

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

**APPROVED
MARCH 14, 2024**

CALL TO ORDER

ROLL CALL

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

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.

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 an opportunity to participate. The public may submit written public comments via email, US Mail, or by hand delivery to Town Hall. Those in the room providing comments must clearly state their name and address and record it in writing at the podium. For those attending via Zoom, please state your name and address for the record.

Emailed comments should be sent to: mzakian@kitteryme.org, or hand-delivered to Town Hall. 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 –

2:45

ITEM 1—120 Route 1—Major Site Plan — Final Review

Action: Approve plan or continue review. Nicole Duquette, on behalf of owner/applicant Kittery Circle LLC, is proposing to re-develop the site of a former gas station into a hotel with 102 rooms and associated parking and utilities. The proposed hotel is located on the properties of 112 & 120 US Route 1 Bypass and 139 Old Post Road, Map 14 Lots 10, 12, & 12A, in the C-3 (Bypass/Old Post Road Commercial) Zone

Nicole Duquette, GPI, reviewed updates to the project, including a landscape note that will be added to site plan, fence height, lighting plan, trees in parking lot, sign off from ME DOT, and DEP comments being addressed.

Questions and discussion regarding snow storage and removal, sewer connection, flow of traffic, erosion plan, and edit to language of findings of fact.

Brief comments regarding impact to Old Post Road and final plans being incomplete.

Mr. White moved to approve the final site plan. Seconded by Mr. Doyle. The motion passed 6-1-0, with Vice Chair Bensley voting in the negative.

Vice Chair Bensley read the findings of fact into record. The Board moved to approve each finding, 7-0-0, with the exceptions of Traffic Managed and Utilization of the Site, which each passed 6-1-0, with Vice Chair Bensley voting in the negative.

The Board moved to approve, 6-1-0, with Vice Chair Bensley voting in the negative.

34:59

ITEM 2—90 US Route 1—Major Site Plan — Preliminary Review

Action: accept site plan as complete. Schedule site walk/public hearing. Geoff Aleva, on behalf of owner/applicants 90 US Route 1 LLC, requests approval to develop a hotel with 62 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.

Geoff Aleva, Civil Consultants, reviewed updates to the site plan, including emergency connection, emergency access, vegetation/ash trees, and fence. Addressed removing paved walk from plans at bypass. Brief discussion regarding landscaping and trees, parking spaces, fencing/ abutters, public hearing, water main, waivers, and site lines. Chair Dunkelberger opened the public hearing.

Public comment was heard from: Nathan Duckworth, 103 Old Post Road.

Chair Dunkelberger closed the public hearing.

Ms. Kalmar moved to approved the preliminary site plan. Seconded by Vice Chair Bensley. The motion passed 7-0-0.

NEW BUSINESS

59:50

ITEM 3—5 Whipple Road—Major Site Plan — Preliminary Review

Action: accept site plan as complete. Schedule site walk/public hearing. Mike Sudak, on behalf of owner/applicants PB Real Estate Holdings LLC, request approval to construct a 3,400 square foot commercial facility containing a butcher's shop and restaurant, along with associated parking and utilities, on the property of 5 Whipple Road, Tax Map 9, Lot 134, in the Business Local (B-L) Zone.

Jason Garnham, Director of Planning, introduced why the project came before the Board.

Mike Sudak, Attar Engineering, described the site to the Board.

Shannon Hill presented the site and project history to the Board, including removal of storage tanks and hydraulic lift, positive arsenic test but otherwise clean site, and hazardous building material survey/ lead paint.

Mr. Sudak presented an overview of the project. Waivers regarding the landscaping planter strip and street tree minimum were presented and discussed. Discussion of Town of Kittery land, easement, and Town Council involvement. Discussion of stormwater management waiver.

Mr. White moved to accept site plan as complete. Seconded by Ms. Kalmar. The motion passed 7-0-0.

The board declined to schedule a site walk.

Mr. White moved to schedule the public hearing for April 11, 2024. Seconded by Ms. Kalmar. The motion passed 7-0-0.

1:44:08

APPROVAL OF MINUTES

Chair Dunkelberger announced new Code Enforcement Officer Carrie Varao. Written minutes will lapse temporarily. Archive video footage is available of all planning board meetings in the interim.

1:46:09

BOARD MEMBER ITEMS-

ITEM 4- Request for town emails

Mr. Garnham discussed removal of Planning Board member phone numbers and email addresses from web page upon request and potential for town email addresses.

Ms. Kalmar moved to adjourn. Seconded by Vice Chair Bensley.

1:49:54

STAFF ITEMS-

Mr. Garnham discussed real estate market study and upcoming presentation tentatively scheduled for April 1, 2024, and upcoming events on town project page.

1:53:55

Adjournment

The motion to adjourn passed 7-0-0.

The Kittery Planning Board meeting of March 14, 2024 adjourned at 7:54p.m.

Submitted by Niki Floros, Development Staff Clerk on April 16, 2024.

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>.