

MEETING MINUTES

1. CALL TO ORDER; INTRODUCTORY; ROLL CALL

Chair Jeff Brake called the meeting to order at 6:30PM and asked that the roll be called.

Board Members Present: Jeff Brake; Charles Denault III; Louis Leontakianakos; April Timko; Vern Gardner; Barry Fitzpatrick; Suzanne Dwyer-Jones (*arriving late at 6:34PM*)

Board Members Absent: Charles Denault

Staff Present: Adam Causey, Planning & Development Department Director

2. PLEDGE OF ALLEGIANCE

****BOARD MEMBER SUZANNE DWYER-JONES ARRIVED AT THE MEETING AT 6:32PM****

3. AGENDA AMENDMENT AND ADOPTION

Motion by April Timko to amend the agenda to move Item 9. “Board Member or CEO Issues or Comment” up the agenda to Item 4. Second by Louis Leontakianakos. Motion passed 6 to 0 by voice vote.

4. BOARD MEMBER OR CEO ISSUES OR COMMENT

April Timko reminded board members of the rules of order for meetings, including waiting to be recognized by the chair prior to speaking and to not interrupt other board members, applicants, or representatives of the Town when they are speaking.

5. EXECUTIVE SESSION

6. PUBLIC HEARINGS

- a. Arilda Densch /Arilda Design, applicant, Sean & Cara Konecci, owners, 63 Pepperrell Road, Residential-Kittery Point Village, requesting a Miscellaneous Variation Request to the terms of 16.3.2.3.D, to construct an addition & two decks to the existing structure.**

The applicant presented their project, which consists of an addition with two decks to an existing dwelling. Mr. Causey reviewed the report and explained that the existing residence was a legal, non-conforming structure, and thus needed Board approval for the proposed expansion. Arilda Densch spoke on behalf of the applicant and property owner.

****BOARD MEMBER CHARLES DENAULT ARRIVED AT THE MEETING AT 6:35PM****

Motion by Barry Fitzpatrick to approve the Miscellaneous Variation Request for 63 Pepperell Road. Second by Suzanne Dwyer-Jones. Motion carried 7-0 by roll call vote. [Aye: Brake, Leontakianakos, Timko, Denault, Gardner, Fitzpatrick, Dwyer-Jones]

April Timko read the Findings of Fact and the Conclusions of Law.

Motion by Barry Fitzpatrick to approve Findings of Fact and the Conclusions of Law. Second by Louis Leontakianakos. Motion carried 7-0 by voice vote.

- b. Deane Rykerson, applicant, Donald & Nicole Kerr, owners, 4 Colonial Road, Residential-Urban zone, requesting Special Exception in accordance with Article XXI, 16.8.21, for a temporary intra-family dwelling unit.**

The applicant presented their project, which consists of adding space to an existing home for use as a temporary intrafamily dwelling unit. Mr. Causey reviewed the report and explained that the land use code includes specific conditions that must be met during the time the unit is occupied. Deane Rykerson spoke on behalf of the applicant and property owner.

Motion Vern Gardner to approve the Temporary Intrafamily Dwelling Unit for 4 Colonial Road, with the conditions that (1) plans showing the required connection to the existing dwelling unit must be submitted and approved by the CEO and Town Planner and (2) the applicant meets the requirements of 16.8.21.2 and 16.8.21.3. Second by Charles Denault. Motion carried 7-0 by roll call vote. [Aye: Brake, Leontakianakos, Timko, Denault, Gardner, Fitzpatrick, Dwyer-Jones]

April Timko read the Findings of Fact and Conclusions of Law.

Motion by April Timko to approve the Findings of Fact and Conclusions of Law. Second by Louis Leontakianakos. Motion carried 7-0 by voice vote.

7. UNFINISHED BUSINESS – NONE

8. NEW BUSINESS

a. ELECT NEW OFFICERS

Chair Jeff Brake opened the floor to nominations for Chair, Vice Chair, and Secretary.

Motion by April Timko to elect Jeff Brake as Chair. Second by Suzanne Dwyer-Jones. Motion carried 6-1 by roll call vote. [Aye: Brake, Leontakianakos, Timko, Denault, Fitzpatrick, Dwyer-Jones; No: Gardner]

Motion by Vern Gardner to elect Louis Leontakianakos as Chair. Motion failed due to lack of a second.

Motion by Vern Gardner to elect Charles Denault as Vice Chair. Motion failed due to lack of a second.

Motion by April Timko to elect Louis Leontakianakos as Vice Chair. Second by Suzanne Dwyer-Jones. Motion carried 6-1 by roll call vote. [Aye: Brake, Leontakianakos, Timko, Denault, Fitzpatrick, Dwyer-Jones; No: Gardner]

Motion by Barry Fitzpatrick to elect April Timko as Secretary. Second by Charles Denault. Motion carries 6-0-1 by roll call vote. [Aye: Brake, Leontakianakos, Gardner, Denault, Fitzpatrick, Dwyer-Jones; Abstain: Timko].

9. ACCEPTANCE OF PREVIOUS MINUTES

April Timko requested that the minutes of October 15, 2018 be revised.

10. ADJOURNMENT

Motion to adjourn by Louis Leontakianakos. Second by April Timko. The motion carried 7-0 by voice vote.

The Kittery Board of Appeals meeting of June 11, 2019 adjourned at 7:38 p.m.

Submitted by Adam Causey, Director of Planning & Development.

Disclaimer: The following minutes constitute the author's understanding of the meeting. While every effort has been made to ensure the accuracy of the information, the minutes are not intended to be a verbatim transcript of comments at the meeting but only 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>.