

**CALL TO ORDER**

**ROLL CALL**

Present: Ethan Bensley, Member, Steve Bellantone, Member, Robert Doyle, Member, Earledean Wells, Member, Russell White, Member, Karen Kalmar, Vice Chair, and Dutch Dunkelberger, Chair

Absent:

Staff: Jason Garnham, Director of Planning

Advisory:

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF AGENDA**

**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: every effort will be made to make this run smoothly, however some technical difficulties may occur. To register via Zoom visit [https://us02web.zoom.us/webinar/register/WN\\_NBwg4NWRTk2KaA2C9bpt8Q](https://us02web.zoom.us/webinar/register/WN_NBwg4NWRTk2KaA2C9bpt8Q) or at <https://www.kitteryme.gov/planning-board>

Public comment and opinion are welcome during this meeting. However, comments and opinions related to development projects currently being reviewed by the Planning Board will be heard only during a scheduled public hearing when all interested parties have the opportunity to participate. Those providing comment must state clearly their name and address, and record it in writing at the podium. Further, the public may submit written public comments via email, US Mail, or by hand delivery to Town Hall. Emailed comments should be sent to [jgarnham@kitteryme.org](mailto:jgarnham@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 or Town Staff.

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

**OLD BUSINESS-**

4:39

**ITEM 1 – 22 Shapleigh Road– Preliminary Site Plan Review**

Action: Continue public hearing. Owner/applicant Fair Tide and acting agent Geoffrey R Aleva, PE of Civil Consultants propose to redevelop an existing commercial building with additions creating a footprint of 5,669sf, and to add 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.

Geoffrey Aleva, presented the project and reviewed the recent site walk. He reported that he received the CMA comments and they are working on the changes required. Updates will be presented to the Town and the Board in a few weeks. Hours of operation, snow removal, and lighting were updated. Comments on signage, AND stormwater were addressed. Parking, zoning and a waiver were discussed due to an error in Title 16. Commercial parking discussed briefly. Hours of operation, covenants, turning restrictions, sight distances, traffic flow, outdoor space, landscaping, and parking were mentioned.

Chair Dunkelberger opened the public hearing. Comments were heard from Robyn Wardell, Community Housing of Maine; and Lois Marshall, Kittery Conservation Commission.

Chair Dunkelberger closed the public hearing.

The clogged culvert and stormwater were discussed briefly.

Staff and the Board discussed preliminary plan and final plan applications.

**Mr. White moved to approve the preliminary site plan. Seconded by Vice Chair Kalmar. The motion passed 7-0-0.**

41:40

**ITEM 2 – 6 Kelsey Lane, Marijuana Home Establishment Business License and Major Home Occupation**

Action: Hold public hearing: Pursuant to provisions of Title 16 of Kittery Town Code, applicant/ owner Ian Schlotman requests Planning Board approval of a proposed medical marijuana registered caregiver home establishment at his residence located at 6 Kelsey Lane, Lot 1b of Map 60. This use is classified as a major home occupation per §16.5.12. No retail, manufacturing, or testing of cannabis products is proposed

Mr. Schlotman gave the Board a description of the business. Hours of operation, refuse and recycling, recording and state statutes discussed.

Chair Dunkelberger opened the public hearing.

Public comments were heard from: Tim Wells, 2 Kelsey Lane; Jill Cohen, Cohen Law Maine; Lugenia Wansley, 5 Kelsey Lane; and Julie Matthews, 9 Kelsey Lane.

The Board asked about branding, and technology.

Chair Dunkelberger closed the public hearing.

**Vice Chair Kalmar moved to approve a medical marijuana registered caregiver home establishment and major home occupation application. Seconded by Mr. Bensley. The motion passed 7-0-0.**

1:00:53

**ITEM 3 – MS4 Stormwater Changes to Title 16**

Action: Hold public hearing. Staff and consultants presented draft amendments to Title 16 that are required to be adopted by June 30, 2023 in accordance with state law during the January 12 workshop. Draft amendments and supporting memos from the January 12 workshop are provided for review and discussion.

Chair Dunkelberger opened the public hearing. There were no public comments. Chair Dunkelberger closed the public hearing.

**Mr. White moved to approve the changes and recommend the changes to Town Council. Seconded by Mr. Doyle. The motion passed 7-0-0.**

**APPROVAL OF MINUTES**

1:04:22

**ITEM 5 – February 9, 2023 Meeting Minutes**

**Vice Chair Kalmar moved to approve the minutes. Seconded by Ms. Wells. The motion passed 6-0-1 with Mr. White abstaining.**

1:05:38

**BOARD MEMBER ITEMS-**

**MMA Planning Board training reminders**

Viewing of the FOAA training coming up on March 9th.

**Subcommittee reports from Housing and from Climate Adaptation and Kittery Land Issues.**

Chair Dunkelberger updated the Board on the Climate Adaptation Committee.  
Mr. White updated the Board on the Housing Committee.  
Ms. Wells updated the Board on the Spruce Creek Steering Committee.  
Mr. White commented on the Diversity, Equity and Inclusion Committee and updated the Board.

**Planning Board 2023 Goals discussion**

Discussion on the process ensued briefly.

1:29:20

**Adjournment**

**Vice Chair Kalmar moved to adjourn. Seconded by Mr. White. The motion passed 7-0-0.**

The Kittery Planning Board meeting of February 23, 2023 adjourned at 7:30 p.m.

Submitted by Carrie Varao, Development Staff Clerk on February 27, 2023.

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>.