TOWN OF KITTERY, ME
PLANNING BOARD MEETING
Council Chambers

UNAPPROVED
JULY 28, 2016

Meeting called to order: 7:39 pm

Pledge of Allegiance

Roll Call:
Board members present: Chair Ann Grinnell, Vice Chair Karen Kalmar, Dutch Dunkelberger, Debbie Driscoll-Davis, Mark Alesse
Board members absent: Robert Harris, Brett Costa
Staff present: Chris Di Matteo, Town Planner

Public Comment: Ms. Grinnell opened the floor for public comment. Hearing none; the floor was closed for public comment.

Minutes: None.

OLD BUSINESS

ITEM 1 – Beatrice Lane –Major Subdivision; Final Plan Review
Action: Review application. Approve or deny plan. Owner Operation Blessing LP, and applicant Richard Sparkowich, propose a five-lot subdivision on remaining land from the previously approved 3-lot subdivision located between Highpointe Circle and Kittree Lane (Tax Map 61 Lot 8), in the Residential-rural (R-RL) Zone.

Mr. Markley's response to conditions of approval as noted in the plan review staff notes were discussed as follows:

1. The applicant agrees with the considerations for wetland impact mitigation. The exact area of open space is pending determination upon DEP review of the culverts.
2. A stone wall is proposed that will be the same size as the adjacent stone wall. Ms. Grinnell reminded that it be installed prior to any building permits.
3. The boundary plan was verified and the survey will be updated to remove note (#4).
4. The road acceptance petition application would be discussed at the end of the presentation.
5. An 'as of' date for the term "net residential acreage" will be added.
6. The re-delineation of the wetland area has been taken care of.
7. Discussion regarding the driveway configuration was has and a consensus was reached that both non-conventional cul-de-sac designs would not to be proposed. Further deliberations as to what lots require what permits.
8. It was suggested by the Board to have the Town attorney review stipulations in the road association and back parcel covenant for open space maintenance to clarify the correct authorities and required reports.

Mr. Richard Sparkowich explained the complexities that make the subdivision atypical in terms of ownership and land area and emphasized that Parcel S would most likely not be in common use. Ms. Kalmar clarified that the intent so that interval inspections be detailed.

There was further discussion amongst the Board, staff, and applicant regarding an additional condition of approval that would call to define a mechanism for monitoring the open space either through a formal association or other form of agreement.

Mr. Markley continued to explain his responses to conditions of approval as noted in the plan review staff notes as follows:

1. The wetland alteration application was completed.
2. The suggested cul-de-sac alternative from staff was well received by the applicant, with a few minor exceptions that were explained.
3. The bank requires the final plan for a performance guaranty, which will be depicted in a condition of approval.

Mr. Brett Taylor and the Board discussed concerns for changing the street name. Ms. Driscoll-Davis recommended that a permanent note be indicated on the tax card with a 'formerly known as' for Beatrice Way.

Mr. Markley suggested a gravel road surface instead of paved for White Pine Road given the open spaces and vernal pools. Ms. Earldean Wells discussed the letter from the Conservation Commission expressing concerns for Woods Road not being protected as open space so that potential connections could not be made. After further discussion, the Board agreed to retain the 20-foot wide road and to include restrictions of paving in certain areas.

Mr. Joseph Gasbarro, 11 Highpointe Circle, hoped that Planning Board could help to correct the signage issues that delineates Kittree Lane, Highpointe Circle, and Lewis. Several issues have arisen due to the lack of signage. He questioned why the residents who maintain Kittree Lane have to pay for the damages resulting from heaving construction vehicle traffic and suggested that those vehicles utilize Highpointe Circle since it is Town-owned.

Ms. Mary-Ellen Ciali, 10 Kittree Lane, expressed several legal considerations in a situation that would change where Kittree Lane and Highpointe Circle would end. She noted that Mr. Sparkowich owns Kittree Lane, but does not maintain it. She echoed the concerns raised by Mr. Gasbarro.

Mr. Sparkowich provided a brief history as to how the traffic patterns have become the way they are. Ms. Grinnell reminded that the Board is charged with only deciding where the signage will be place and where the two roads will start or end. The Board reached consensus that the name change could be accepted for recommendation to Council based upon the new road being built and that proper signage be detailed in the plan as a condition.

Mr. Gasbarro expressed concerns for Right-of-Way access changes and maintenance responsibilities for Kittree Lane.

Ms. Kalmar made a motion to approve the name as Highpointe Circle for the 2008 roadway section and recommend to Town Council that it be accepted as a Town road with waivers to exclude sidewalks and include proper signage should the roadway be accepted.
Mr. Dunkelberger seconded.
Motion passed 5-0-0.

Ms. Kalmar made a motion to continue the application until August 11, 2016.
Mr. Dunkelberger seconded.
Motion passed 5-0-0.

NEW BUSINESS

ITEM 2 – Town Code Amendments – Town Code Amendments – 16.2.2 Definitions
Action: Review amendment. Schedule a public hearing. The proposed amendment addresses language and organization within the definitions chapter of Title 16.

Mr. Dunkelberger made a motion to schedule a public hearing to August 25, 2016 for proposed Town Code Amendments – 16.2.2 Definitions.
Ms. Kalmar seconded.
Motion passed 5-0-0.

ITEM 3 – Board Member Items / Discussion
A. Committee Updates – None.
B. Action List – None.
C. Other – None.

ITEM 4 – Town Planner Items
A. Request to reschedule 9/22/2016 meeting – None.
B. Other – None.

Mr. Alesse moved to adjourn.
Ms. Dunkelberger seconded.
Motion carried 5-0-0.

The Kittery Planning Board meeting of July 28, 2016 adjourned at 9:01 p.m.

Submitted by Marissa Day, Minutes Recorder, on August 4, 2016.

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.