, MODIFICATIONS OR REVISIONS MAY BE MADE TO ANY PLANNING BOARD APPROVED FINAL PLAN. (TITLE 16.10.9.1.2)
 - 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.
 - 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.
 - 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.
 - THE APPLICANT SHALL PROVIDE A REPORT ON GALLONS PER DAY INPUT INTO THE WASTEWATER MANAGEMENT SYSTEM TO THE CODE ENFORCEMENT OFFICER IN A MANNER AND FREQUENCY AS DETERMINED BY THE CODE ENFORCEMENT OFFICER. ANY "HIGH WATER" ALARMS SHALL BE REPORTED TO THE CODE ENFORCEMENT OFFICER WITHIN 48 HOURS OF OCCURRENCE.
 - THE APPLICANT SHALL PROVIDE A FIRE-SUPPRESSION SYSTEM THAT SATISFIES THE REQUIREMENTS OF THE KITTERY FIRE DEPARTMENT AND THE CODE ENFORCEMENT OFFICER.
 - ALL NOTICES TO APPLICANT CONTAINED HEREIN (FINDINGS OF FACT DATED 1/11/2018).



~ATLANTIC OCEAN~



Wood Island Life Saving Station

Proposed Site Improvements

Owner/Applicant:
 Town of Kittery
 200 Rogers Road
 Kittery, ME 03904

Agent: Wood
 Island Life Saving
 Station Association

Kittery, Maine
 Map 51, Lot 14

MARK	DATE	DESCRIPTION
D	2/6/18	FOR SIGNING & RECORDING
C	11/29/17	TOWN COMMENTS
B	11/20/17	KITTERY PB SHORELAND
A	9/7/17	KITTERY PB SKETCH PLAN

PROJECT NO:	W-2167-002
DATE:	SEPTEMBER 7, 2017
FILE:	W-2167-002-C-DSGN.dwg
DRAWN BY:	TPD
CHECKED:	DCM
APPROVED:	DAM

SHORELAND DEVELOPMENT PLAN

SCALE: AS SHOWN

YORK ss REGISTRY OF DEEDS
 RECEIVED Feb 12 2018
 AT 10 H 35 M A M., AND
 RECORDED IN BOOK 293 PAGE 35
 ATTEST: *COPY*

REGISTER

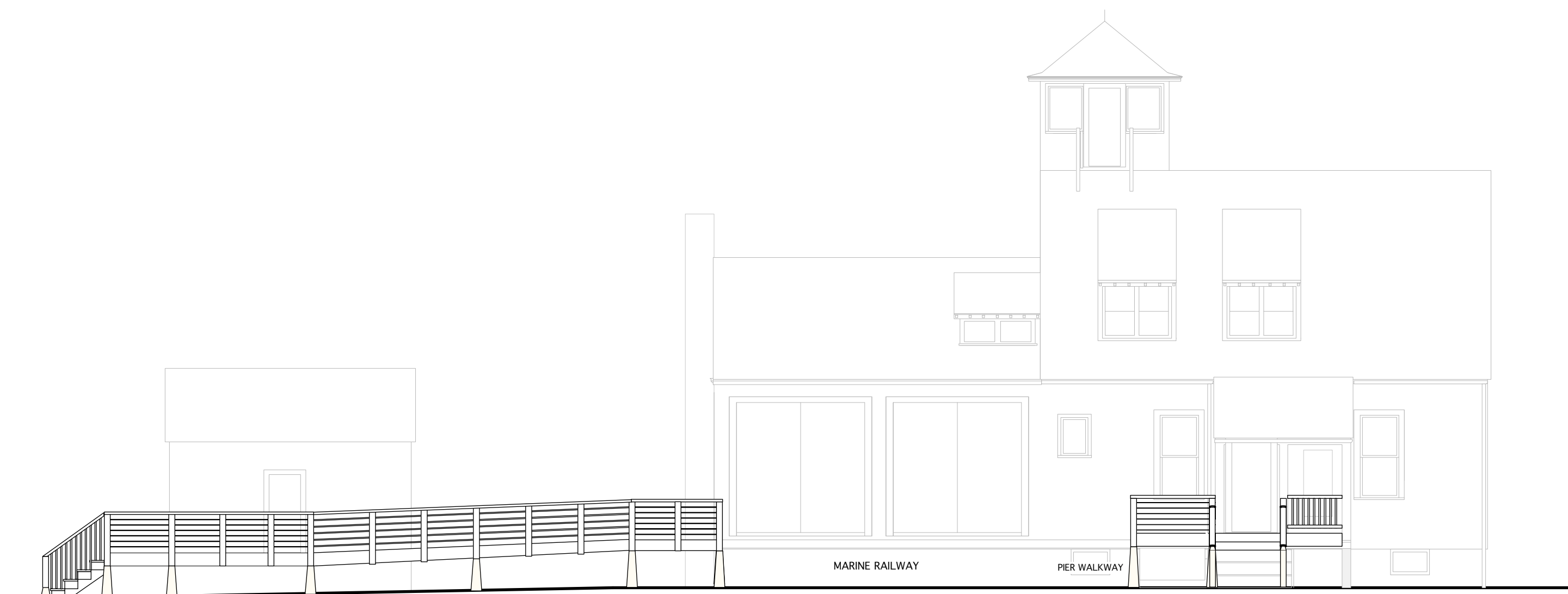
Ann H. Skull
 PLANNING BOARD CHAIR SIGNATURE

