

CALL TO ORDER

ROLL CALL

Present: Drew Fitch, Karen Kalmar, Ann Grinnell, Mark Alesse

Staff: Kathy Connor, Interim Planner; Adam Causey, Director of Planning and Development;
Jessa Kellogg, Shoreland Resource Officer/Stormwater Coordinator

Advisory: Earldean Wells, Conservation Commission

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES – June 14, 2018

**Vice Chair Kalmar moved to accept the Minutes of June 14, 2018 as presented.
Mr. Alesse seconded the motion.**

The motion carried 4-0-0.

Ms. Connor stated that the Board needs to amend the Findings of Fact for the right of way plan approval for Sami Yassa (3.04 +/- acre parcel on Bond Road, Tax Map 25 Lot 12) given at the June 14, 2018 meeting because a waiver was not voted on during the meeting and needs to be done.

**Vice Chair Kalmar moved to rescind the acceptance of the Minutes of June 14, 2018.
Mr. Alesse seconded the motion.**

The motion carried 4-0-0.

Vice Chair Kalmar moved to accept the waiver to 16.8.4.6 for the travel way not centered within the ROW and to amend the Findings of Fact similarly. Mr. Alesse seconded the motion.

The motion carried 4-0-0.

Ms. Kellogg requested the minutes be amended to correct the spelling of Mr. Alesse's last name on Line 5 and correct her title on Line 11.

Mr. Alesse moved to accept the minutes of June 14, 2018 as amended. Vice Chair Kalmar seconded the motion.

The motion carried 4-0-0.

PUBLIC COMMENT

Chair Grinnell opened the public comment segment of the meeting. There being no comments, Chair Grinnell closed the public comment.

NEW BUSINESS

ITEM 1 – Potential expansion of the Neighborhood Mixed-Use Zone (formerly Business Park Zone). Discussion: Follow-up to letter sent to property owners in March, map of zone for review.

Chair Grinnell expressed interest in continuing this discussion to the second meeting in August when a full board is expected to be present.

Ms. Connor asked if the Board would like to see the entire land use study conducted in the fall of 2017 which helped inform the changes to the MU-N zone, formerly Business Park zone. Board members present were in favor and asked to have the document emailed to them for review prior to the workshop with Town Council in July.

Chair Grinnell requested that the Town Council receive the entire land use study as well and informed the audience that there will be a joint workshop with the Planning Board and Town Council from 5pm to 6pm on July 23, 2018 to discuss the Planning Board's recommendation for rezoning the Business Park to the Mixed-Used Neighborhood zone. The Town Council will also schedule a public hearing on this topic.

The discussion on the expansion of the MU-N (formerly Business Park) zone will continue at the August 23, 2018 meeting.

ITEM 2 – Draft amendments to Shoreland Zoning. Discussion: Changes proposed to 16.9 (Wetland Setback Table) and 16.7.3.3.2 (Nonconforming Structure Repair and/or Expansion).

Chair Grinnell requested that the Shoreland Resource Officer provide background on this item.

Ms. Kellogg explained that there have consistent challenges in interpreting the code in areas of shoreland zoning, so are attempting to rectify some of the low hanging fruit prior to a full look at the whole code. Staff is proposing changes to the wetland table, including defining what a drainage structure is. Maine DEP identifies a drainage structure in the shoreland overlay zone as a structure required to meet setbacks and if it is not within the shoreland overlay zone it does not need to meet setbacks like a building would. The wetland table was amended to provide the setback requirements related to the shoreland overlay zone, resource protection overlay zone, wetland of special significance or the stream protection overlay zone and size of wetland.

Ms. Kellogg explained that the other piece to be amended is for non-conforming structure repair/expansion in Title 16.7.3.3.2. Staff realized some inconsistencies in the code when

90 compared with Chapter 1000 recommendations from Maine DEP. Since this was provided to
91 the Board staff identified areas where the code numbering was not accurate, particularly at
92 Lines 14, 24, 28 and will also change lines 59-60 in section b as it relates to the resource
93 protection overlay zone. Ms. Kellogg stated that she has another idea on how to make that
94 section more clear and will amend this further and will bring it back to the Board.

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96 Chair Grinnell requested discussion on these amendments to continue at the second meeting
97 in July and a public hearing will likely be set for the second meeting in August. Ms. Connor
98 stated that any board member not in attendance is welcome to send comments to staff.

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100 **OLD BUSINESS**

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102 **ITEM 3 – Update on Foreside Study. Discussion:** Director of Planning and Development will
103 update the Board on the Study and parking changes.

