

CALL TO ORDER

ROLL CALL

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

Absent: None

Staff: Bart McDonough, Town Planner, Adam Causey, Director of Planning & Development, and Kathy Connor, Project Planner

Advisory: Nanci Lovett, Conservation Commission

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

APPROVAL OF MINUTES- 9/12/19, 9/26/19, 10/10/19, 10/24/19, 11/14/19, 12/12/19, 1/9/20, & 1/23/20

Vice Chair Kalmar moved to approve the minutes as presented and amended. Seconded by Mr. Ledgett. The motion passed by roll call vote 7-0-0.

PUBLIC COMMENTS

Public comment and opinion are welcome during this open session. However, comments related to development projects currently under review by the Planning Board shall be heard only during their respective scheduled public hearing. Due to the current pandemic, all meetings and public hearings held by the Planning Board are conducted via Zoom webinar. To register in advance for the webinar, please submit a request to bmcdonough@kitteryme.org. After registering, you will receive a confirmation email containing information about joining the webinar. Webinar participants will be able to submit questions and comments during the public hearing and public comment period. Members of the public unable to participate during the webinar may submit comments for agenda items via email, US Mail, or by dropping written comments in the Drop Box outside the Town Hall entrance. Emailed comments should be sent to

bmcdonough@kitteryme.org. Comments received by noon on the day of the meeting will be read into the record by the Planning Board Chair.

There being none the Chair closed the public comments.

OLD BUSINESS

None

PUBLIC HEARING

ITEM 1— 8 Wentworth Street, Rice Public Library – Preliminary Site Plan Review

Action: Approve or deny plan, or continue public hearing. Owner/applicant, the Town of Kittery, requests consideration of a preliminary site plan review for a three-story addition and related site improvements to the Rice Public Library located at 8 Wentworth Street (Tax Map 4, Lot 88) in the Mixed Use – Kittery Foreside (MU-KF) Zone. Agent is Ryan Kanteres, Scott Simons Architects.

Mr. McDonough passed along apologies for the Town Manager's absence. He gave a brief update of the project.

Steve Doe followed up and gave more details on the site plan changes, including: parking lots, garden elimination (keep current landscape), walkways, stormwater management, retaining wall, dumpster with enclosure, setbacks, and signs.

The Board commented on setback encroachments.

Chair commented on the parking spot requirements and valid counts.

Mr. McDonough opened the public hearing to the public for comments.

Chair Dunkelberger read two written comments into the record.

Suzanne Johnson's letter opposed the library plan.

Scott Bridge's letter approved of the parking and landscaping plan, with only a concern over tenant parking for his tenants.

Mr. McDonough read received typed comments.

Mike Campion, 18 Traip Ave., wrote concerns about the construction phase activity and his parking area.

Mr. McDonough then opened up public comments.

Mike Campion commented on the timeline of the construction and the traffic on Traip Avenue, as well as the access to the library from Traip Avenue. Mr. McDonough clarified the road access, and Mr. Kanteres clarified parking and parking lot access.

Mr. Campion questioned about reserved parking spaces for businesses and the construction timeline, and Mr. Causey responded.

Mr. Campion asked about the stormwater management plan and the current conditions of the storm drains. Clarification was given regarding the changes.

Mr. White moved to continue the public hearing to August 27, 2020. Seconded by Mr. Ledgett. The motion passed by roll call vote, 7-0-0.

ITEM 2— Land Use Development Code Amendments—Title 16.2 Definitions and 16.3.2.11 Commercial (C-1, C-2, C-3) Action: Continue or close public hearing, recommend or not recommend to Town Council. The proposed amendments to Title 16.2 Definitions seek to add and amend terms therein while the proposed amendments to 16.3.2.11 Commercial (C-1, C-2, C-3) seek to amend use, dimensional and performance standards for the commercial zones.

Chair Dunkelberger and Mr. McDonough opened the hearing to the public.

Debbie Driscoll commented about: gasoline stations and shoreland zoning, mini-storage/warehouse storage discrepancies, research & development next to residential, hazardous materials, commercial greenhouses and marijuana, building heights, the potential use of 100-year storm data, zero setback from the shore for water dependent uses, shared parking and crosswalks expense, natural mulch, width and height requirements for buffers, and including examples of median income figures.

Tom Emerson, 10 Ox Point Dr., member of the Kittery Economic Development Committee, invited the Board members to attend their next meeting. Comments included concern about brick-and-mortar retail, retail space vs. warehouse space and property values, building heights, roof pitch, pedestrian priority and buffering, parking requirements, streetscape, urban design problem and mixed-use design.

