

CALL TO ORDER

ROLL CALL

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

Absent: Dutch Dunkelberger, Chair

Staff: Max Zakian, Town Planner and 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_qycXEoK5SLm6FOA1FJDjYg or <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 mzakian@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 Acting Chair closed the public comments.

NEW BUSINESS –

2:45

ITEM 1 – 79 Tower Road – Shoreland Development Plan Review

Action: approve shoreland development plan or continue review: Pursuant to §16.9.3 Shoreland Development Review of the Town of Kittery Land Use and Development Code, Duncan Mellor, on behalf of owners Linda K Gingras Rev. Trust, request approval for the replacement-in-kind of an existing seawall and stone steps located on the property of 79 Tower Road, Tax Map 58. Lot 44, in the Residential-Rural Conservation (R-RC) and Shoreland Overlay (OZ-SL-250') Zones.

Duncan Mellor presented the project to the Board.

Acting Vice Chair White moved to accept the application as complete. Seconded by Acting Chair Kalmar. The motion passed 6-0-0.

Acting Vice Chair White moved to approve the application as presented.

Seconded by Acting Chair Kalmar. The motion passed 6-0-0.

Mr. Bensley read the findings of fact into record. The Board moved to approve each finding, 6-0-0.

The Board moved to approve, 6-0-0.

18:08

ITEM 2 – 9 Water Street – Site Plan – Sketch Review

Action: advise applicant on feasibility of proposal; “accept” sketch plan: John Chagnon, on behalf of owner/applicants Green & Company Real Estate, proposes to construct 8 residential condominiums and a 20-slip marina on two parcels identified as Lots 45 and 46 of Map 1 and addressed as 9 Water Street. The site is in the Mixed-Use Kittery Foreside Zoning District (MU-KF) and within the Shoreland (OZ-SL-250'), Resource Protection (OZ-RP) and Commercial Fisheries/Maritime Use (OZCFMU) Overlay Zones. The existing restaurant, fishing business, duplex residence, and appurtenant uses at the site are proposed to be demolished.

Attorney John Bosen presented the project to the Board on behalf of Green & Company Real Estate.

John Chagnon, Ambit Engineering, Inc. reviewed the plans with the Board.

Jason Garnham explained his staff report to the Board.

The Board asked several questions regarding zoning, State regulations, current business uses, State minimum standards, sea level rise, intensification of the residential use, and building elevations.

Mr. Zakian asked for clarification about the submerged land lease.

Acting Vice Chair White moved to accept the plan as complete. Seconded by Mr. Bensley. The motion passed 5-1-0, with Ms. Wells voting in the negative.

1:04:10

ITEM 3 – 90 US Route 1 – Site Plan – Sketch Review

Action: accept application or continue review: Geoff Aleva, on behalf of owner/applicants 90 US Route 1 LLC, request approval to develop a hotel with 63 rooms and associated parking and utilities on the property of 90 US Route 1, Tax Map 14, Lot 2, in the Bypass-Old Post Road Commercial (C-3) Zone. Josh Schneier, Easterly Surveying, presented the project to the Board. He reviewed the site plan and the architectural renderings.

Geoff Aleva, Civil Consultants, presented the project to the Board and reviewed the plans.

The Board asked questions and discussion ensued regarding a height waiver, abutters, landscaping plan, snow removal/storage plan, elevations relative to adjacent properties, stormwater, and parking requirements.

Acting Vice Chair White moved to accept the sketch plan application as complete. Seconded by Acting Chair Kalmar. The motion passed 6-0-0.

1:22:30

ITEM 4 – 25 & 17 Route 236 – Site Plan – Sketch Review

Action: accept application or continue review: Geoff Aleva, on behalf of owner/applicants 25 & 17 Route 236 LLC, request approval to develop a 61-bed rooming house and associated parking shared with an existing 7-unit apartment on the properties of 17 & 25 Route 236, Map 21 Lot 20 & Map 20 Lot 12, in the Route 236 Commercial (C-2) Zone.

Geoff Aleva, Civil Consultants, presented the project to the Board and reviewed the plans.

The Board asked questions regarding parking, bicycles, ride-share, bathroom facilities, handicap accessibility and elevators, rooming house definitions and use, and outdoor space.

Acting Vice Chair White moved to accept the application as complete. Seconded by Mr. Bensley. The motion passed 6-0-0.

1:46:50

ITEM 5 – 50 Dion Avenue – Shoreland Development Plan Review

Action: approve shoreland development plan or continue review: Pursuant to §16.9.3 Shoreland Development Review of the Town of Kittery Land Use and Development Code, owner/applicants David and Jessica Hunter request approval for a two-story addition to an existing house located on the property of 50 Dion Ave, Tax Map 23. Lot 5-A, in the Residential-Urban (R-U) and Shoreland Overlay (OZ-SL-250') Zones.

David Hunter presented the project to the Board.

The Board asked a question regarding the finished space above the proposed garage.

Acting Vice Chair White moved to accept the application. Seconded by Mr. Bensley. The motion passed 6-0-0.

Acting Vice Chair White moved to approve the plan. Seconded by Mr. Bensley. The motion passed 6-0-0.

Mr. Bensley read the findings of fact into record. The Board moved to approve each finding, 6-0-0. The Board moved to approve, 6-0-0.

2:01:30

APPROVAL OF MINUTES

ITEM 6 – July 27, 2023 Meeting Minutes

Mr. Bellantone moved to approve the minutes as presented. Seconded by Acting Vice Chair White and Acting Chair Kalmar. The motion passed 6-0-0.

2:02:05

BOARD MEMBER ITEMS-

Subcommittee reports

2:02:12

STAFF MEMBER ITEMS-

2:02:19

Adjournment

Acting Vice Chair White moved to adjourn. Seconded by Mr. Bensley. The motion passed 6-0-0.

The Kittery Planning Board meeting of August 10, 2023 adjourned at 8:02 p.m.

Submitted by Carrie Varao, Development Staff Clerk on August 15, 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>.