

**TOWN OF KITTERY
PLANNING BOARD MEETING**

Thursday, November 10, 2005

APPROVED
Council Chambers
Meeting called to order at: 6:05 p.m.

Present: Chairman Russell White, Janet Gagner, Scott Mangiafico, Ron Ledgett, Doug Muir, Megan Kline, Ernest Evancic

Also Present: Mark Eyerman, Planner Jim Noel, Councilor Dennett, Councilor Schwaery, Kittery Conservation Commission Chair Earle Wells

1. ROLL CALL

Roll call noted.

2. WORKSHOP DISCUSSION WITH TOWN COUNCIL: 6:10-8:30

Roger Cole would like to speak to the Board about the little red building the Town owns that is in the Kittery Point Village. It is the Safford School on the corner of 103 and Cutts Island Lane. One of the uses for the school that is believed to be a reasonable re-use would be small professional offices and/or art studios. These uses are not permitted in this district. For the last decade, a private art studio operated out of that building. The size and degree of activity generated would be regulated by parking. The Comprehensive Plan, page 138, defines SR. It asks for similar low intensity type uses.

Mr. Ledgett tells him he needs to look at the Kittery Point Regulations which is on page 135.

Roger says that planning often paints with a broad brush. There is a view that sometimes the broad brush is too broad and limits the diversity that can occur in different zones. Sometimes low impact diversity creates healthy environments. In Kittery Point Village, we have a post office, art gallery, and grocery store. We are looking at small offices with one parking space. These offices could be something like a small law office or insurance office. He is asking the Board to consider it and keep an open mind. Put it under special exception.

Ms. Kline says she notices that it says it does not have a bathroom.

Roger says it does. The parcel summary is incorrect. It was an alternative school in the late 1970's.

Councilor Dennett says that it probably has toilet facilities, but not a shower or bath.

Mr. Ledgett says the proper section is Kittery Point Village, not SR. The commercial uses in this zone are right now limited to neighborhood grocery and home occupations. He thinks it's a huge step to go to office buildings. The art piece, it's easier to get there. This is a very significant issue for the Kittery Point Village district.

Ms. Kline says that throughout Maine, art galleries are in character.

Councilor Schwaery says if that is the only use, the chances of renting it are diminished.

Roger is trying to find out what use will occur there beforehand.

Mr. Mangiafico says to go with a new definition.

Chairman White says that we would have to subject that to an examination of whether it is allowed throughout the zone.

Mr. Ledgett asks how much wiggle room we have when we are to preserve the character of the area.

Chairman White thinks that we can limit how many of those we get. Just down the street, we used to have Elmer's. It used to be gas station, then a junk store.

Mr. Evancic says that next to the post office we now have a little office.

Mr. Ledgett says that is Judy Kehl's.

Mr. Mangiafico says that if we used minor home occupation standards, there is nothing that could go in there that could not go in the house next door. Someone could have a single person office there. They could also do it out of their house. It would be very small scale.

Mr. Eyerman says we could have it meet the requirements of minor home occupation standards except the one requiring it to be accessory to residential use.

- Chairman White thinks we should try to do something up that addresses these concerns. We will look at making it possible to preserve historic buildings.

See Action Items 11-10-05.

3. PUBLIC COMMENT ON NON-AGENDA MATTERS (20 MINUTES)

Gary Beers was recently appointed manager for Yankee Mobile Home parks. There is a question as to whether the development is considered substantially complete. Failing that, he would like to know if it is possible to ask for an extension after the fact as allowed for in the ordinance. He feels guilty because he crafted the original language calling for deadlines and is now asking that the deadline not apply to him.

Chairman White has Mr. Beer's letter to the Board in front of him.

Planner Noel provided a copy of the letter and has had a discussion with Mr. Beers.

Chairman White would like to have Planner Noel's opinion on this question.

Planner Noel asks if everyone has their copy in front of them. The approved plan calls for 130 lots of which 63 are complete. The approved plan that Mr. Beers is referring to from 1998 calls for a total of 71 additional sites for mobile homes. The town's record shows that he had 58 mobile homes on site initially and there are presently 61. It is arguable whether this is substantially complete.

Chairman White thinks this is too big to discuss in the public comment section.

Mr. Beers says that he and Planner Noel have had two discussions about this and have a different interpretation. That is why Planner Noel suggested that it be brought before the Board in this fashion.

Chairman White says that it should be put as an agenda item.

Ms. Kline says we could try to handle this at the meeting next week.

Mr. Ledgett says no.

Chairman White asks to get this on as an agenda item. We will go to 11:00 pm next week.

