

**WORKSHOP - Council Chambers**

Workshop began at 6:05 p.m.

Board members present: Chair Ann Grinnell, Vice Chair Karen Kalmar, Robert Harris, David Lincoln and Secretary Debbie Driscoll-Davis.

Staff present: Chris DiMatteo, Town Planner.

Other members present: Steve Workman, Paul Bonacci, Lucy Schlaffer, Tom Ryan, Terry Lochhead, Megan Zottoli-Breen, George Dow and Page Mead.

Ms. Grinnell gave a short introduction on the Kittery Foreside zone, noting that in 1997, businesses in the Foreside were exempt from the first three parking spaces in the calculation. She asked if they wanted to eliminate that part of the code so that businesses would need to have all of the required number of spaces and were not allowed any exemptions. Mr. Lincoln asked for an explanation of the problem. Ms. Driscoll-Davis commented that the parking exemption puts an unfair burden on the residents who live on narrow streets with limited space for parking and creates a safety hazard for emergency vehicles. Ms. Driscoll-Davis suggested that they eliminate the three free parking credits in the Foreside except on Walker Street, Government Street and in Wallingford Square until a more permanent plan is put into place. Ms. Grinnell emphasized that Ms. Driscoll-Davis' plan is not permanent.

Mr. Lincoln suggested that the problem is where people park and not with the parking credits. Ms. Driscoll-Davis responded that, although that is a part of the problem, there is more to it. Mr. Bonacci commented that the proximity of the different zones and the differential between the parking requirements in each zone puts a heavier burden on businesses outside of the Foreside. Mr. Dow asked how parking spaces for businesses are defined and how many businesses would be affected by the parking change. Ms. Grinnell commented that it puts the burden on the business to find the parking spaces that are required and gave an example of a business owner renting spaces from the library. A discussion ensued regarding on-street parking in the Foreside and the fear of overflow parking affecting small residential streets and other small businesses.

Mr. Dow asked if the plan would affect current businesses and Ms. Grinnell stated that the plan is only going forward and no current businesses would be affected. Ms. Lochhead commented that the plan would encourage businesses with greater parking needs to steer toward an area that can accommodate them more than the Foreside. Ms. Schlaffer noted that, in the past, businesses intending to open at a location in Kittery outside of the Foreside have changed their minds and moved their business elsewhere because of the strict parking rules. She also noted that parking in the Foreside is heavily concentrated on Wallingford Square because people choose not to walk too far and added that the Library has three parking lots that remain unused after regular business hours, suggesting they work out a deal with the library to utilize those spaces at night. Mr. Ryan

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reiterated that the focus of the meeting was not on where the customers can park, it is on how many spaces the business is required to have. He noted that if a business is required to provide three extra spaces then those extra spaces are available to all customers in the Foreside and, in turn, parking for all customers will increase. A discussion ensued regarding whether or not eliminating the parking credit would ease the parking problem.

Mr. Dow suggested having a central parking area for businesses to ease the congestion on the residents and Ms. Schlaffer suggested color-coded parking stickers for residents. A discussion ensued regarding alternative long-term solutions to the problem and Ms. Grinnell noted that the point of the meeting was to discuss the parking credits as a short term solution. Mr. DiMatteo suggested that they focus on streets that cannot physically accommodate on-street parking. Mr. Harris commented that if a business rents private parking spaces then they are no longer available for other people to use and eventually all of the private parking spaces will be taken. Ms. Schlaffer discussed Shipyard employees affecting parking in the Foreside and the parking credit idea being ineffective at prohibiting parking on small residential streets.

Mr. DiMatteo suggested prohibiting all parking on small streets. Ms. Zottoli-Breen agreed with Mr. DiMatteo about prohibiting parking on certain streets since people are currently not utilizing all available Foreside parking spots because they are parking on smaller side streets which are closer. Mr. Ryan commented that restricting on-street parking on certain roads is unfair to residents who wish to park in front of their house. Ms. Driscoll-Davis asked if those present supported the idea of eliminating the parking credits. Mr. Workman expressed his concern with the Town creating temporary solutions and not following through with long-term solutions. Ms. Driscoll-Davis suggested that people could attend the Planning Board meetings to discuss smaller issues that the Board could add to their action list. The attendees discussed projects that have not yet been completed. Ms. Kalmar suggested sending a few people out to survey the streets in the Foreside area to come up with a list. Ms. Schlaffer expressed her concern about the Town discouraging business growth. A few people expressed interest in involving emergency services in the discussion about parking on small streets.

