

**TOWN OF KITTERY, Maine
PLANNING BOARD MEETING
Council Chambers**

**APPROVED
JANUARY 26, 2017**

CALL TO ORDER

The Chair called the meeting to order at 6:02 p.m.

ROLL CALL

Board Members Present: Karen Kalmar, Mark Alesse, Robert Harris, Ann Grinnell, Marissa Day, Debbie Driscoll-Davis
Absent: Dutch Dunkelberger
Staff Present: Chris Di Matteo

PLEDGE OF ALLEGIANCE

AMENDMENT TO AGENDA

None.

APPROVAL OF MINUTES – December 8, 2016

Line 5 and 300 - change Dutch to Mr. Dunkelberger
Line 201 – add actual count of the vote
Line 103 – should be 4-0-2
Line 312 – spell out Comprehensive Plan Committee

The Minutes were accepted as amended.

The motion carried. 5 in favor; 1 abstained.

PUBLIC COMMENT

No public present.

NEW BUSINESS

ITEM 1 - Shoreland Overlay Zone Standards

Planning Board will review 2015 update to MDEP Chapter 1000 guidelines to consider land use amendments to Title 16.

Mr. Di Matteo explained, as of January 2015, the Maine DEP revised Chapter 1000 and he asked the Board for their comments and thoughts on the amendments. He also explained staff would like to consolidate the information. He red-lined the changes and areas where there are opportunities of adding more restrictions regarding the Shoreland Overlay Zone. Mr. Di Matteo also stated he would be happy to put together a revised amendment version for review or the Board can give their feedback now.

Vice Chair Kalmar stated she would like Chapter 1000 to consolidate and remain in Title 16 and suggested cross referencing. She also requested to have changes referenced by page numbers when reviewing long documents as this.

The Board was in consensus to keep MDEP Chapter 1000 guidelines as Title 16.3.2.17.

Ms. Day suggested using a similar table used in Title 1000 on Page 14.

Timber harvesting and tree growth sections were discussed. Mr. Di Matteo stated the Town has allowed the State to do the reviewing for timber harvesting but can take back, if necessary. He added there is no local control and the State provides the permits without the Town being informed. Earledean Wells of the Conservation Committee commented she would like the Town to have some control when timber harvesting is happening, how it is done and where. Ms. Wells also agreed with the Board to have the guidelines in once place.

Mr. Di Matteo stated he would like to consolidate what they have today and consider what other conditions they would like documented done in color. He will have one document for the Board to review.

Ms. Driscoll Davis stated she would like to see the State continue to oversee timber harvesting and have the Town require people to get a permit.

Ms. Wells mentioned the Town Planner had requested a definition of significant wetlands. She reported that Nancy Lovett is working on this and doing a good job. She also asked if the recreation definition has been worked on. Mr. Di Matteo replied that they have and started looking at the permitted uses and special exception uses.

Ms. Day requested to have sections mapped out after the Planning Office has reviewed Chapter 1000 and include timelines. Mr. Di Matteo replied he could review the whole document and as Board can decide how they would like to see it.

ITEM 2

a. Action List

Chair Grinnell explained the reason for the action list is so items do not get overlooked. Mr. Di Matteo thought it was a good idea to review and prioritize the list. Vice Chair Kalmar suggested categorizing definitions by intensity of use. Board members discussed prioritizing the items on the list.

Medical marijuana was added to the action list and discussion ensued regarding scheduling a public hearing for the short-term Title 16 amendment definitions, zones and special exception uses.

Vice Chair Kalmar moved to schedule a public hearing for the short-term Title 16 amendments presented at the January 23, 2017 Town Council workshop for February 23, 2017.

Ms. Day seconded the motion.

Mr. Di Matteo explained the need to add definitions of medical and retail marijuana to special exception in three zones - the business park and commercial zone. Ms. Driscoll-Davis stated

these types of businesses should be in a separate building and referred to a recent article in the Portsmouth Herald regarding the Police Department in Portsmouth having problems due to marijuana being stored in room. The odor permeating throughout the entire building. She also stated she is not in favor of having this type of business in the business park.

The motion carried 6-0-0.

The Business Park feasibility study was discussed. Mr. Di Matteo stated the study should be completed mid to late April. He added Southern Maine Regional Planning Commission is helping and working with an engineer at Civil Consultants. The consultants will be looking at crunching numbers, utilities along with the cost of having a street with access to the business park. Discussion of determining the wetlands at the business park ensued. Mr. Di Matteo explained it is difficult to get a study because the Town doesn't have the resources. Chair Grinnell stated her concern of the Town being requested to help financially before knowing if the area can be developed. She also mentioned mapping of the York River is being done by an agency using drones with new software that may be obtained with a discount.

Chair Grinnell stated she would like to have workshop about TIF along with the Town Council.

Ms. Day suggested reaching out to the Economic Development Committee and she described their recent meeting regarding the business park. She stated the Economic Development Committee could give the Planning Board a quarterly report. Chair Grinnell thinks they should have representative but Ms. Driscoll-Davis is concerned too much involvement may jeopardize objectiveness. Mr. Di Matteo will add the monthly discussion for each topic.

ITEM 3 – Town Planner Items

a. Update on Foreside and Transportation Study

Mr. Di Matteo explained they are working with T.Y. Lin and MRLD along with Maine DOT on the study. Chair Grinnell asked if the Town will be obligated with the proposal. Mr. Di Matteo stated it is like what they did with the by-pass study. He added there will be another meeting to introduce this study on February 8th at 6:00, which will be open to the public. Mr. Di Matteo stated it will take place at either the Traip Library or council chambers. He also stated the invites will go out next week for those in the study areas.

Mr. Di Matteo stated Jeff Clifford is requesting another extension for the Betty Welch cluster subdivision. The Board was in consensus not to grant another extension and will need to start from the beginning with the sketch plan.

**Mr. Alesse moved to adjourn the meeting.
Vice Chair Kalmar seconded the motion.**

The motion carried 6-0-0.

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Council Chambers**

**APPROVED
JANUARY 26, 2017**

The Kittery Planning Board meeting of January 25, 2017 adjourned at 7:40 p.m.

Submitted by Mary Mancini, Minute Recorder, on February 1, 2017.

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>