Mr. Ledgett does not think we should be involved in this. It is the Planning Office that makes this interpretation.

Planner Noel says that attached to the letter is a code section governing extensions. Mr. Beers would like to have the project completed by November 2008. If the plan has expired, is the Board willing to grant an extension at this point in time?

Chairman White says this public comment section is really for receiving information and giving short direction and this matter is beyond that scope. If it can be referred to further Board review,

then it should be.

Mr. Beers is here at Planner Noel's direction.

Chairman White would like it as a discussion point on the agenda in the near future. Can we consider it or is it expired?

Mr. Muir says that formally, we might take it up under Planner Noel's time at some future meeting, but it is not a Board topic.

Chairman White is willing to do that. He apologizes for not being able to take more time with this.

Suzanne Johnson appreciates being able to make a comment tonight.

Chairman White asks if she is addressing the rec center item.

She is.

Chairman White asks her to wait until the rec center presentation.

She agrees to do so.

4. SKETCH PLAN: SPRUCE POINT HOMEOWNERS ASSOCIATION. 7 SPRUCE POINT ROAD. APPLICANTS ARE REQUESTING A MODIFICATION TO AN APPROVED SUBDIVISION PLAN (LOT LINE CHANGES) ORIGINALLY APPROVED ON SEPTEMBER 4, 2002. ZONED RURAL RESIDENCE.

Chairman White introduces the application.

Planner Noel says the Board may remember that he brought this to the Board under Planner's time in July. The Board suggested it may want to do a site walk on the property before taking action. Planner Noel introduces the applicant and says that he can set a site walk date if the Board desires.

Ralph Hamsden introduces himself. This is a relatively new subdivision and some of the lot lines were not really put together in as beneficial a way as they could be for those that had water views and other issues. There are three lots in question, lots 5, 6, and 7, which is common land jointly owned by the association. On lot 6, they have a new home going in and it is a waterfront lot and they have had to push the house back on the lot substantially. It affects the privacy of the homeowner because the rest of the lot owners have rights on a dock and go right by this house to get to it. They are looking to do a land swap to rearrange the lot line. It does not create any difference in terms of access around the wetland area to the dock. There was a view easement on the deed of lot 6. That was also an attempt to correct the fundamental problem with how this was surveyed and laid out. The change would involve giving up the view easement and making a small land trade. The other lot line adjustment is on the other side of lot 6 where there is a view easement for lot 5. Lot 5 would give up the view easement over lot 6 and lot 5 would give up land to lot 6. There are two lot line adjustments here. All the members of the homeowners association are in unanimous agreement with this change that would benefit all three lots and would clean up an engineering oversight. It should have been laid out like this in the first place. He would be glad to answer any questions the Board may have.

Chairman White asks if we should just schedule the site walk.

Mr. Ledgett says to schedule the site walk.

Chairman White asks if we can get away with starting at 3:30pm for a site walk.

Ms. Kline and Mr. Ledgett think that works.

Chairman White asks when to do it. He suggests Tuesday, Nov. 15th, at 3:30. Chairman White

may not be able to make it. He has something that starts at 2:00 pm that day.

Mr. Ledgett says that Chairman White should e-mail the Board if Wednesday is better for him. Chairman White does not have his calendar with him tonight.

Mr. Hamsden says it has been staked out. He can meet the Board there. If the Board parks at the end of the cul de sac, he can meet them there.

Chairman White says that Planner Noel will notify Mr. Hamsden as to whether the site walk will be on Tuesday or Wednesday.

5. SKETCH PLAN: OEST ASSOCIATES FOR THE TOWN OF KITTELY. THE TOWN IS REQUESTING REVIEW AND APPROVAL TO CONSTRUCT A NEW FIRE STATION TO BE LOCATED AT 3 GORGES ROAD, MAP 13, LOT 5-14, ZONED C-3.

Chairman White introduces the application.

Chief O'Brien says that 5 years ago, they started this project by buying land on Gorges Road. One and one-half years ago, they went forward from that. Five months ago, the plans were complete. With the advent of hiring a town engineering firm, they took the opportunity to send the completed plans to CMA for peer review. They have moved on to the ZBA. They met with them and gained approval on setback issues on the rear of the building to the south side. On Tuesday night, they gained the voters' approval. They are here to present the plans and find out how to get there from here. Chief O'Brien has Mr. Joe Hennessey from Oest and Mr. Steve Harding with him here tonight. This building increases the current capabilities in that area of town from 4 fire trucks to 6. He shows the footprint plan. They had a problem with wetland setbacks. By code, they are required to have 49 parking spaces, but one "office" is dispatch, so they believe they really should have 47. They have 45. They are asking for a waiver to go from there. At this point in time, he is new to this, and would like to know where to go from here.