Workshop ended at 7:12 p.m.

**Council Chambers**

Meeting called to order: 7:18 p.m.

Board members present: Chair Ann Grinnell, Vice Chair Karen Kalmar, Robert Harris, David Lincoln and Secretary Debbie Driscoll-Davis.

Members absent: Deborah Lynch and Mark Alesse.

Staff present: Chris DiMatteo, Town Planner.

Pledge of Allegiance

Minutes: August 27, 2015

**Ms. Kalmar moved to approve the minutes of August 27, 2015 as written.**

**Mr. Harris seconded.**

**Motion carried: 5-0**

Minutes: September 10, 2015

**Ms. Kalmar moved to approve the minutes of September 10, 2015 as amended.**

**Ms. Driscoll-Davis seconded.**

**Motion carried: 4-0-1 with Mr. Harris in opposition.**

Public Comment

Stephen Kosacz, a member of the Economic Development Committee (EDC), approached the podium to make the following comments:

- Mr. Kosacz believed that the roundtable discussion that evening was productive and suggested that they canvas the residents of the Foreside to see what their parking needs are. He added that they could make the parking on residential-only streets open during the day to accommodate businesses and restrict it to residents only after a certain time limit.

**NEW BUSINESS**

**ITEM 1 – 73 Tower Road – Shoreland Development Plan Review-Modification to an Approved Plan**

Action: approve or deny plan. Owners/applicants Robert & Megan Ramos request consideration of a modification to their recently approved shoreland development plan to construct a new, more conforming single-family dwelling at 73 Tower Road (Tax Map 58, Lot 42) in the Residential – Rural Conservation (R-RLC), Shoreland Overlay (OZ-SL-250'), and Resource Protection Overlay (OZ-RP) Zones. Agent is Robert MacDonald, Detail Design Builders, LLC.

Robert MacDonald of Detail Design Builders, LLC approached the podium to give a short presentation which included the following points:

- There was one modification to the plan which added a 3 ft. by 18 ft. two story jog which increased the volume by a slight amount and made the structure more conforming.
- They moved the back deck, which was completely in the nonconforming zone, behind the garage and the family room, placing the majority of the deck in the conforming zone.

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Ms. Driscoll-Davis asked if the jog was any closer to the water than the old structure was. Mr. MacDonald responded that it is 3 ft. closer, but taking the deck into consideration, the entire structure is not as close to the water.

**Mr. Lincoln moved to accept the Shoreland Development Plan application dated September 10, 2015 from owners and applicants Robert and Megan Ramos for 73 Tower Road (Tax Map 58, Lot 42) in the in the Residential – Rural Conservation (R-RLC), Shoreland Overlay (OZ-SL-250’), and Resource Protection Overlay (OZ-RP) Zones. Mr. Harris seconded the motion. Motion carried 5-0-0.**

**Ms. Kalmar moved to approve the plan modification presented in the Shoreland Development Plan application dated September 10, 2015 and amend the previously approved findings of fact dated July 9, 2015 as presented in the 9/24/2015 plan review notes for owners and applicants Robert and Megan Ramos for 73 Tower Road (Tax Map 58, Lot 42) in the in the Residential – Rural Conservation (R-RLC), Shoreland Overlay (OZ-SL-250’), and Resource Protection Overlay (OZ-RP) Zones. Mr. Lincoln seconded the motion. Motion carried 5-0-0**

**FINDINGS OF FACT**

**For 73 Tower Road  
Shoreland Development Plan Review**

**WHEREAS:** Owners and applicants Robert and Megan Ramos request approval of their Shoreland Development Plan for reconstruction of an existing, nonconforming structure located at 73 Tower Road (Tax Map 58, Lot 42) in the Residential – Rural Conservation (R-RLC), Shoreland Overlay (OZ-SL-250’) and Resource Protection Overlay (OZ-RP) Zones, hereinafter the “Development,” and Pursuant to the Plan Review meetings conducted by the Town Planning Board as noted;