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105 Mr. Causey said that he is still waiting for the electronic copy of the Foreside Study from the
106 consultant. The memo draws out a few recommendations that could be part of a separate
107 action plan or the Board could get started on items with general support, like parking efforts.

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109 Discussion on a draft survey included some specific uses that may not be in play anymore in
110 the Foreside so certain questions may be amended or removed, and the survey will expand on
111 parking questions and aiming for more opinions on the correct mix of commercial, residential
112 and other uses. The Board will discuss a revised survey at the second meeting in July.

113
114 Mr. Causey highlighted street parking changes which would require an ordinance amendment
115 by Town Council. He met with members of the Foreside business group who expressed
116 concern with perception of parking issues in the Foreside, mostly employee parking in 2-hour
117 parking areas. This may be addressed with better striping, new signage and having a broader
118 category of parking with areas on Walker/State and Wentworth potentially having 4-hour
119 parking and possibly at least one 15-minute parking space for a quick visit in the downtown
120 area. An existing parking map will need to be updated with current parking counts, but it shows
121 both public parking and private parking with on and off-street parking.

122
123 Chair Grinnell asked if there is enforcement of parking in the foreside? Mr. Causey stated that
124 for the 2-hour parking on Walker Street away from the downtown Foreside they are trying to be
125 more lenient, but they are enforcing parking in the downtown area.

126
127 Vice Chair Kalmar stated that the Foreside Study identified a great number of on-street parking
128 spaces that are not painted, so people do not recognize that they are available. She asked if
129 having a 4-hour parking area needed to be in place before we change striping? Mr. Causey
130 replied that this does not correlate with current Code so that would need to be addressed first
131 before striping changes. He will work with the Public Works Commissioner to identify areas
132 listed as 2-hour parking that are not striped and get those painted now.

Mr. Alesse asked if there will be different color painting for the different areas? Mr. Causey explained that they will use new signage to explain it.

Mr. Fitch asked if any other areas have been identified that could be remote lots for employees or explored sharing parking with the library lot? Mr. Causey explained that there is a committee being formed for the library, so parking will be part of that discussion. He also said that there are private landowners who may be able to have parking lots on their properties and that the Town encourages that. With this proposal employees would still have to go out and move their car with 4-hour parking, but it's better than 2-hour parking now. Mr. Fitch stated he would prefer to see remote parking and Mr. Causey replied that after he gets more input he will go back to the Foreside businesses and continue this discussion.

Mr. Alesse shared that there is a triangle of striping in the foreside meant to preserve the corner for turning which he feels wastes at least one parking spot at the corner. Mr. Causey said he will work with staff and will look at what operationally will work based on traffic speeds and reasonable safety concerns.

ITEM 4 – Board Member Items / Discussion

Chair Grinnell asked for an update on the sign ordinance. Mr. Causey shared that he is working with staff on amending the sign ordinance and will be reaching out to business owners to share what is allowed. He explained that code enforcement staff have been directed to remove unpermitted small signs in the ground that are in the public right of way, but that the larger sale signs and feather signs are generally on private property more difficult to remove. Staff will work with businesses to ensure compliance with the sign ordinance.

Chair Grinnell asked the Board if they should table a discussion on short term rentals until a full Board was present or let the inclusionary housing working group take a look at this issue. She also requested that an email to staff from an HOA on short-term rentals be added to the minutes and will discuss this further at the second meeting in July.

Mr. Fitch cautioned the board to be careful not to conflate two issues, that short term rentals may impact inclusionary housing but it is not part of the focus of the inclusionary housing working group.

No discussion occurred on the Planning Board Action Items list.

ITEM 5 – Town Planner/Director of Planning and Development Items

Mr. Causey shared that a Request for Proposals is out for the recodification of Title 16 and proposals are due by July 12th. A tentative schedule would include a review of responses received by a review committee, from there the Town will move forward with selection. Work would likely begin in September at the earliest and will be a 15-18 month process.

Chair Grinnell said that the RFP does not mention any costs. Mr. Causey stated that this is a sealed bid process so the consultants who submit will tell the town what their costs will be.

ADJOURNMENT

Mr. Alesse moved to adjourn.

Vice Chair Kalmar seconded the motion.

The motion carried 4-0-0.

The Kittery Planning Board meeting of June 28, 2018 adjourned at 6:43 p.m.

Submitted by Jessa Kellogg, Minutes Recorder, on, July 05, 2018.

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>.