

CALL TO ORDER

ROLL CALL

Present: Steve Bellantone, Member, Drew Fitch, Member, Mark Alesse, Member, Russell White, Member, Karen Kalmar, Vice Chair

Absent: Ronald Ledgett, Member, and Dutch Dunkelberger, Chair

Staff: Jamie Steffen, Town Planner

Advisory: Earledean Wells, Conservation Commission

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES- Planning Board Meetings- 7/11/19 and 7/25/19

A. 7/11/19

Line 350 change: accept and approve to approve

Line 447 after reconstruction add: and repair and/or expansion

Mr. White moved to accept the minutes of 7/11/19 as amended. Seconded by Mr. Bellantone.

The motion carried 4-0-1.

B. 7/25/19

Mr. White moved to accept the minutes of 7/25/19 as presented. Seconded by Mr. Bellantone.

The motion carried 4-0-1.

PUBLIC COMMENTS

The Vice Chair opened the Public Comments session.

There being none the Vice Chair closed the Public Comments session.

OLD BUSINESS

ITEM 1 – 76 Dennett Road- Mixed-Use Residential Development- Site Preliminary Plan Review

Action: Approve with or without conditions, continue consideration, or deny plan.

Owners William J. Cullen and Sail Away, LLC and applicant William Wharff request consideration of a mixed-use residential development on 23.3+- acres of land at 76 Dennett Road (Tax Map 6 Lots 15B & 16A and Tax Map 13, Lot 4) in the Mixed Use-Neighborhood (MU-N) Zone. Agent is Shawn Tobey, P.E. Hoyle, Tanner Associates, Inc.

Shawn Tobey, Civil Engineer with Hoyle Tanner & Associates, provided an update on the plan made since the last meeting. Revised plan included a designated in-site entrance of 16ft in width and an exit-site entrance of 14ft in width with an island of 10 ft in width and 50ft in length per DOT standards. Curb details added. A right turn lane, center turn lane for the on-ramp, and a by-pass lane added per DOT permit. The pavement thickness increased to 3 ½ in at main access of site. Sidewalk along the front of site on Dennett Road not safe, and in lieu of that sidewalk, extensive internal sidewalks proposed. One mile of sidewalks and crossings provide interconnection to the future development of the adjacent parcel. The water main line increased to discussed 12 in. Landscaping plan updated to reflect town regulations. A two-year guarantee of plant species and monitoring the vernal pool buffer added to plan. Yearly inspections of vernal pool buffer area will be added to plan and inspection/maintenance plan of development. Five locations for signage marking vernal pool buffer zone indicated.

Mr. Bellantone requested clarification on the entrance and if it satisfies the regulations as two? Mr. Tobey responded it is two street connections. Mr. Steffen responded that staff is in favor of the entrance plan but the applicant would need a waiver. Vice Chair Kalmar reported that the board could waive the first standard and modify the plan as a condition of approval.

Vice Chair Kalmar requested information on the internal trails and whether they are public.

Mr. Steffen replied that per the Code, reduced parking requirements were approved provided that the trail is open to the public.

Mr. Tobey explained the trail system to the public.

Discussion ensued regarding the sidewalks.

Mr. Fitch requested a reason why the sidewalk on Dennett Road was considered problematic.

Mr. Tobey detailed the reasoning to include the speed on the road, the slope and steep cliff, the wetlands and culvert crossing.

Mr. Steffen clarified that per the code, sidewalks along the frontage are a requirement. He asked the applicant to look at alternatives to meet the requirement.

Mr. Tobey requested clarification about the discrepancy of building a new road versus developing on an existing state road. The developer would have to bring the current road up to the new standards?

Mr. Causey, Director of Planning, explained it is staffs' position to require sidewalks for new developments along a public street. He referred to the DOT scoping meeting where alternatives were discussed. Reported that the board has waived the requirement for other projects in less dense zones and the applicant can request a waiver.

Discussion continued regarding the safety of sidewalks along Dennett Road for the increased population in the development, sidewalks to nowhere, and the town wide sidewalk plan.

Mr. Tobey added DOT would not approve of an alternative sidewalk across the street from the development with a crosswalk. Owner Mr. Wharff spoke of the interconnectivity emphasized in the current plan of internal sidewalks.

Vice Chair requested to see a sidewalk on Dennett Road on the plan. Discussion continued with agreement that the sidewalk plan needs more consideration.

Advisor Ms. Wells requested the status of the third-party review of the landscape plan. Mr. Steffen reported it has not been completed.

Mr. Steffen reviewed the recommended actions regarding street standards, sidewalk width, shoulder width, and parking.

Vice Chair Kalmar requested the applicant to provide a written rational for any requests on the recommended actions.

Mr. White moved to approve the waiver requested for the street frontage requirement between the two entrances. Mr. Alesse seconded.

The motion carried 5-0-0.

Mr. White moved to modify the design standards to approve two street connections separated by an island. Mr. Fitch seconded.

The motion carried 5-0-0.

Mr. White moved to approve the Site Preliminary Plan with stated conditions. Seconded by Mr. Alesse.

The motion carried 5-0-0.

Item 2- Old Post Road/Bridge Street- Cluster Residential Development- Preliminary Plan Review

Action: Accept or deny application. Schedule a Public Hearing. Owner MAC Properties Bridge Street, LLC and applicant Silver Holdings, LLC request consideration of a three (3) building, 11-unit cluster residential development on 3.02+- acre parcel on Old Post Road/Bridge Street (Tax Map 3 Lot 77A) in the Residential-Urban (R-U) Zone. Agent is Shawn Tobey, P.E. Hoyle, Tanner Associates, Inc.

Shawn Tobey, Civil Engineer with Hoyle Tanner & Associates, requested a postponement of the application pending legal counsel.

Mr. White moved to postpone application. Seconded by Mr. Fitch.

The motion carried 5-0-0.

ITEM 3 – Board Member Items / Discussion

The board received an invitation to a planning workshop and received agenda items.

ITEM 4 - Town Planner Items

- A. 79 Tower Road- DEP Shoreland Zoning Officer consulted. The opinion is that outside the State 75ft or town 100ft setback, the structure can be expanded up to the height limit in the base zone. For structures straddling the 75/100ft setback line, only the portion within the setback is limited to the height restrictions and

areas outside would not. The 20ft restriction purpose was clarified. It is for visual impact purposes for the shoreline, not for abutting properties. Vice Chair clarified that if the portion of the structure inside the setback already exceeds the 20ft height, the rest of the structure can expand up to the same height.

B. Notice of Decision - Minor Modification to an Approved Plan – 9 Bowen Road

Mr. Steffen gave a summary of the approval.

Adjournment

Mr. Alesse moved to adjourn the meeting.

Mr. Fitch seconded the motion.

The motion carried 5-0-0.

The Kittery Planning Board meeting of September 26, 2019 adjourned at 6:54 p.m.

Submitted by Carrie Bacon, Development Staff Clerk on March 26, 2020.

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>.