Shoreland Development Plan Review	6/11, 7/9, 9/24
Site Walk	6/30
Public Hearing	7/9

And pursuant to the Application and Plan and other documents considered to be a part of the plan review decision by the Town Planning Board in this Finding of Fact consisting of the following (hereinafter the “Plan”):

1. Shoreland Development Plan Application, May 21, 2015 and September 10, 2015

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- 2. Shoreland Development Plan, Frank Emery, PLS, May 5, 2015 revised June 3, June 11 and September 9, 2015.
- 3. Architectural Plans, Detail Design Builders, May 27 and September 10, 2015

**NOW THEREFORE**, based on the entire record before the Planning Board, including previously approved Findings of Fact dated July 9, 2015 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**

<b>16.3.2.17. D Shoreland Overlay Zone (updated and voted again on 9/12)</b>
<i>1.d The total footprint of 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...</i>
<u>Findings:</u> Existing conditions on the 30,469-square-foot lot include 3,959 square feet (13%) of devegetated area. The revised proposed to be devegetated area is 3,887 square feet (12.8% of the lot).
<u>Conclusion:</u> This standard appears to be met.
(at the 9/24/15 meeting) <b>Vote: <u>5</u> in favor <u>0</u> against <u>0</u> abstaining</b>

**Chapter 16.7 GENERAL DEVELOPMENT REQUIREMENTS**

**Article III Nonconformance**

<b>16.7.3.1 Prohibitions and Allowances</b>
<i>A. Except as otherwise provided in this Article, a nonconforming condition must not be permitted to become more nonconforming.</i>
<u>Finding:</u> This is an existing, nonconforming lot with an existing single-family dwelling structure located partially within 100 feet of a waterbody. The proposed development's floor area, volume and devegetated area do not exceed what is allowed under Title 16.
<u>Conclusion:</u> The proposed development does not increase the nonconformity. The requirement appears to be met.
(at the 9/24/15 meeting) <b>Vote: <u>5</u> in favor <u>0</u> against <u>0</u> abstaining</b>

<b>16.7.3.5.6 Nonconforming Structure Reconstruction.</b> (Effective 2/28/15)
<i>A. Any nonconforming structure which is located less than the required setback from a water body, tributary stream, or wetland and which is removed, damaged or destroyed, regardless of</i>

*the cause, by more than 50% of the market value of the structure before such damage, destruction or removal, may be reconstructed or replaced provided that a permit is obtained within eighteen (18) months of the date of said damage, destruction, or removal, and provided that such reconstruction or replacement is in compliance with the water body, tributary stream or wetland setback requirement to the greatest practical extent as determined by the Planning Board (in cases where the structure is located in a Shoreland Overlay of Resources Protection Overlay Zone) or Code Enforcement Officer, in accordance with this Code.*

*B. In no case will a structure be reconstructed or replaced so as to increase its non-conformity. If the reconstructed or replacement structure is less than the required setback it may not be any larger than the original structure, except as allowed pursuant to Section 16.7.3.5.5, Nonconforming Structures Repair and Expansion and 16.7.3.6.1 Nonconforming Structure Expansion, as determined by the nonconforming floor area and volume of the reconstructed or replaced structure at its new location.*

*C. If the total amount of floor area and volume of the original structure can be relocated or reconstructed beyond the required setback area, no portion of the relocated or reconstructed structure may be replaced or constructed at less than the setback requirement for a new structure. When it is necessary to remove vegetation to reconstruct a structure, vegetation must be replanted in accordance with Section 16.7.3.5.4.C, Nonconforming Structure Relocation. Application for a demolition permit for any structure that has been partially damaged must be made to the Code Enforcement Officer.*

*D. Any nonconforming structure which is located less than the required setback from a water body, tributary stream, or wetland and removed, damaged or destroyed by any cause by the owner by 50% or less of the market value of the structure before such damage, destruction or removal, may be reconstructed in-place if a permit is obtained from the Code Enforcement Officer or the Planning Board (in cases where the structure was located in the Shoreland Overlay or Resources Protection Overlay Zone) within twelve (12) months of the established date of damage, destruction, or removal.*

*E. In determining whether the structure reconstruction or replacement meets the setback to the greatest practical extent the Planning Board or Code Enforcement Officer must consider, in addition to the criteria in Section 16.7.3.5.4, Nonconforming Structure Relocation, the physical condition and type of foundation present, if any.*

**Finding:** The existing nonconforming structure will be destroyed by more than 50% of its market value. D is not applicable. The proposed structure does not expand in area or volume within the required setback from the water and does not increase nonconformity.