Chairman White says the sketch plan is usually the first look at the package. It looks like a pretty complete application.

Planner Noel would suggest that it is substantially complete, but he has a number of questions for the applicant.

Chairman White says we usually have a sketch plan hearing, then move forward for a scheduling hearing, then within 30 days of that, the matter is supposed to be scheduled for a public hearing. That would put it two months out.

Chief O'Brien would appreciate that. They went to peer review to try to speed this process up. They would like to have the public hearing and approvals in December.

Mr. Ledgett asks for Planner Noel's questions.

Planner Noel says that as the Board knows, and as outlined in CMA's review, there are some minor issues to be addressed by Chief O'Brien or his design team. Planner Noel has a couple questions on the preliminary plan check list. He wants to bring them to the attention of the Board. He is not trying to stump the applicant. On the preliminary plan, it says 1 inch = 30 feet and there are a couple where 1/8 inch = 1 foot. He does not know if the Board would like consistency in the measurements. Planner Noel could not find the map and lot number on the plan. He did not find within his packet a list of abutters and does not know how many there are, if any. On the open space, on number 10 on page 2, the last article, retention of open space, there is no indication that they will be saving trees and it may not be applicable.

Chief O'Brien says that there are no trees that are 10 inches in circumference unless they are in

the wetlands that they are staying away from anyway.

Planner Noel says the outdoor lighting and signs are still under review. Also, he could not find the generator that is referenced.

Chief O'Brien says there is an emergency service one.

Planner Noel could not find emergency service screening around there.

Mr. Hennessey says that looking at C-2, it shows the generator pad.

Planner Noel says that raises another question - the intent to screen and the potential for noise, as they will be next door to a motel.

Chief O'Brien says that the generator is on the south side of the building, then there are trees, and then you get to the old Valle's charter house motel that is quite a ways away. They will have something to muffle the noise.

Mr. Mangiafico says the abutting property is the motor inn.

Chief O'Brien says it is all trees, then up the hill. The former Days Inn is now the Kittery Outlet Motel. He shows where the buildings are in relation to the proposed fire station. The pad is not on the same side as the Days Inn.

Ms. Kline says the Kittery Motor Inn is on the same side as the generator.

Chief O'Brien draws a diagram to show where the generator would be and where the fire trucks would be in relation to the motels.

Planner Noel asks if there are any temporary markers up to see the four corners of the building.

Chief O'Brien says no, but they can be up very shortly.

Planner Noel asks about their erosion control plans.

Mr. Hennessey says those notes and details are on plan sheet C-5.

Planner Noel asks if they have provided the stormwater plan to anyone yet.

Mr. Hennessey says that they provided them to CMA.

Planner Noel wants to know if they are asking for an endorsement for the waiver.

Mr. Ledgett asks if they are asking for a waiver not to have York County review it.

Ms. Kline says that it has already been reviewed by the Town firm (CMA).

Chairman White says this is a sketch plan, not a scheduling hearing. At a scheduling hearing, we would hit the high points about any remaining concerns. The Board will have some concerns about that waiver and the applicant should be ready for that. Sometimes an applicant will have a lot already developed, but this is not too burdensome a requirement to have this review and it won't slow you down.

Mr. Hennessey thought it was a redundant review, but if the Board thinks that it is necessary for them to be reviewed by York County as well, they can get the review.

Chairman White understands CMA's role to be assisting the Planning Office in doing the technical work the town does not have the staff to do. They are focused on showing what is deficient according to the ordinance. That makes it so that when we get it in front of us, we don't trip over the major things. It would help Chairman White to have their comments to review against the applicant's responses. He sees one letter dated today, but he thinks there was an earlier letter that he does not see in the packet.

Ms. Kline does not have that letter, either.

Chairman White says it appears to him that we should do a site walk and then put it on the agenda for a scheduling hearing after the site walk. That means that the application will come back before us at least one more time before the public hearing. Chairman White would like to do the scheduling hearing the first meeting in December, but he is not in charge of that.

Planner Noel will do the best he can to move this along as quickly as possible. Would the Board

want to schedule a site walk?

The Board says yes.

Chairman White says we will try to combine this with the other site walk previously scheduled for November 15th or 16th. We would need to start at 2:30 p.m. Chairman White cannot cut into his workday too much.

Mr. Mangiafico suggests doing it in the early morning.

