

CALL TO ORDER

ROLL CALL

Present: Steve Bellantone, Member, Ronald Ledgett, Member, Russell White, Member, John Perry, Member, Karen Kalmar, Vice Chair, and Dutch Dunkelberger, Chair

Absent: Drew Fitch, Member

Staff: Adam Causey, Director of Planning and Development

Advisory: Earledean Wells, Conservation Commission

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES- 8/8/19 (Planning Board Meeting)

Postpone approval of minutes to the next meeting due to lack of quorum.

PUBLIC COMMENTS

The Chair opened the Public Comments session.

There being none the Chair closed the public comment session.

OLD BUSINESS

ITEM 1 – 60-68 Wallingford Square – Sketch Plan Review

Action: Approve or deny sketch plan. Owner/applicant 60-68 Wallingford Square, LLC requests consideration of a sketch plan for the renovation of an existing 4-story mixed-use structure and the reconstruction of the garage portion of the structure into a 12-unit inn on a 14,375 sf lot at 60-68 Wallingford Square (Tax Map 4, Lot 79) in the Mixed Use – Kittery Foreside (MU-KF), Shoreland (OZ-SL), Resource Protection (OZ-RP) and Commercial Fisheries/Maritime Uses (OZ-CFMU) Overlay Zones. Agent is Nick Bouquet, Madbury Capital.

Agent Nick Bouquet presented an update of the plan in regards to the question of the firewall. Demolition determined that it is not a firewall.

Rob Harbeson, AIA, gave an explanation of the findings of the demolition, including the difference between a fire separation and a firewall. The findings determined that the building has a fire separation not a firewall.

Mr. Ledgett asked questions regarding the use and zones issues brought up at the last meeting, specifically in regards to converting the garage into part of the Inn. Non-conforming use in the Shoreland or Resources Protection zone cannot expand or become more non-conforming according to the code. The suggested use is not allowed under the Resource Protection or Maritime Fisheries zones and violates the setbacks.

Mr. Bellantone asked for an update on the parking spaces and the location of where the Innkeeper would live. These will be addressed at the preliminary plan review.

Vice Chair Kalmar moved to accept the sketch plan. Seconded by Mr. Ledgett.

The motion carried 6-0-0.

ITEM 2- 459 U.S. Route 1- Hotel Building Design Plan Review

Action: Approve or deny building design plans.

Mike Brigham of Landmark Hill LLC presented the design briefly. It is a Marriott Town Place Suites design with a developer out of Massachusetts.

The board discussed a flat roof design for fire reasons.

Chair Dunkelberger discussed the Marriot design versus the town's design standards, stating the board would have to approve the proposed design as meeting the town's standards. Everything but the flat roof has been amended to meet the standards.

Mr. Causey reported that staff reviewed the plans and the design handbook, and noted the only element not meeting the standards is the flat roof.

Mr. Ledgett asked for clarification on the administrative process of the approval of the design. Chair Dunkelberger suggested the approval contain conditions in the record.

Mr. Ledgett moved to approve the building design plan with the stated condition of acceptable flat roof. Seconded by Mr. White.

The motion carried 6-0-0.

ITEM 3- 76 Dennett Road- Sidewalk Discussion

Shawn Tobey, P.E. Hoyle, Tanner Associates, Inc., gave an update on the project. They are still waiting for the DEP permit approval. Submitted a full DOT traffic study. Mr. Tobey presented the proposed plan for the front entrance of the building, including entrance lanes and sidewalks. He discussed three sidewalk options, with the first requiring significant grading and tree removal. Preferred option is to not have a front sidewalk and request a waiver. Internal sidewalks would be used. The last option would be to put the sidewalk right along the roadway but with the speed limit the developer did not feel that was safe.

Discussion ensued from the board. Vice Chair Kalmar suggested a site walk so the board can see the issues and impacts at the site. Mr. White remarked on the road width and speed limits. Mr. Causey reported that the town could submit to the State to lower the speed limit. Mr. Ledgett received an overview on the internal sidewalks. Chair Dunkelberger favors the internal sidewalks and forgoing the sidewalk on Dennett Road. Mr. Ledgett agreed and included bike lane options with the State. Mr. Causey reviewed the staffs' opinion on the internal connection and the sidewalks. He clarified DOTs role in the sidewalk permit process.

Mr. Tobey agreed to ask DOT about the options for a sidewalk on Dennett Road but stated DOT does not require a sidewalk.

Bill Wharf, applicant, reported conversations with the abutting owner have been amicable and they both agree that internal connectivity is preferred.

Mr. Perry would like to see the town have a master plan for the entire road. He does not think a front sidewalk is safe and prefers the internal sidewalk plan.

Vice Chair asked the applicant to bring a rationale for why they cannot build a sidewalk safely. She would like written demonstration in the next packet detailing the evidence before deciding on the waiver.

Mr. Causey stated he would check with Town Council on the status of a Town Sidewalk Plan. The Planning Department will work with applicant on the sidewalk plan process.

Chair Dunkelberger closed the discussion by agreeing with applicant's proposal of internal sidewalks and keeping pedestrian traffic off the road. He would like the town to

pursue a bike lane with the State. The Chair reiterated Vice Chair Kalmar's idea of the applicant formally documenting the reasons why a sidewalk along Dennett Road is unsafe. Lastly, the Chair asked the applicant to include on the plan a sidewalk that goes from the site to Dennett Road for future needs.

NEW BUSINESS

ITEM 4 – Board Member Items / Discussion

A. Election of Officers

Mr. White moved to nominate the current slate for the upcoming year: Dutch Dunkelberger as Chairmain, Karen Kalmar as Vice Chair, and Ronald Ledgett as Secretary.

Seconded by Mr. Perry.

The Motion carried 6-0-0.

B. Other

- The board reviewed their schedule for the upcoming January meetings and determined enough members would be present for a quorum.
- Earledean Wells asked about the abutting neighbors of Elizabeth Lane, who also spoke at the Conservation Commission meeting. She requested an update on the Planning Departments inquiry with DEP on the two new building lots.

ITEM 5- Town Planner / Director of Planning & Development Items

Mr. Causey passed out a letter from the Town Attorney regarding the requested legal opinion on the Sawyer Lane Subdivision extension timeframes. It was concluded that the 10-year expiration date is in effect and that the applicant had the right to request it from the board.

Mr. Causey gave an update on the recodification effort and gave the members a list of action items for their review.

Mr. Ledgett requested clarification on the process of bringing other board questions to the recodification effort. He also requested coordination between boards, especially the Port Authority and the Planning Board.

Chair Dunkelberger requested all members take the list of action items home to review and make suggestions.

Adjournment

Mr. Ledgett moved to adjourn the meeting. Mr. White seconded the motion.

The motion carried 6-0-0.

The Kittery Planning Board meeting of December 12, 2019 adjourned at 7:11 p.m.

Submitted by Carrie Bacon, Development Staff Clerk on April 21, 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>.