

CALL TO ORDER

ROLL CALL

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

Absent: Dutch Dunkelberger, Chair

Staff: Bart McDonough, Town Planner and Adam Causey, Director of Planning

Advisory: Earledean Wells, Conservation Commission

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

Vice Chair Kalmar proposed swapping Item 1 and Item 3. There were no objections.

APPROVAL OF MINUTES- None

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.

Jim Spencer, 57 State Road, commented on rezoning in the BL zone into Mixed Use, and permitted uses.

There being no other comments, the Vice Chair closed the public comments.

NEW BUSINESS

5:17

ITEM 3—12 Moores Island Way—Shoreland Development Plan Permit Extension

Action: Continue application to a subsequent meeting, schedule site walk, approve or deny permit extension request: Pursuant to §16.10.9.1(D) *Approved plan expiration*, owner/applicant Jonathan W. Sobel requests approval to extend the expiration date of an approved shoreland development plan permit that was granted approval by the Planning Board on May 9, 2019 to repair and renovate a legally nonconforming dwelling unit within the base zone setback of the Shoreland Overlay Zone by adding a gable and dormers thereto. Said dwelling unit is located on real property with an address of 12 Moore's Island Way, Tax Map 27, Lot 35, in the Residential-Kittery Point Village (R-KPV) Zone and the Shoreland (SL-OZ-250) and Resource Protection (OZ-RP) Overlay Zones.

Mr. McDonough gave an overview of the previously approved plan, and an update on the need for an extension. The applicant was not in attendance.

Mr. White moved to grant a six-month extension of the plan permit. Seconded by Mr. Ledgett.

Mr. Ledgett clarified that the extension starts with the original approval of the plan.

The motion passed by roll call vote 6-0-0.

PUBLIC HEARING

9:55

ITEM 2— Title 16 Land Use Development Code Amendments

Action: Continue or close public hearing, recommend or not recommend to Town Council. Pursuant to M.R.S.A Title 30-A, Chapter 187, §4352 and §16.1.9 Amendments of the Town of Kittery Land Use and Development Code, the Planning Board shall hold a public hearing on Thursday, February 11, 2021 beginning at 6 pm, to amend §16.2 Definitions, §16.3 Land Use Regulations and §16.8 Design and Performance Standards for Built Environment by respectively removing and adding new definitions related to marijuana uses, designating areas of operation for marijuana businesses within certain zoning districts, and establishing performance standards for marijuana businesses, or taking any other action relative thereto.

Vice Chair Kalmar opened the hearing to the public. Comments were made by Jim VanKennen, Julie Cutting, Jill Polster, Joshua Seymour, Wendy Turner, Brandon Pollock, Dana Beerly, Jim Spencer, and Malina Dumas.

Mr. McDonough read the received written comments into the record.

Mr. White moved to continue the public hearing until the next meeting on March 11, 2021. Seconded by Mr. Ledgett. The motion passed by roll call vote 6-0-0.

OLD BUSINESS

51:00

ITEM 1— Land Use and Development Code Amendments—Recodification of Title 16 Discussion— 16.8 Subdivision Review

Action: Review and discuss the proposed amendments and continue to a subsequent meeting. To amend Title 16 by reorganizing the title while modifying certain provisions therein to align with the Town's Comprehensive Plan and Planning Board's goals and objectives.

Mr. McDonough gave a brief overview of this section for review, emphasizing that a lot of the section is regulated through State statute.

The Board made comments regarding the Cluster ordinance.

The Board reviewed section 16.8 page by page, discussing and making corrections as needed.

OTHER BUSINESS

2:42:38

ITEM 4 – Board Member Items/Discussion

Mr. Ledgett commented to Mr. McDonough about Shoreland property owners not understanding State and Town requirements. Discussion continued around Shoreland properties, development and code violations.

2:52:58

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

Mr. McDonough told the Board that an application from 32 Mendum Ave will be on the next meeting for a new approval for an expired application approval. Mr. McDonough reviewed the agenda for the next meeting, including the marijuana public hearing and

reviewing section 16.9. 4 Pepperrell Road will continue to be on hold per the applicant's request.

Mr. Causey informed the Board there is a Town Council and Planning Board workshop scheduled for March 15 at 5 PM on marijuana, and the KLIC meeting should still happen at 4 PM.

3:00:29

Adjournment

Mr. Ledgett moved to adjourn the meeting. Seconded by Mr. Bellantone. The motion passed by roll call vote 6-0-0.

The Kittery Planning Board meeting of February 25, 2021 adjourned at 8:58 p.m.

Submitted by Carrie Varao, Development Staff Clerk on January 20, 2022.

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>.