- The Board agrees to meet at 8:00 a.m. at Spruce Point, try to do that in half an hour, and get to Gorges Road by 8:45 am and try to do that Tuesday. Chairman White will follow up on this by e-mail.
- Mr. Ledgett asks Chief O'Brien to get some full-size plans so that he will be able to read them more easily.

Chief O'Brien is willing to do that. He confirms that the site walk will take place at 8:45 am at Gorges Road. After the site walk, he will make sure they are getting the stormwater analysis done through York County and that request for a waiver will be unnecessary. Before, there was a mix up and not all of the necessary information got to CMA for their review.

- Chief O'Brien will get that information to Planner Noel tonight for him to get it to CMA to finish their review.

When they finish with that, then the only waiver they will be requesting will be the waiver re: parking. Chief O'Brien asks if they will come back sometime in December.

Chairman White says that is up to Planner Noel to schedule. If it's been reviewed by the engineers, it should be a pretty good package. He understands that the rec center and fire center were the first to go through CMA. Chairman White would like the letters back and forth between the applicant and CMA.

Planner Noel will provide that.

Chairman White says that after the scheduling hearing, the applicant will get a public hearing within 30 days unless it is not possible, in which case, it will happen as soon as possible.

Chief O'Brien thanks the Board.

6. PRELIMINARY PLAN/SCHEDULING HEARING: SEBAGO TECHNICS FOR THE TOWN OF KITTELY. THE TOWN IS REQUESTING REVIEW/APPROVAL FOR A MUNICIPAL RECREATION CENTER TO BE LOCATED AT 2 COLE STREET, MAP 15, LOT 4, ZONED VILLAGE RESIDENCE.

Chairman White introduces the application and explains that this is not the public hearing. That would be the next step. There is no formal slot for public speaking or participation at this stage in the application process. We do not want to shut people out of the process. We want to hear the formal presentation first. Then we will take some input from audience. Then the Board will have dialogue with the applicant.

Bob Guay, Chairman of the Building Committee for building the rec center, wants to make a brief statement. This has been a trying process for all of us. He hopes that everyone recognizes their efforts over the past 12 years. They got through the vote just to get stopped by the moratorium. He hopes that outside of this forum, the Board will accept feedback on getting through the CMA process. Following approval by the Planning Board, the Committee is responsible to make sure the facility is built according to the requirements. He introduces the design team.

The architect wants to walk through the building again for the Board and the audience. He shows that it gets southern exposure, so it will get passive solar energy. There will be a gymnasium, senior room and community room, two community rooms, and an entry lobby designed as a living room for the community with a fireplace and café. On the right hand side are most of the physical activity spaces for exercise and aerobics. Then there is the York Hospital portion, which will be designed as tenant space. York Hospital is bearing the cost of building that. The building will be 25,500 sf total. 23,000 is the community center itself and 2,500 is York Hospital.

Will Conway from Sebago Technics is here presenting the site plan this evening. They have presented the sketch plan and done a site walk. They have done some refinement based on peer review comments from CMA. He shows where the community center is located with respect to other streets. The primary entrance would be from Woodlawn Avenue. The secondary access is from Manson Ave. In terms of landscaping and buffering, there will be substantial buffering, including from the existing trees along Woodlawn. Those trees will remain. Along Cole Street, most of the mature trees will remain. Then they will be augmenting the existing plantings with evergreens.

Lisa Cuomo wants to have the presentation done again, with him standing on the other side so that she can see it.

Chairman White says that the public hearing is the place for the full presentation. Anyone who has not seen the plan can probably gather out in the hall afterwards to see it. The Board would like to have time to review the package and make sure it is complete.

Mr. Conway says that all of the run off will be routed to a retention basin which will go to a storm drain. He has coordinated this with Mr. Rossiter. The project creates over an acre of impervious surface. It has been approved by the DEP and endorsed by the York County Soil and Water Conservation Service. It has also been reviewed and approved by CMA. There are some minor issues relating to site lighting, but they are still ready to go forward. He would ask the traffic engineer to address his results.

Peter Hendrick, the traffic engineer, says the traffic study submitted is pretty typical. You look at trip generation and safety. Trip generation is based on a similar facility in Belfast. He looked at volumes there. In the morning, there were 69 cars between 7:00 and 9:00 am and in the afternoon, there were 91 in the peak hour. They have roughly one car every 2 minutes entering or exiting. In the afternoon, every 2 minutes, there will be a car coming in and every 1 minute there will be a car going out. He did submit this to ME DOT and they concurred with the results and said that they do not need a permit. Manson Avenue has a posted speed limit of 20 mph. On Woodlawn Avenue, they are asking for relocation of a chain link fence to provide for adequate sight distance. As one might expect, it takes a while sometimes to make turns off of minor streets. This will increase the delay somewhat at those intersections. He evaluated the intersections for safety. They are current high crash locations. He evaluated them to see if there are any measures that could be taken to address the crash patterns. There is nothing. He is recommending that the Town continue to monitor this issue. In general, he believes the project can be accommodated by the existing street system there. He does not know if anyone has any more to add.

