

CALL TO ORDER

ROLL CALL

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

Absent: none

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

Advisory: Earldean Wells, Conservation Commission

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

Chair Dunkelberger proposed moving Item 2 to last. The Board agreed.

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.

Chair Dunkelberger read a public comment into the record from the owners of 4, 6 and 8 Wildwood Lane, dated January 19, 2021, regarding 10 Wildwood Lane street classification.

Mr. McDonough read the staff reply from Craig Alfis, the Code Enforcement Officer.

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

11:44

OLD BUSINESS

ITEM 1—76 Chauncey Creek Road—Shoreland Development Plan Review

Action: Accept or deny plan as complete; continue application to a subsequent meeting, schedule site walk and/or public hearing; approve or deny plan: Pursuant to §16.7.3.3.B Nonconforming structure repair and/or expansion and §16.10.3.4 Shoreland Development Review of the Town of Kittery Land Use Development Code, owner/applicant Sarah Bartlett Upton Rollins requests approval to expand a legally nonconforming dwelling unit on a legally nonconforming lot by 440-sf within the base zone setback of the Shoreland Overlay Zone located on real property with an address of 76 Chauncey Creek Road, Tax Map 45, Lot 66, in the Residential-Kittery Point Village (R-KPV) zone and the Shoreland (SL-OZ-250) and Resource Protection (OZ-RP) Overlay Zones.

Mr. Rollins gave the Board an overview and an update on the plan. The updated plan shows the same walkway with permeable pavers, and the front patio location moved outside of the setback.

Chair Dunkelberger asked for the Board's comments. Porch overhangs and de-vegetation discussed briefly. The three kinds of pavers discussed between the Board, Mr. Rollins and staff.

Mr. White moved to approve the plan as provided with the stated condition of permeable paver. Seconded by Mr. Bellantone. The motion passed by roll call vote, 7-0-0.

The motion was amended to include the addition of the applicant obtaining a building permit and required inspections.

Mr. White moved to approve the plan as amended with the stated conditions. Seconded by Mr. Perry. The motion passed by roll call vote, 7-0-0.

Vice Chair Kalmar read the findings of fact into record. The Board approved the findings by roll call vote, 7-0-0.

NEW BUSINESS

49:11

ITEM 3— 4 Pepperell Road—Shoreland Development Plan Review

Action: Accept or deny plan as complete; continue application to a subsequent meeting, schedule site walk and/or public hearing; approve or deny plan: Pursuant to §16.7.3.3.B Nonconforming structure repair and/or expansion and §16.10.3.4 Shoreland Development Review of the Town of Kittery Land Use and Development Code, the Planning Board shall consider an after-the-fact permit application from owner/applicant Elizabeth Kirschner requesting approval to maintain a patio with an enclosed screened porch and expand a legally nonconforming dwelling unit on a legally nonconforming lot within the base zone setback of the Shoreland Overlay Zone on real property with an address of 4 Pepperell Road, (Tax Map 18, Lot 45-4) located in the Residential-Kittery Point Village (R-KPV) Zone and the Shoreland (OZ-SL-250) and Resource Protection (OZ-RP) Overlay Zones.

Mr. McDonough gave an overview to the Board, describing the history and the status of the project.

Peter Garland gave the Board more details on the circumstances of the application and described the porch. Owner Elizabeth Kirschner had technical difficulties and could not be heard.

The Board discussed the project, including the definitions of a structure and setbacks. Staff input was given regarding the project and the permit issued. Discussion continued around expansion closer to the water, and the patio inside the setback.

Mr. Ledgett moved to continue the application to February 11, 2021. Seconded by Vice Chair Kalmar. The motion passed by roll call vote 7-0-0.

OLD BUSINESS

1:18:56

ITEM 2—Land Use and Development Code Amendments—Recodification of Title 16 Discussion—16.6 Master Site Plan Review & 16.7 Site Plan Review

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

The Board reviewed section 16.6, page by page discussing and making changes as requested. Staff responded and made clarifications or corrections as needed.

OTHER BUSINESS

2:07:53

ITEM 4 – Board Member Items/Discussion

Chair Dunkelberger told the Board that the previous Chair had a birthday, and he wanted to wish her a happy birthday.

2:09:01

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

Mr. McDonough explained the marijuana ordinance language from Title 5 was provided to them for review in terms of changes for Title 16.

2:11:44

Adjournment

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

The Kittery Planning Board meeting of January 28, 2021 adjourned at 8:12 p.m.

Submitted by Carrie Varao, Development Staff Clerk on January 5, 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>.