**Conclusion:** With the proposed conditions (#5), the standards of 16.7.3.5.6 appear to be met.

(at the 7/9/15 meeting) **Vote: 5 in favor 0 against 0 abstaining**

**16.7.3.5.4 Nonconforming Structure Relocation**

*B. In determining whether the structure relocation meets the setback to the greatest practical extent, the Board of Appeals or Planning Board (in cases where the structure is located in a Shoreland Overlay or Resources Protection Overlay Zone.), must consider the size of the lot, the slope of the land, the potential for soil erosion, the location of other structures on the property and on adjacent properties, the location of the septic system and other on-site soils suitable for septic systems, and the type and amount of vegetation to be removed to accomplish the relocation.*

Finding:

1. Lot. The lot is 30,469 square feet, which is comparable to adjacent properties but nonconforming to the 80,000-square-foot minimum.
2. Slope. The lot slopes toward the ocean and toward the road. The existing house is built into the slope, with a portion of the basement level accessible from the outside.
3. Soil erosion. Increased soil disturbance increases the potential for soil erosion. Proposed development limits the total amount of necessary excavation and thus the increased potential for soil erosion.
4. Other Structures. There are no other structures on the property. Structures on abutting properties meet the side setbacks and are nonconforming to the 100-foot setback from the ocean.
5. Septic System. The applicant proposes an expansion of the existing septic system.
6. Vegetation. No removal of vegetation is proposed or permitted.

Conclusion: The structure relocation meets the setback to the greatest practical extent.

(at the 7/9/15 meeting) **Vote: 5 in favor 0 against 0 abstaining**

**16.7.3.6 Nonconforming Structures in Shoreland and Resource Protection Zones**

**16.7.3.6.1 Nonconforming Structure Expansion**

*A nonconforming structure may be added to, or expanded, after obtaining Planning Board approval and a permit from the Code Enforcement Officer. Such addition or expansion must not increase the non-conformity of the structure and must be in accordance with the subparagraphs [A through C] below.*

*A. After January 1, 1989, if any portion of a structure is less than the required setback from the normal high-water line of a water body or tributary stream or the upland edge of a wetland, that portion of the structure will not be permitted to expand, as measured in floor area or volume, by thirty percent (30%) or more during the lifetime of the structure.*

*B. If a replacement structure conforms to the requirements of Section 16.7.3.6.1.A and is less than the required setback from a water body, tributary stream or wetland, the replacement*

*structure will not be permitted to expand if the original structure existing on January 1, 1989, has been expanded by 30% in floor area and volume since that date.*

*C. Whenever a new, enlarged or replacement foundation is constructed under a nonconforming structure, the structure and new foundation must be placed such that the setback requirement is met to the greatest practical extent as determined by the Planning Board, basing its decision on the criteria specified in Section 16.7.3.5.2 – Relocation, below. If the completed foundation does not extend beyond the exterior dimensions of the structure, except for expansion in conformity with Section 16.7.3.5.3, above, and the foundation does not cause the structure to be elevated by more than three (3) additional feet, as measured from the uphill side of the structure (from original ground level to the bottom of the first floor sill), it will not be considered to be an expansion of the structure.*

Finding: The proposed reconstruction *reduces* floor area and volume within the setback from the water.

Conclusion: The requirements of this section appear to be met.

(at the 7/9/15 meeting) **Vote: 5 in favor 0 against 0 abstaining**

## **Chapter 10 DEVELOPMENT PLAN APPLICATION AND REVIEW**

### **Article 10 Shoreland Development Review**

#### **16.10.10.2 Procedure for Administering Permits**

*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:*

##### ***1. Maintain safe and healthful conditions;***

Finding: The proposed development does not appear to have an adverse impact.

Conclusion: This requirement appears to be met.