Mr. Conway says that concludes their presentation and they will respond to any questions the Board may have.

Chairman White asks the Planner where the application stands.

Planner Noel would suggest that upon review, the application is substantially complete. There

are some relatively minor issues on exterior lighting that they should be able to work out.

Chairman White asks if this is in order for scheduling.

Planner Noel says that we were informed previously that any machinery would be on the roof.

Mr. Conway confirms this.

Planner Noel says the application is substantially complete.

Chairman White asks if there was a letter from the DOT.

The applicant will get a copy of the DOT letter to the Planner.

Chairman White would like copy of the letters back and forth between CMA and the applicant.

Mr. Conway says it should be in the package. CMA responded to the first application and the applicant made another submittal that addressed each of their comments, point by point.

Chairman White sees that we do have a checklist from CMA.

Mr. Ledgett thinks one of the big open items is the groundwater issue. That is the question posed by CMA. This is an area prone to flooding. There is a real question as to where the water is going. We will need to answer that question at some point.

Chairman White says that want to know if it was designed to recharge stormwater.

Mr. Ledgett says or scoot it off.

Mr. Conway is not aware of that issue. His letter of October 24th says that they have reviewed the plans and have found that these comments have been adequately addressed.

Ms. Kline says they have a whole section in there that addresses where the water goes.

Mr. Ledgett asks if we want the hydro assessment.

Chairman White says that throws it to us. The question is what the stormwater retention was designed to do. Some people are saying we want to retain it on site and recharge the water table. The question here is what we want.

Mr. Conway says that what they designed is in response to the Kittery ordinance and DEP standards.

Chairman White says that if it meets the ordinance, that is all we can ask for.

Mr. Ledgett says that the ordinance also allows us to look at site retention.

Mr. Conway says that what they designed has been approved by CMA and the DEP. They met with Mr. Rossiter who is intimately familiar with this and the whole concept was designed in concert with him. Mr. Conway shows which way the water flows. They lowered the elevation behind the existing center such that if the drains became clogged, the elevation was below the finished floor of the buildings on the street.

Mr. Mangiafico asks if the existing field area drains the other way.

Mr. Conway says it is an isolated low spot. They will lower that elevation.

Mr. Mangiafico says that we had some presentations before where some of the water went the other way. Debbie Driscoll was in here mentioning that a couple weeks ago.

Mr. Ledgett says that needs to be drawn out. That is a stormwater flooding issue. There are two issues here. The way he reads the CMA stuff is that the evaluation has not been done.

Planner Noel says that is correct. Chairman White was right in asking whether the Board wants the applicant to do the assessment.

Mr. Ledgett thinks we would. We know that's an issue in the town. We're taking away a field, where water goes back into the water table.

Chairman White asks what is involved in hydrological evaluation.

Mr. Ledgett does not know. He thinks we need the Planning Office and the Town Engineer to tell us that.

Chairman White agrees that the purpose tonight is to identify issues.

Mr. Conway is having a hard time following this, since CMA has reviewed the plans and approved them.

Chairman White says CMA is a technical arm of the Planning Board. We are taking that up and looking at that and seeing whether there is a requirement that the Planning Board wants the applicant to meet with respect to the ordinance.

Ms. Kline asks if this is addressing the soil intensive survey prior to development.

Planner Noel would not say so entirely. The Board is supposed to look at what if any impact on the groundwater this building may present. He does not know to what extent the hydrologist would have to investigate.

Chairman White asks if this is on town water and town sewer. It is.

Mr. Ledgett says that is not the point.

Chairman White thinks it does not apply here because it is on town water and sewer.

Planner Noel says that we had a hydrologist involved before where we were dealing with wells and septic.

Chairman White would argue that we do not need the assessment. We do not have something in the ordinance that addresses water table recharge. He thinks it is not something that is required.

Planner Noel would concur with Chairman White that it would not be required on an application such as this.

Chairman White asks if there are any other completeness issues. He would like to deal with whether the application is substantially complete, give feedback to the applicant, and then give 15 minutes to members of the public to speak.

