

**CALL TO ORDER**

**ROLL CALL**

Present: Robert Doyle, Member, Karen Kalmar, Member, Steve Bellantone, Member, Earledean Wells, Member, Russell White, Member, Ethan Bensley, Vice Chair, and Dutch Dunkelberger, Chair

Absent:

Staff: Max Zakian, Town Planner

Advisory:

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF AGENDA**

**PUBLIC COMMENTS**

The public may attend the meeting in person or remotely via Zoom. Attendees via Zoom will be recognized during the public hearings and public comment portion of the meeting. Please note: every effort will be made to make this run smoothly; however, some technical difficulties may occur. To register via Zoom visit [https://us02web.zoom.us/webinar/register/WN\\_gycXEoK5SLm6FOA1FJDjYg](https://us02web.zoom.us/webinar/register/WN_gycXEoK5SLm6FOA1FJDjYg) or <https://www.kitteryme.gov/planning-board>.

Public comment and opinion are welcome during this meeting. However, comments and opinions related to development projects currently being reviewed by the Planning Board will be heard only during a scheduled public hearing when all interested parties have the opportunity to participate. Those providing comment must state clearly their name and address, and record it in writing at the podium. Further, the public may submit written public comments via email, US Mail, or by hand delivery to Town Hall. Emailed comments should be sent to [mzakian@kitteryme.org](mailto:mzakian@kitteryme.org). Comments received by noon on the day of the meeting will become part of the public record and may be read in whole or in summary by the Planning Board or Town Staff.

There being no public comments, the Vice Chair closed the public comments.

**OLD BUSINESS –**

4:35

**ITEM 1—181 State Road—Marijuana Business Plan — Preliminary Review**

Action: Hold public hearing. Approve plan or continue review. Mike Sudak, on behalf of owner/applicant IDC5 LLC, is proposing to replace an existing restaurant and single-family dwelling with a 2,000 square foot marijuana retail store and associated parking on the properties of 181-185 State Road, Tax Map 22, Lots 4-1 and 4-2, a parcel split by the Business Local and Old Post Road Commercial (C-3) Zone.

Lew Chamberlain, Attar Engineering, Inc., presented the project to the Board.

The Board asked several questions and discussion ensued briefly.

Vice Chair Bensley opened the public hearing.

Public comment was heard from: Ken Gray, 41 Brewster Street, Portsmouth; Gaby Velez, 58 A Broadstreet Lane, Eliot; and Mike Harris via Zoom.

Mr. Chamberlain addressed the public comments. The Board asked several follow-up questions.

Vice Chair Bensley closed the public hearing.

**Mr. White moved to approve with stated conditions. Seconded by Ms. Kalmar. The motion passed 7-0-0.**

37:03

**ITEM 2—283 US Route 1—Master Site Plan — Preliminary Review**

Action: Approve plan or continue review. Neil Hansen, on behalf of owner/applicant Two International Group, is proposing a multi-phase project to re-develop existing commercial retail facilities into a 107-unit housing complex, 119 room hotel, and 6,000 square feet commercial building intended for a restaurant, along with associated parking and utilities, located on the property of 283 US Route 1, Map 30 Lot 44, in the Route 1 Commercial (C-1) Zone.

Neil Hansen, Tighe & Bond, presented the project to the Board and reviewed the changes briefly.

Rob Harbeson, Market Square Architects, reviewed the architectural plans with the Board.

The Board asked several questions, and the requested waivers were discussed.

Mr. Garnham, Director of Planning and Development, addressed phasing.

**Mr. White moved to approve the preliminary plan. Seconded by Mr. Bellantone. The motion passed 7-0-0.**

The Board took a five-minute recess.

**NEW BUSINESS –**

1:24:01

**ITEM 3 – 15 Bowen Road– Shoreland Development Plan Review**

Action: Accept application. Approve plan or continue review: Pursuant to §16.9.3 Shoreland Development Review of the Town of Kittery Land Use and Development Code, Nicole Sanborn, on behalf of owner/applicant Eric Dyer, requests approval to stabilize 86 linear feet of existing eroding shoreline with riprap along the property of 15 Bowen Road, Tax Map 17, Lot 4, in the Residential-Urban, Shoreland Overlay, and Resource Protection Overlay Zones.

Ryan McCarthy, Tidewater Engineering & Surveying Inc, presented the project to the Board.

The Board asked several questions.

**Chair Dunkelberger moved to accept the plan. Seconded by Mr. White. The motion passed 7-0-0.**

**Chair Dunkelberger moved to approve the plan. Seconded by Mr. White. The motion passed 7-0-0.**

**Ms. Kalmar read the findings of fact into record. The Board moved to approve each finding, 7-0-0.**

**The Board moved to approve by roll call vote, 7-0-0.**

1:45:50

**ITEM 4—4 Bond Road—Major Plan Modification Review**

Action: accept application as complete. Approve plan: Josh Schneier, on behalf of owner/applicant Stella B. Hall, proposes to divide a parcel within an approved subdivision into two conforming lots on the property of 4 Bond Road, Tax Map 26, Lot 34, in the Residential Kittery Point Village zone.

Ryan McCarthy, Easterly Surveying, presented the project to the Board.

**Chair Dunkelberger moved to accept the plan. Seconded by Mr. White. The motion passed 7-0-0.**

**Chair Dunkelberger moved to approve the plan. Seconded by Mr. White. The motion passed 7-0-0.**

Mr. McCarthy noted that he will submit an updated plan.

**Mr. White read the findings of fact into record. The Board moved to approve each finding 7-0-0.**

**The Board moved to approve by roll call vote, 7-0-0.**

## **APPROVAL OF MINUTES**

1:59:00

**ITEM 5** – 12/14/23 Meeting Minutes

**Chair Dunkelberger moved to accept the minutes as written. Seconded by Ms. Kalmar. The motion passed 7-0-0.**

## **BOARD MEMBER ITEMS-**

1:59:30

**ITEM 6**— Appointing Planning Board committee representatives

Mr. White appointed to DEI and Housing.

Ms. Wells appointed to KLIC.

Mr. Bellantone appointed to KPA.

Mr. Doyle tentatively appointed to the Comprehensive Plan Committee.

Mr. Bensley tentatively appointed to EDC.

2:05:09

## **STAFF ITEMS-**

**ITEM 7** – Planning board 2024 priorities and goals

Mr. Garnham presented the item. Discussion ensued on potential goals and updates.

2:26:43

## **Adjournment**

**Mr. Bensley moved to adjourn. Seconded by Mr. Doyle. The motion passed 7-0-0.**

The Kittery Planning Board meeting of January 11, 2024 adjourned at 8:28 p.m.

Submitted by Carrie Varao, Development Staff Clerk on January 17, 2024.

Disclaimer: The following minutes constitute the author's understanding of the meeting. Whilst every effort has been made to ensure the accuracy of the information, the minutes are not intended as a verbatim transcript of comments at the meeting, but a summary of the discussion and actions that took place. For complete details, please refer to the video of the meeting on the Town of Kittery website at <http://www.townhallstreams.com/locations/kittery-maine>.