(at the 7/9/15 meeting) **Vote: 5 in favor 0 against 0 abstaining**

##### ***2. Not result in water pollution, erosion or sedimentation to surface waters;***

Finding: Maine DEP Best Management practices will be followed for erosion and sedimentation control during site preparation and building construction. (see conditions #2 and #3) to avoid impact on adjacent surface waters.

Conclusion: The proposed development does not appear to have an adverse impact. With the suggested conditions #2, #3, this requirement appears to be met.

(at the 7/9/15 meeting) **Vote: 5 in favor 0 against 0 abstaining**

##### ***3. Adequately provide for the disposal of all wastewater;***

Finding: The applicant has submitted a HHE 200 septic system application for the proposed expansion to the existing septic system.

Conclusion: This requirement appears to be met.

<p>(at the 7/9/15 meeting) <b>Vote: <u>5</u> in favor <u>0</u> against <u>0</u> abstaining</b></p>
<p><b>4. <i>Not have an adverse impact on spawning grounds, fish, aquatic life, bird or other wildlife habitat;</i></b></p> <p><u>Finding:</u> Maine DEP Best Management practices will be followed for erosion and sedimentation control during site preparation and building construction. (see conditions #2 and #3) to avoid impact on adjacent surface waters.</p> <p><u>Conclusion:</u> The proposed development does not appear to have an adverse impact. With the suggested conditions #2 and #3, this standard appears to be met.</p>
<p>(at the 7/9/15 meeting) <b>Vote: <u>5</u> in favor <u>0</u> against <u>0</u> abstaining</b></p>
<p><b>5. <i>Conserve shore cover and visual, as well as actual, points of access to inland and coastal waters;</i></b></p> <p><u>Finding:</u> Shore cover is not affected by this development. Vegetation will be increased. There are no points of access.</p> <p><u>Conclusion:</u> The requirement appears to be met.</p>
<p>(at the 7/9/15 meeting) <b>Vote: <u>5</u> in favor <u>0</u> against <u>0</u> abstaining</b></p>
<p><b>6. <i>Protect archaeological and historic resources;</i></b></p> <p><u>Finding:</u> The proposed development does not appear to have an adverse impact.</p> <p><u>Conclusion:</u> The requirement appears to be met.</p>
<p>(at the 7/9/15 meeting) <b>Vote: <u>5</u> in favor <u>0</u> against <u>0</u> abstaining</b></p>
<p><b>7. <i>Not adversely affect existing commercial fishing or maritime activities in a commercial fisheries/ maritime activities district;</i></b></p> <p><u>Finding:</u> The proposed development does not appear to have an adverse impact.</p> <p><u>Conclusion:</u> This requirement appears to be met.</p>
<p>(at the 7/9/15 meeting) <b>Vote: <u>5</u> in favor <u>0</u> against <u>0</u> abstaining</b></p>
<p><b>8. <i>Avoid problems associated with floodplain development and use;</i></b></p> <p><u>Finding:</u> The existing development is within the floodplain. The proposed development is not within the floodplain.</p> <p><u>Conclusion:</u> This requirement appears to be met.</p>
<p>(at the 7/9/15 meeting) <b>Vote: <u>5</u> in favor <u>0</u> against <u>0</u> abstaining</b></p>
<p><b>9. <i>Is in conformance with the provisions of this Code;</i></b></p> <p><u>Finding:</u> The proposed development appears to be in conformance with the provisions of this Code.</p> <p><u>Conclusion:</u> This requirement appears to be met.</p>
<p>(at the 7/9/15 meeting) <b>Vote: <u>5</u> in favor <u>0</u> against <u>0</u> abstaining</b></p>
<p><b>10. <i>Be recorded with the York County Registry of Deeds.</i></b></p>

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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.

(at the 7/9/15 meeting) **Vote: 5 in favor 0 against 0 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 for Robert and Megan Ramos, owners and applicants, for reconstruction of a nonconforming single-family dwelling located at 73 Tower Road (Tax Map 58, Lot 42) subject to any conditions or waivers, as follows:

**Waivers:** None

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

1. Minor plan revisions as described in staff review notes will be made prior to signing.

**Conditions of Approval** (to be included 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. Prior to the commencement of grading and/or construction within a building envelope, as shown on the Plan, the owner and/or developer must stake all corners of the envelope. These markers must remain in place until the Code Enforcement Officer determines construction is completed and there is no danger of damage to areas that are, per Planning Board approval, to remain undisturbed.
4. All Notices to Applicant contained herein (Findings of Fact dated 9/24/15).
5. A replanting plan to mitigate past unpermitted tree removal in the Shoreland Zone showing tree species, sizes, and planting locations will be submitted to and approved by the Town of Kittery Shoreland Resource Officer, who will also confirm conformance to 16.10.10.2.D.2.