Ms. Kline says that the stormwater management system and drainage just have question marks. She asks if the applicant has been reviewed by York County Soil and Conservation Service with respect to stormwater management and erosion.

Mr. Conway says yes.

Mr. Ledgett says the applicant is suggesting that these items can be resolved. They need to have that determined by the Planning Office.

Mr. Mangiafico asks about the existing wetland. It looks like there will be a wetland fill. He is questioning the rationale for that. It is normal to use a wetland crossing as a last resort. We try to avoid them as much as possible. Is there any way to redo the parking area so that they are not filling the wetland?

Mr. Conway says there is a very small finger of wetland that is going to be filled. That area was artificially created some years ago for a skating pond. Then it became classified as a wetland. While they would be filling that area, they are also enlarging the bottom area of the existing condition, so they are creating three times the wetland that exists there today. Whatever functional value a man-made wetland has, the applicant is increasing it.

Chairman White asks if he is moving a portion of the wetland.

Mr. Mangiafico moves to extend the meeting to 11:00 pm.

Mr. Muir is opposed. All others are in favor.

Chairman White does not know if that counts as mitigation or not. He would solicit a motion to find the application substantially complete and then continue discussions and allow public input.

Mr. Ledgett asks when we will deal with the wetland issue in terms of the order of events. After we find it substantially complete, the first thing we will have to deal with in public hearing will be the wetland.

Chairman White says they are requesting a permit to fill the wetland as part of the development package and we need to spend some more time on that this evening. He just thinks that if the

application is substantially complete, we can find it so and move ahead.

Mr. Muir says that we also have the traffic study. He heard of some of the intersections being hazardous and he would like to know if we will be making them more hazardous.

Chairman White says that is a topic for the public hearing. Tonight, we are just looking at whether they have done their job with the submissions.

Mr. Muir says that there is also a requirement that use not rise to .8% of its capacity. He has no idea where we are with that or other transportation issues. The applicant should be prepared to discuss that in detail at the public hearing.

Mr. Mangiafico moves, having reviewed the submissions of Sebago Technics, the zoning requirements of the VR and UR districts, the LUDC, submissions C-1 – C-10, the floor plan details, the traffic impact study, and the site plan review, that we find the application substantially complete and move to public hearing to be scheduled by the Town Planner.

Mr. Ledgett seconds.

All in favor.

Chairman White feels this is the appropriate time for the public to come forward. He invites the public to come forward.

Mr. Guay would like to answer the public's questions at the public hearing. He will take notes on questions. The plan is on display at the Rec Center.

Suzanne Johnson of Admiralty Village, Kittery, has to point out an inaccuracy that the architect said. The ice skating field was not deliberately filled with water. For many years, it naturally flooded. Sometimes, water was added to make it bigger. There is a sign outside this door that says how to build a community. One of the ways is to take our children to the park. How can we do that if most of it will be asphalt? When Admiralty Village was designed and the present rec center was created, the design was for children and adults to come use it. There was enough room to expand the building. They were successful in leaving trees and wooded areas to enjoy. Most of that will be destroyed with this. Heritage. We are going into a heritage phase of Admiralty Village and we are obligated to preserve that. What makes these people think that they are more intelligent than our forefathers who left this space for us to enjoy and coexist with wildlife? Most of the wildlife is gone. We are here tonight to plan something for the next 100 years. The building does not belong at this site. This is a community. This is not a place that can be changed to accommodate a lot of traffic. A lot of that is asphalt. She is concerned and hopes that the Board will take this generation into account. We need a new rec center, but it can be someplace else. The rec center there now is becoming an architectural place. It can be something that we keep as part of the inherent architecture of Kittery.

Chairman White asks her to allow someone else to speak. He lets her know that the Board has her letter also.

Robert Cejaka is here to speak on the access road. He is the nearest abutter to it on one side, lives on Woodlawn. In 1987, Knightsbridge Corporation and another corporation came to town and they wanted to build 4-6 homes in the Fernald Farm area. That is the land between the rail bed and Emery Field. At the public hearing in early 1988, the question came up about how the residents would get into those homes. The plan was to build a road along the railroad bed to Woodlawn. Chief Strong said there was no way that would happen. There was too much traffic on Woodlawn Avenue. That was 6 homes. Now they are talking about 91 cars going down to that area. What about the children walking to school? Think about what that road is going to do. He does not care who studied it. They are wrong. That is not the place for the entrance for the community center.

