

CALL TO ORDER

ROLL CALL

Present: John Perry, Member, Drew Fitch, Member, Steve Bellantone, Member, Russell White, Member, Ronald Ledgett, Member, Karen Kalmar, Vice Chair, and Dutch Dunkelberger, Chair

Absent: None

Staff: Bart McDonough, Town Planner and Adam Causey, Director of Planning

Advisory: Earledean Wells, Conservation Commission

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA- Chair Dunkelberger proposed reversing the order of the agenda items, starting with Item 3, then 2, then 1. The Board agreed.

APPROVAL OF MINUTES- None

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, the Town is testing its hybrid meeting technology. Every effort will be made to make this run smoothly, however some technical difficulties may occur as the Town implements this new approach. To register via Zoom:

https://us02web.zoom.us/webinar/register/WN_SSk-9Fq5T-uApy5s5UZFYA

Further, the public may submit public comments via email, US Mail, or by dropping written comments in the Drop Box outside the Town Hall entrance. Emailed comments should be sent to bmcdonough@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 Chair or Town Planner.

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

OLD BUSINESS- None

NEW BUSINESS

8:18

ITEM 3— 35 Tilton Avenue—Medical Marijuana Registered Caregiver Home Establishment

Action: Continue to a subsequent meeting, set public hearing and/or site walk (discretionary), or approve or deny application. Pursuant to §16.3.2.4 *Residential-Urban*, §16.8 *Design and Performance Standards for Built Environment* and §16.10.11 *Medical Marijuana Registered Caregiver Home Establishment* of the Town of Kittery Land Use and Development Code, the Planning Board shall review an application from applicant Delta Lab, LLC requesting approval to operate a Medical Registered Caregiver Home Establishment on real property with an address of 35 Tilton Ave. (Tax Map 16, Lot 178) located in the Residential-Urban (R-U) Zone.

Benjamin Sandquist gave the Board an overview of his application and briefly described the operation.

The Board asked a few clarifying questions regarding the operation. Discussion on odor mitigation ensued briefly.

Chair Dunkelberger asked the Board about their interest in holding a public hearing since there was email correspondence and public attendance.

Mr. Ledgett moved to schedule a public hearing on 11/18/2021 at 6PM. Seconded by Vice Chair Kalmar. The motion passed by roll call vote 7-0-0.

Chair Dunkelberger opened the meeting up to comments from the public. Comments were heard from Ray Slaughenhou, 40 Tilton Avenue; Jennifer Clearly, 39 Tilton Avenue; Steve Webber, 55 Tilton Avenue; Kyle Bohunsky, 54 Tilton Avenue; Sheila O'Neill, 45 Tilton Avenue; Todd Rollins, 47 Tilton Avenue; Lyn Rosoff, 61 Tilton Avenue; and Tim Lawrence, 45 Tilton Avenue.

Applicant's attorney, Tammy Snow responded to the comments.

Vice Chair Kalmar moved to set a site walk on 11/4/2021 at 1:30 PM. Seconded by Mr. Ledgett.

Brief discussion ensued on the procedure and applicant details.

The motion passed by roll call vote 7-0-0.

PUBLIC HEARING

49:40

ITEM 2—523 US Route 1—Preliminary Site Plan Review

Action: Continue application to a subsequent meeting or approve or deny plan;

Pursuant to §16.3.2.13 *Mixed-Use*, §16.8 *Design and Performance Standards for Built Environment* and Article V *Preliminary Plan Application Review* of §16.10 Development Plan Application of the Town of Kittery Land Use and Development Code, the Planning Board shall hold a public hearing for a preliminary site plan application from applicant GSC Enterprises, LLC and agent Haley Ward, Inc. requesting preliminary approval to construct 1,010-sf coffee shop with a drive-through with appurtenant infrastructure and landscaping on real property with an address of 523 U.S. Route 1 (Tax Map 68, Lot 26) located in the Mixed-Use (MU) Zone.

The applicant requested a continuance to 11/18/2021 due to amending the plans.

Mr. White moved to continue the preliminary application to 11/18/2021. Seconded by Mr. Ledgett. The motion passed by roll call vote 7-0-0.

56:05

ITEM 1—Land Use and Development Code Amendments—Recodification of Title 16

Action: Hold public hearing, continue to a subsequent meeting, recommend/not recommend to Town Council. Pursuant to M.R.S.A Title 30-A, Chapter 187, §4352 and §16.1.9 *Amendments* of the Town of Kittery Land Use and Development Code, the Planning Board will hold a public hearing for a proposed amendment to Title 16 by reorganizing the title while modifying certain provisions therein to align with the Town's Comprehensive Plan, or taking any other action relative thereto.

The Board reviewed each section. Discussion around the changes and the process continued. Mr. Causey clarified the process to the Board.

Chair Dunkelberger suggested scheduling a workshop to readdress the remaining issues.

Chair Dunkelberger opened the public hearing.

Kate Johnston made public comments on the item.

The Board continued the review of the remaining sections. Discussion on continuing the hearing and the workshop ensued.

Mr. White moved to continue the public hearing until 11/18/2021 at 6PM. Seconded by Mr. Ledgett. The motion passed by roll call vote 7-0-0.

The Board discussed the dates of the workshop.

Mr. White moved to schedule a workshop on 11/9/2021 at 12 PM. Seconded by Vice Chair Kalmar. The motion passed by roll call vote 7-0-0.

OTHER BUSINESS

2:24:11

ITEM 5 – Board Member Items/Discussion

None

2:24:20

ITEM 6 – Town Planner/Director of Planning & Development Items

Mr. McDonough announced that on 11/3/2021 at 7 PM at the KCC there will be an affordable housing discussion and meeting with Fair Tide and the Workforce Housing Coalition.

Mr. McDonough told the Board about the upcoming meeting agenda.

2:26:58

Adjournment

Mr. Ledgett moved to adjourn. Seconded by Mr. White. The motion passed by roll call vote 7-0-0.

The Kittery Planning Board meeting of October 28, 2021 adjourned at 9:27 p.m.

Submitted by Carrie Varao, Development Staff Clerk on April 27, 2022.

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>.