The Planning Board authorizes the Planning Board Chair to sign the Final Plan and the Findings of Fact upon confirmation of compliance with any conditions of approval.

(at the 7/9/15 meeting) **Vote of 5 in favor 0 against 0 abstaining**

APPROVED BY THE KITTERY PLANNING BOARD ON 7/9/15 and 9/24/15

**Notices to Applicant:**

1. 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 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 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. 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.

**ITEM 2 – Board Member Items/Discussion**

Ms. Grinnell asked Mr. DiMatteo about the newly hired Assistant Planner. Mr. DiMatteo responded that she is starting on October 5<sup>th</sup>.

A discussion ensued about the order of the items on the action list. Mr. DiMatteo commented that there was a public hearing during the Town Council meeting on Monday regarding the code amendments. Ms. Driscoll-Davis discussed the idea of parking credits for Walker Street, Government Street and Wallingford Square. Mr. DiMatteo suggested that he gather data for the Council to review that would explain the need for the parking change. Ms. Grinnell mentioned Mr. Mead's statement regarding certain streets no longer meeting minimum standards and asked if they should still allow parking on those streets. Ms. Kalmar noted that the street inventory would identify which streets they wanted to limit actual parking on, not parking credits. She added that restricting certain smaller streets to resident-only parking would resolve some issues that residents have. Ms. Kalmar suggested structuring a list of criteria for how to determine whether a proposed use would be allowed the credits or not, which would allow for certain small businesses in residential neighborhoods.

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Ms. Grinnell suggested giving one or two credits instead of three. Ms. Driscoll-Davis reiterated that the situation is temporary and noted that they could keep the parking credits to the area previously mentioned and give themselves the ability to waive parking credits for small businesses in residential areas that would not adversely affect the neighborhood. Ms. Kalmar noted a comment that Tom Emerson had passed along which stated that requiring the maximum number of parking spaces often leads to the destruction of existing structures, meaning that they would destroy the current structure to replace it with a smaller structure which allows for more parking. Ms. Kalmar noted that in the 1990s businesses either did not want to relocate to Kittery because of the strict parking requirements or chose to destroy the building to create more spaces. She noted that the Town reduced the required number of parking spaces and instituted parking credits. She discussed additional negative impacts of providing more parking spaces.

Mr. DiMatteo noted that he would like to avoid changing the ordinances until they have time to go through it in a methodical way using the big picture the change parking and zoning in the area. He stated again that they must have an urgent reason to tweak the ordinance. Mr. Lincoln commented that he supports Mr. DiMatteo's position and does not support changes in the parking credit system currently in place. Mr. DiMatteo stated that if they want to preserve the neighborhood then they need to change more than the parking credits. Ms. Driscoll-Davis suggested having a Design Review Committee in the Foreside.

Mr. DiMatteo commented on a statement made by someone at the workshop regarding land use being a delicate balance. Ms. Driscoll-Davis noted that there have been applications presented to the Board which indicate a need for a parking change. A discussion ensued between Mr. DiMatteo and Ms. Driscoll-Davis regarding an example on Knight Ave, the creation of a mixed use zone and the evolution of business in the area. Ms. Kalmar commented that limiting parking credits alone would not eliminate the possibility of someone buying multiple lots to increase their parking. Ms. Driscoll-Davis suggested reinstating the Foreside Review Committee. Ms. Grinnell suggested moving the discussion to the second meeting in October.

**Mr. Lincoln moved to adjourn.**

\_\_\_\_\_ **seconded.**

**Motion carried: 5-0-0**

The Kittery Planning Board meeting of September 29, 2015 was adjourned at 9:47 p.m.

Submitted by Valerie Porrazzo, Minutes Recorder, October 1, 2015.