Susan Emery, 5 Mitchell School Lane, Kittery Point, has a few questions for people to think about. She would like more insight into the traffic study. Does the fact this is a neighborhood filled with children get put into the formula? With an expensive new rec building, she would think there would be more offerings offered there. She would expect that the traffic would continue to increase as the building gets utilized. Also, in order for it not to cost too much, she would wonder if paid memberships would increase and people from other towns would use it and then there would be more traffic. She is concerned about the physical therapy portion. She thinks York Hospital is intending to specialize. It would not surprise her if they started sending everyone that needs physical therapy to this branch. She asks if there are any projections from York Hospital on increases in traffic that way. All of this would add more stress to the roads and residential area with small children. The purpose of the design standards was to keep in character with the area. She means no offense to architect, but she and her husband do not believe it to be in keeping with the character of the area. Her husband thinks it looks like an overgrown garage. It is not in keeping with marine and historic character. It was not made clear to her that the existing building would stay. She thought that the Town would keep a lot of the green space. The scale of this could be cut back. The Town does not have to put out a bond for the whole amount. She does not see why we need a whole administration wing. She would hope the wet area would still be used as a skating pond. It would be great if the rec department would be willing to teach skating like other towns do. Another question. She does not know the history and story of Emery Field, but how did it come to be and what is the significance of it? Can it actually be covered over or was there some intent that it be the green space or park for the Village? She hopes those questions will get addressed at the public hearing.

George Dow, Kittery Point, Bartlett Road. Unfortunately, a lot of the questions that have been asked have been addressed at the various impact meetings and the Committee has invited people to come to those. In regard to the parking, the two access and egress areas are in no way, shape or form near the high impact areas. People can remember when the Naval Shipyard in its heyday had 8,000 - 9,000 vehicles coming out of there. It is not like that now. The traffic study has been done by people who are knowledgeable, who do this every single day. He asks that people listen to those that know. The areas help keep traffic away from Cole Street that the whole Building Committee wanted to stay away from. The Building Committee wanted to listen. A lot of people did not come out. Instead, they waited until now to come and offer their uneducated opinions.

Mr. Guay says next Thursday night at 7:00 pm at Cole Street at the Community Center is the next meeting and people can go there and voice their concerns.

Chairman White would encourage folks to go and talk to these people about this and find out if there are answers to the questions posed. They have worked hard on it and would like to communicate.

Morry Mitsui, 15 Pepperrell Road, has been a member of the civilian community for about 4 years. He began following this project a couple of years before that. It really in a very deep way was painful to hear the presentation tonight because he believes the speakers spoke from their heart and meant it. On the other hand, knowing the history and development of this project, the members of the Committee, Planning Board, Town Council, and Town must make some hard decisions. The comment was made that this could have been put somewhere else. The Committee exhausted the search of properties in this town. Some of them were selected and went forward to some extent, and every one was shot down for one reason or another. At the very end, this site became the only available site left. At that time, the chairman was Pat Bedard

and he made it very clear - we have spent hours looking all over the place. This is the only one that we've got and we would like to have the approval. The school committee and Town Council approved it. Since then, this has been to a public vote three times and at each stage there are public hearings and at each stage members of the community are available and at each stage the Committee has requested input. Whatever input was received, those on the Committee tried their best to comply with it. We need to think in terms of a larger picture. Yes, putting the building here might sacrifice certain desirable things. At the same time, now that we know the Yard will stay for some foreseeable future, the Town must grow and in order to grow must have the amenities to attract people and this is one of them. If this project is killed for whatever reason between now and the end of the year, he is afraid that the community center project will be dead. What will that do to the overall attractiveness of this Town to attract people to live here? It is painful to hear some of these comments because we had to make those value judgments and this is where we are at. He ask that everyone give those on the Committee credit for doing their job the best way they knew how and the best they could under the circumstances. Lisa Cuomo lives in Admiralty Village and is here to speak about the Rec Center and some very particular points. She would like to give the traffic studies to the Board separately outside of the packet. Attached are copies of additional accidents that have occurred over and above those cited in the traffic study. She provides a copy to each Board member. She did not get a copy to the applicant. There are three accidents that have occurred in the area in six months. Two weeks ago, a child was hit by a car while riding on his bicycle. The traffic issue is a problem and she does not want it buried. This shows the traffic impact on surrounding streets and on Manson Avenue and Woodlawn Avenue in particular. With all due respect to experts, she does not believe they are equipped to represent what those that live there deal with every day. There are additional reports she will pick up as to accidents on Manson which they are proposing as a new driveway. It will become a road, entrance and exit, and it is a very densely, tightly packed area. You need to speak with the residents. She would ask that they come and speak with the residents on a site walk in order to get a grip on what the traffic impact will be on the neighborhood. She would like to thank Peter for helping her to understand what the traffic study numbers mean. She would like to talk about doing a site walk from the residents' perspective. The townspeople went to the polls and cast a vote without having the benefit of the traffic study. This study came out one month after the townspeople went to the polls. This is some of the most important information, especially in a densely populated neighborhood. She did not know that the traffic study existed. She found out about it two weeks ago. She has tried to disseminate it to the public. She wants to tell people here tonight not to feel badly because they did not go to meetings. She took the information on the plans and the study and tried to put the two of them together. They could have addressed it more in depth. The two roads/driveways that they plan to construct feed into a road system that contains a dangerous three-way intersection in which people have to yield to each other and often do not want to do so. The three-way intersection will become a four-way intersection and will be an enhanced problem. She has not heard anything that says this issue will be addressed. What will happen when the road goes in and we have accidents and have people killed there? We will need a traffic light. She was told that the State of Maine will never fund that. The other road they are planning is where children wait for the bus and where the Comcast trucks park. That is a hill that people come down usually speeding. Basically, when they conduct a traffic study, they use trip ends. According to the traffic study, there will be 69 trips in the morning and 91 trips at night. The am peak hour is 8-11 and the pm peak hour is 3-5, right after the kids get out of school. They are talking about a