1-11-2018
 DATE

Last Saved: 2/6/2018 10:15:56.68am By: TPD
 Printed On: Feb 06 2018 10:35:56.68am
 Plotted By: TPD
 Plotted On: Feb 06 2018 10:35:56.68am
 Plotted By: TPD
 Project: W-2167-002-C-DSGN.dwg
 Figure: AutoCAD\DWG\W-2167-002-C-DSGN.dwg



1 EAST ELEVATION



2 NORTH ELEVATION

2019 ACCESS

APRIL 9, 2019

WOOD ISLAND LIFE SAVING ASSOCIATION
POST OFFICE BOX 11
KITTERY POINT
MAINE 03905

0 2 4 8

WOOD ISLAND LIFE
SAVING STATION
KITTERY POINT, MAINE

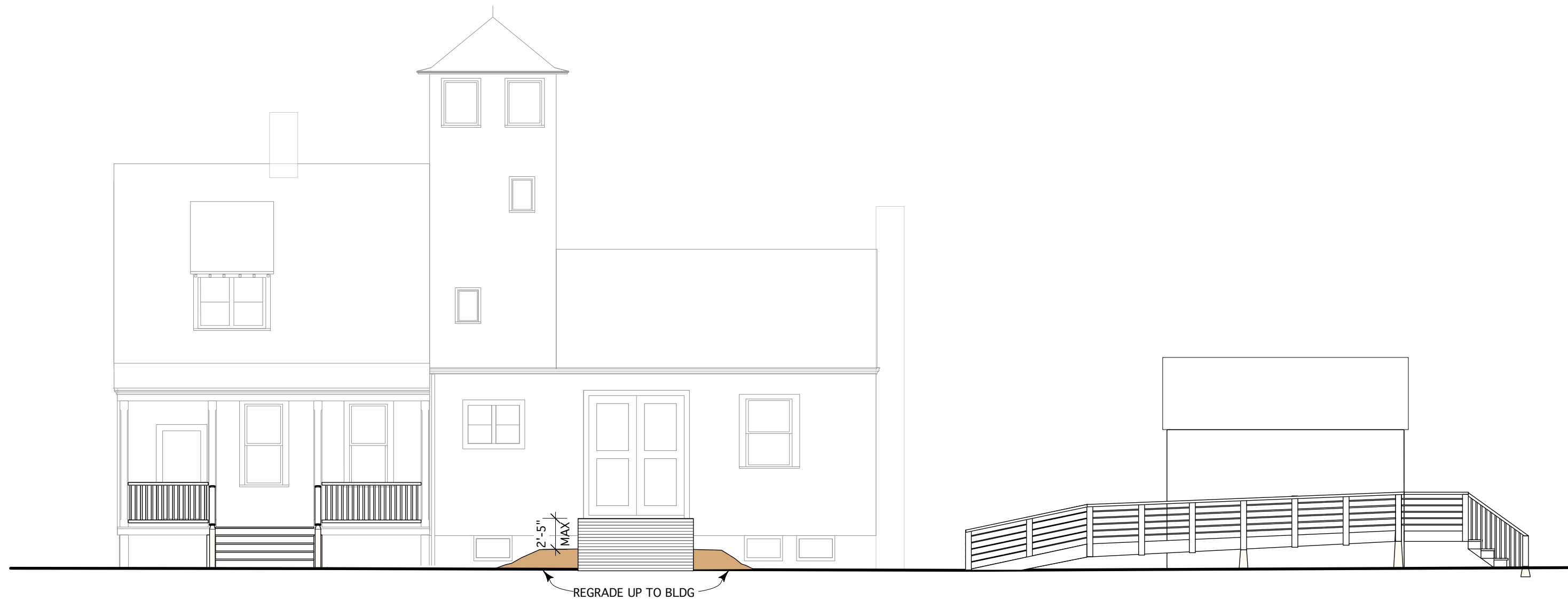
REPAIR

EAST ELEVATION
NORTH ELEVATION

A - 3



1 WEST ELEVATION



2 SOUTH ELEVATION

2019 ACCESS

APRIL 9, 2019

WOOD ISLAND LIFE SAVING ASSOCIATION
POST OFFICE BOX 11
KITTERY POINT
MAINE 03905

0 2 4 8

WOOD ISLAND LIFE
SAVING STATION
KITTERY POINT, MAINE

REPAIR

WEST ELEVATION
SOUTH ELEVATION

A - 2