

CALL TO ORDER

ROLL CALL

Present: Ronald Ledgett, Member; Drew Fitch, Member; Mark Alesse, Member; and Karen Kalmar, Vice Chair

Absent: Dutch Dunkelberger, Russell White, Ann Grinnell, Chair

Staff: Jamie Steffen, Town Planner; Adam Causey, Director of Planning and Development

Advisory: Earledean Wells, Conservation Commission

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES – October 11, 2018

Mr. Ledgett moved to accept the minutes of October 11, 2018. Mr. Alesse seconded the motion.

The motion carried 4-0-0.

APPROVAL OF MINUTES – October 25, 2018

Mr. Alesse moved to accept the minutes of October 25, 2018. Mr. Ledgett seconded the motion.

The motion carried 4-0-0.

APPROVAL OF SITE WALK MINUTES – November 27, 2018

Mr. Alesse moved to accept the site walk minutes of November 27, 2018. Mr. Ledgett seconded the motion.

The motion carried 4-0-0.

APPROVAL OF SITE WALK MINUTES – January 3, 2019

Mr. Alesse moved to accept the site walk minutes of January 3, 2019. Mr. Ledgett seconded the motion.

The motion carried 4-0-0.

PUBLIC COMMENT

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

NEW BUSINESS

ITEM 1 – Accessory Dwelling Units (ADU) Regulations – Kendra Amaral, Town Manager

Action: Review draft amendments and schedule a Public Hearing.

Ms. Amaral gave an overview of the proposed amendments to the Accessory Dwelling Units (ADU) regulations. She spoke to the process of drafting the amendments and the work of the Housing Working Group and KOSAC in developing the proposed changes. She noted that the Planning Board initiated the process back in February of 2018 and has two members as part of the working group. She discussed that the working groups were trying to take a different approach with these amendments in that they are trying to encourage ADUs and provide more flexibility with the regulation.

Mr. Causey highlighted the proposed changes and provided more detail and background information on each change.

Mr. Alesse asked if we were limiting the size of ADUs. Mr. Causey responded by explaining the changes to the allowed size of the ADUs. Mr. Alesse then asked how it impacts the Airbnb possibility in town – would it limit residents to do Airbnb's. Ms. Amaral spoke to the rental period for an ADU of no less than 30 days, which would effectively ban Airbnb's as an ADU. Mr. Alesse responded with his displeasure with this change and discussed his experience with Airbnb's.

Vice Chair Kalmar commented that she had asked staff to provide the Planning Board with a copy of Chapter 8 of a book titled Backdoor Revolution – The Definitive Guide to ADU Development which speaks to zoning barriers to development of ADUs.

Mr. Fitch commented that the goal of the Housing Working Group was to expand affordable housing in town and Short Term Rentals (STR) do not address the issue of

expanding affordable housing. He explained that the Housing Working Group's intent with the provision was to avoid having the new units going toward STR.

Mr. Ledgett discussed the main points of his questions for staff regarding the proposed changes. They involved three (3) categories – the purpose of ADUs, Kittery resident ADU benefits, and administration of ADUs. Mr. Causey and Ms. Amaral responded by explaining the intent of the proposed changes and the thinking behind them by the working groups.

Vice Chair Kalmar voiced her concern about nobody in town doing ADUs because of too many restrictions. The Board discussed having another meeting on the proposal to further discuss members concerns and to allow for full board input on the matter. Mr. Fitch noted it might be helpful for the Board to have the table summary of how other communities in Maine were regulating ADUs that was provided when the groups were working on drafting the proposed changes. Ms. Wells shared her concern that the proposed changes aren't directed at the goal of providing more affordable housing.

Vice Chair Kalmar ended the Board's discussion of the item by asking that staff provide the Board with further information on the Board's concerns and questions and stating that the Board would continue the review of the amendments at the 2nd meeting in February.

ITEM 2 – Kittery Conservation Commission – Earldean Wells

Discussion: Protection of man-made wetlands.

Ms. Wells gave an overview of the issue and how it arose. She requested consideration for ordinance language for manmade wetlands protection. The Board indicated that it was favor of that and Vice Chair Kalmar stated it would be placed on the Board's Action Items List and tackled under the re-codification effort.

ITEM 3 – Board Member Items/Discussion

A. Planning Board Action Item List

Vice Chair Kalmar brought up the MMA Local Planning Boards and Board of Appeals training sessions that will be held in Portland the end of February. Mr. Steffen provided updates to the Action Items List. He noted that he has the sidewalk / sandwich board sign regulations ready for the Board's review. This could be an item for the 2nd meeting in February. The Board stated that it would still like to get some direction from the Town Council STR regulation.

Ms. Wells commented that it appeared that the Board missed taking action on site walk minutes for the food truck pod at 230 U. S. Route 1 and 88 Pepperrell Road earlier in the meeting.

APPROVAL OF SITE WALK MINUTES – 230 U.S. Route 1 - November 27, 2018

Mr. Ledgett moved to accept the site walk minutes. Mr. Alesse seconded the motion.

The motion carried 4-0-0.

The Board decided to postpone action on the site walk minutes for 88 Pepperrell Road until the next meeting as hard copies were not in the packets.

ITEM 9 - Town Planner / Director of Planning & Development Items

A. Title 16 Re-codification update

Mr. Causey gave an update and briefly discussed the advisory committee meetings to date. The consultant will be presenting at the February 5th meeting of the committee the draft framework and audit of the Code for review. Mr. Fitch asked whether zoning changes would be considered in the effort. Mr. Causey responded that the intent is to focus on improving the format and structure of the current Code and clean up some of the conflicting language. He noted that the consultant will help with some language and changes for some of the areas of zoning that are significant to the Town.

Vice Chair Kalmar it would be very helpful to have the materials placed online as soon as possible in the process.

Adjournment

Mr. Alesse moved to adjourn the meeting.

Mr. Ledgett seconded the motion.

The motion carried 4-0-0.

The Kittery Planning Board meeting of January 24, 2019 adjourned at 7:15 p.m.

Submitted by Jamie Steffen, Town Planner, on March 6, 2019.

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>.