car coming in and out every 90 seconds. That is over and above what we already experience in the village. She does not understand how the Board can rule the application complete when the wetlands issue is going to be huge here. They are talking about filling a wetland and replacing the field with parking lot. She would like the Board to consider the wetland issue and not take the park away.

Tess Schneider of Kittery asks when does it stop? The voters voted. We've been through countless discussions about all that has come up tonight and much more. She does not know what it takes to move something forward. There was a majority vote. She is sorry it didn't go the way they wanted it to. It's time to move forward. She wants to respond to some of the issues she is hearing. The only wildlife she has seen in that wetland are some teenagers and smelly socks. If some residents are going to start reaching to block this project approved after 12 years, we have the wrong idea of democracy here.

Lisa Muccio of 4 Center Avenue, Kittery, does work for the hospital, but she is not here for that. She is a longtime resident of Kittery and has a child and stepkids. She did not vote for the first rec center because she thought it was way beyond our means. She voted for the second one. She put up signs for the third one and we won. 77% voted for the Hospital to be part of it. People keep talking about the traffic study. What we have for traffic now is nothing compared to what we had in the heyday of the shipyard. She would like to see if we could take a look at what the traffic was in the heyday because it would be less than that.

Peter McCloud of Mountain Road feels that Emery Field could be left. As for the background of Emery Field, he heard federal funds went into it. There may be some restrictions on paving it over. He heard quite a few times that the project has been under discussion for 10+ years. That is not entirely correct. There have been different proposals. They have not been working for years on the same proposal. The use of the entire lot - paving everything over - is way too much. He believes the intensity of the project is way too big for that lot. The design of the building is not in character with the neighborhood. It is like dropping a big Wal-Mart in the area up there. He thinks a lot of people have not read the poster out there - a building does not make a community. They mentioned tonight that they have exhausted all sites. They came up with this as the only place. What they have not explored is taking land by eminent domain instead of putting this project here. Kittery citizens have never been in this predicament before.

Katherine Davis of Woodlawn Avenue would like to voice her concern regarding the entrance way at Woodlawn. She is concerned for the safety of the children and people that walk and play in this area. She currently has to slow to a crawl just to get into her driveway. She has been here a year and a half. Just a couple months ago, she had a car crash into her front lawn as a result of avoiding children. She has heard of more situations from neighbors prior to her move here. When you add more commercial traffic to the area, it does not make sense. It seems the Town is willing to risk the safety of those that they are trying to help.

Chairman White says there will be more opportunity for public comment at the public hearing.

Mr. Guay would like to get copies of the questions posed by the public so that they can be answered at public hearing. He is also not sure he has the whole packet regarding accidents in the area.

Chairman White gives him his copy of the traffic information provided by Lisa Cuomo.

Mr. Mangiafico did not notice any traffic study done at the intersection of Wyman and Whipple. It seems there are three ways to get in there, but the traffic study did not address that. He would think they need to address that.

Mr. Guay will do that.

Chairman White says he has heard the Board's concern regarding wetland and traffic issues. Mr. Ledgett says the comments have raised an issue as to the scale of the project. They will need to look at that against the ordinance.

7. PLANNER'S TIME

N/A

8. OLD BUSINESS: REVIEW PREVIOUS MEETING MINUTES

N/A

9. ADJOURNMENT

Meeting ends by rule at 11:00 pm.