

**TOWN OF KITTERY, Maine
PLANNING BOARD MEETING
COUNCIL CHAMBERS**

APPROVED
December 8, 2022

CALL TO ORDER

ROLL CALL

Present: Chair Dutch Dunkelberger, Vice Chair Karen Kalmar, Member John Perry, Member Steve Bellantone, Member Russell White, Member Ron Ledgett

Absent: Member Drew Fitch

Staff: Jordan Kelley, Town Planner

Advisory: Earledean Wells, Conservation Commission

Sign in Sheet: Jodie Curtis (6 Happy Ave), Caroline Hall (21 Happy Ave), Nathan Amsden (Surveyor), Brandon Holben (Architect), Eric Walbrich (Altus) Geoff Aleva (Civil Consultants)

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

Approved

PUBLIC COMMENTS

No Public Comment

OLD BUSINESS

ITEM 1 – 21 Happy Avenue and 12 Roseberry Road Right-of-Way (ROW) Review – Public Hearing

Action: Application has been Accepted 11/17/22 – Hold Public Hearing. Owners and applicants, William and Cathy Cullen and Caroline Hall request consideration of a right-of-way plan for a 4.78 acre +/- acre parcel (Tax Map 11, Lot 29) proposing a ROW located on Happy Avenue (Tax Map 11 Lot 29-5) in the Residential Suburban Zone (R-S). Agent is Nathan Amsden, PLS., Amsden Field Survey.

Item 1 was addressed first at **MINUTE MARK 4:00**

Agent Nathan Amsden addressed the planning board.

Board discussed site walk and project timeline, speculation of stormwater and water table.

Jodie Curtis spoke about the letter she wrote, Caroline Hall responded.

Earledean Wells spoke about the Conservation Commission's position.

The board discussed the project further in terms of how future project should have accountability.

All the waivers were approved, and some conditions were added to that approval.

Dutch Dunkelberger closed Public Hearing.

- 1.) The Road will not be improved or expanded, but road and drainage will be maintained as is.
- 2.) No further development along the Right of Way or using this as an access point.
- 3.) Snow removal, no sand or salt allowed, and the snow must not be pushed into the wetland or neighboring properties. Snow storage locations shall be designated on the plan.
- 4.) Have a Surveyor's Stamp on the plan.

Russell White Motioned to Approve ROW Application with Conditions, Seconded by John Perry. Motion Passes 6-0-0.

ITEM 2 – 41 Route 236 – Preliminary Site Plan Review

Action: hold Public Hearing; continue, approve, or deny plan. Pursuant to §16.4 Land Use Regulations, §16.4.20 Special Exception Use Request, §16.5.32 Marijuana Business, and §16.7 Site Plan Review of Kittery Land Use and Development Code, owner LaPierre Properties LLC and applicant Well Field 44 LLC with agent Attar Engineering requests approval for a special exception use to construct a 1,034-sf Marijuana Business with appurtenant infrastructure and a wetland alteration of 1,367-sf, located on real property with the address of 41 Route 236, Tax Map 29, Lot 1, in the Commercial 2 (C-2) zoning district.

Item 2 was addressed at **MINUTE MARK 50:00**

Dutch Dunkelberger stated the applicant has requested a continuance to the next meeting on December 12th.

Karen Kalmar Motioned to continue the Preliminary Plan, Russell White Seconded. Motion Passes 5-0-0 (Mr. Perry stepped out of the room).

ITEM 3 – 3 Walker Street – Site Sketch Plan Review

Action: Accept or deny application. Approve or deny sketch plan. Owner/applicant 3 Walker Street, LLC and acting agent Brandon Holben requests consideration of a sketch plan for construction of a mixed-use structure consisting of a 1500 sf building footprint, a ground floor retail/restaurant, and the top two floors as apartment(s) on a 5,377sf lot at real property located at 3 Walker Street (Tax Map 4, Lot 99) in the Mixed Use – Kittery Foreside (MU-KF) Zone.

Item 3 was addressed at **MINUTE MARK 52:00**

Applicant Brandon Holben addressed the Planning Board and summarized the project in concept and location.

**Russell White Motioned to Accept the Sketch Plan Application, John Perry Seconded.
Motion Passes 6-0-0**

ITEM 4 – 22 Shapleigh Road– Site Plan - Sketch Plan Review

Action: Accept or deny application. Approve or deny sketch plan. Owner/applicant Fair Tide and acting agent Geoffrey R Aleva, PE of Civil Consultants requests consideration of a sketch plan for construction of two distinct structures. One is to redevelop an existing commercial building with proposed additions creating a footprint of 5,669sf, the second is a 6-unit residential building consisting of a 2,058sf building footprint, at real property located at 22 Shapleigh Road (Tax Map 15, Lot 64) in the Business-Local (B-LI) and Residential-Urban (R-U) Zones respectively.

Item 4 was addressed at **MINUTE MARK 1:06:00**

Agent/Applicant Geoff R. Aleva summarized the project.

Karen Kalmar mentioned she is working with Arq (project architects) on a completely different project, asked the Planning Board if they would like her to recuse herself. No action taken.

Emily Flinkstrom also summarized the project and Fair Tide's background.

Robyn Wardell also summarized the project and CHOM's background.

Megan Shapiro Ross spoke summarized the project and Footprint's background and also spoke to the hope for the connections that the "Mainspring" Commercial building & affordable housing units can offer.

Geoff R. Aleva summarized more of the projects goals and addressed some of the items that were brought up.

Russell White Motioned to Accept the Sketch Plan, Seconded by John Perry, Motion Passes 6-0-0

APPROVAL OF MINUTES-

ITEM 5 was addressed at **MINUTE MARK 1:31:00**

October 27th Planning Board Meeting Minutes – Line 87 insert between line 65 and 66. Line 89, remove "Ron Ledgett seconded".

November 17th Planning Board Meeting Minutes – Line 109 change "approve" to "accept". Line 124, discussion is misspelled. Delete line 126.

November 15th Site Walk Minutes for 35 Badgers Island – Line 78 motion passed vote changed to 5-0-0.

November 28th Site Walk Minutes for 21 Happy Ave – Line 58 change to John Perry, not the resident. Line 66 change to Chair Dunkelberger closed the site walk.

Karen Kalmar Motioned to Approve Minutes as amended, Seconded by Ron Ledgett, Motion Pass 6-0-0.

BOARD MEMBER ITEMS / DISCUSSION

Subcommittee reports were read, Russell White spoke on Housing. Ron Ledgett spoke on Climate Adaptation; Karen Kalmar spoke on Land Issues.

Planning Board confirmed the dates for Planning Board Meetings in 2023.

ADJOURNMENT

Ron Ledgett Motioned to Adjourn, John Perry Seconded. The Motion Passes 6-0-0

The Kittery Planning Board meeting of December 8, 2022 adjourned at 7:48 p.m.

Submitted by Jordan Kelley, Town Planner December 12, 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>.