Mr. Causey gave details for the next Economic Development Committee meeting.

James O'Connell, 240 US Route 1, expressed concern over self-storage and moving business.

Debbie Driscoll commented again about grandfathering current business uses, and sidewalk approvals.

Chair Dunkelberger opened up the hearing to Board member comments.

Vice Chair Kalmar expressed concern similar to Mr. Emerson about the empty buildings. Ms. Kalmar agreed with Ms. Driscoll's suggestion of reviewing permitted uses, while allowing residential growth.

Mr. Ledgett commented that the ordinance isn't going to get the Town what it wants, and that more work is needed for that vision.

Board Member discussion around the vision continued.

Mr. Ledgett moved to continue the public hearing for the proposed amendments to Title 16.2 definitions and Title 16.3.2.11 C-1, C-2, C-3 to August 27, 2020. Seconded by Vice Chair Kalmar. The motion carried by roll call vote 7-0-0.

ITEM 3— Land Use Development Code Amendments— Add new section to Title 16 titled "Affordable Housing", to amend §16.3.2.4.D Standards, to amend §16.7.8.4 Exemptions to net residential acreage standards, and to amend §16.8.9.4 Off street parking standards Action: Continue or close public hearing, recommend or not recommend to Town Council. The proposed amendments to Title 16 include inserting a new section entitled "Affordable Housing" that intends to provide and incentivize the construction of a diversity of housing types; an amendment to

§16.3.2.4.D Standards that intends to remove a dwelling unit standard so as to be in conformance with the definition of a dwelling unit; an amendment to §16.7.8.4 Exemptions to net residential acreage standards that intends to provide exemptions from the standards for certain uses in the C-1 and C-3 zones; to amend §16.8.9.4 Off-street parking standards that intends to provide dimensional standards for compact vehicles, or take any other action relative thereto.

Mr. McDonough gave an update on staff's comments and read each amendment: market rate units for rent, affordable off-site units of comparable quality, sub-leasing or short-term rental prohibited, notice of availability to Town of affordable unit on the market, non-eligible household occupancy and conditions, failure to sell affordable unit, modification of conditions by a housing committee, formulas/expenses, sale price, HOA fee approvals by Town, re-sale prices calculations and incentives by homeowners, plan submissions by applicant to the Town/Board, land use restrictions, and Certificate of Occupancy.

Explanation of each amendment was given as needed. Board members voiced concerns or questions to Mr. McDonough and staff regarding the amendments, including: the notifications to the Town regarding the failure of an affordable unit selling, the enforcement of the developer including the affordable units in the project, administrative steps, lease vs. rent language, and automatic lease renewals.

Mr. Causey clarified the Board and Housing Committee's role in the process of Affordable Housing.

Discussion from the Board and Staff continued over language and format, calculations/formulas, HOAs, re-sale, 2/3 majority of HOA approvals, deed restrictions, and compact car parking.

The hearing was opened up to the public for comments. Video feed cut out at 7:59 PM, and returned a minute later.

Debbie Driscoll, commented but due to technical difficulty it was cut from the video feed. She expressed concern about the development of more affordable housing not labeled as "affordable", and steering development to certain areas of town.

Tom Emerson commented on the Commercial and Business zones and single-family homes/subdivisions, and exceptions. Ms. Connor addressed his concerns and the Board would like to look at the language.

No further comments from the public or board.

Mr. White moved to continue the public hearing for August 27, 2020. Mr. Ledgett seconded the motion. The motion passed by roll call vote, 7-0-0.

NEW BUSINESS

ITEM 5 – Board Member Items/Discussion

No Board Member Items or Discussion.

ITEM 6 – Town Planner/Director of Planning & Development Items

Mr. Causey gave a brief update on the Title 16 recodification changes with KLIC. He told the Board there is a new GIS system on the website.

Mr. McDonough told the Board that the priority list will be updated or amended in regards to outdoor seating.

The Board complemented Ms. Connor on the Affordable Housing Code.

Adjournment

Vice Chair Kalmar moved to adjourn the meeting. Seconded by Mr. White. The motion passed by roll call vote 7-0-0.

The Kittery Planning Board meeting of August 13, 2020 adjourned at 8:16 p.m.

Submitted by Carrie Bacon, Development Staff Clerk on December 11, 2021.

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>.