

CALL TO ORDER

ROLL CALL

Present: Steve Bellantone, Member, Earledean Wells, Member, Russell White, Member, Karen Kalmar, Vice Chair, Robert Doyle, Member, and Dutch Dunkelberger, Chair

Absent: Ethan Bensley, Member

Staff: Jason Garnham, Director of Planning and Max Zakian, Town Planner

Advisory:

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

PUBLIC COMMENTS

The public may attend the meeting in person or remotely via Zoom. Attendees via Zoom will be recognized during the public hearings and public comment portion of the meeting. Please note: every effort will be made to make this run smoothly; however, some technical difficulties may occur. To register via Zoom visit <https://us02web.zoom.us/j/88326455329?pwd=MklnVnF2TitkR1FIb0tnN1JGUxFrQT09> or at <https://www.kitteryme.gov/planning-board>

Public comment and opinion are welcome during this meeting. However, comments and opinions related to development projects currently being reviewed by the Planning Board will be heard only during a scheduled public hearing when all interested parties have the opportunity to participate. Those providing comment must state clearly their name and address, and record it in writing at the podium. Further, the public may submit written public comments via email, US Mail, or by hand delivery to Town Hall. Emailed comments should be sent to jgarnham@kitteryme.org. Comments received by noon on the day of the meeting will become part of the public record and may be read in whole or in summary by the Planning Board or Town Staff.

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

NEW BUSINESS-

3:20

ITEM 1 – 6 Goodwin Rd– Shoreland Development Plan Review

Action: approve plan and Findings of Fact or continue review. Pursuant to §16.9.3 Shoreland Development Review of the Town of Kittery Land Use and Development Code, Engineer Ryan McCarthy, on behalf of owner/applicants John and Laurel Gourville, request approval for the replacement of an existing non-conforming septic system and wastewater disposal field and replacement of a granite stairway leading to a pier. The project would include removing and rebuilding a pre-existing 12' x 20' deck, on top of a new retaining wall, within the base zone setback of the Shoreland Overlay Zone located on the property of 6 Goodwin Road, Tax Map 58. Lot 11, in the Residential-Rural Conservation (R-RC) and Shoreland Overlay Zone (OZ-SL-250').

Ryan McCarthy, Tidewater Engineering presented to plan to the Board. The Board asked various questions. Discussion ensued briefly on the retaining wall, foundations, vegetation removal, and de-vegetation area.

Mr. White moved to accept the plan. Seconded by Vice Chair Kalmar. The motion passed 6-0-0.

Vice Chair Kalmar read the findings of fact into record. The Board moved to approve each finding, 6-0-0. The Board moved to approve the plan by roll call vote, 6-0-0.

26:45

ITEM 2 – 89 Route 236 – Site Plan Modification and Marijuana Business Review

Action: review submission for completeness, schedule public hearing, or continue review. Joshua Seymour of JD Investments, LLC, represented by Mike Sudak (Ken Wood) of Attar Engineering, proposes to change use of portion of existing commercial building to adult-use marijuana retail and extend sewer main to serve the subject property. Applicant also proposes to construct parking improvements that were approved by the Planning Board in 2021. Property address 89 Route 236; identified as Tax Map 28, Lot 14-2, located in C-2 Commercial zoning district.

Ken Wood, Attar Engineering, introduced the applicant, Joshua Seymour. Mr. Seymour presented his business to the Board.

Mr. Wood presented the plans to the Board. Discussion ensued briefly on parking, crosswalks, sewer and gas lines.

The Board discussed dates for a site walk and public hearing.

Mr. White moved to accept the plan. Seconded by Mr. Bellantone. The motion passed 6-0-0.

Mr. White moved to schedule a site walk on May 22, 2023 at 5 PM. Seconded by Seconded by Mr. Bellantone. The motion passed 6-0-0.

Mr. White moved to schedule a public hearing on June 8, 2023 at 6 PM. Seconded by Mr. Bellantone. The motion passed 6-0-0.

41:35

ITEM 3 – 77 Bartlett Rd, Subdivision Sketch Plan Review

Action: accept sketch plan or continue review. Engineer Michael Tadema-Wielandt, on behalf of owner/applicant Geoff Bowley, is proposing to divide a 19.11-acre parcel into a conservation subdivision of 9 single-family residential building lots, a private street system, and an open space plot around identified wetlands, vernal pools, and a pre-existing cemetery. Proposed subdivision is located on the property of 77 Bartlett Road, Map 62 Lot 26, in the Residential-Rural (R-RL) and Resource Protection Overlay (OZ-RP) Zones.

Mr. Tadema-Wielandt presented the project to the Board. He reviewed the plans and the two types of subdivision.

Discussion ensued briefly on the road, sidewalks, snow storage, vernal pools, stonewalls, building envelopes, septic, no-cut buffers, and utilities.

Mr. White moved to accept the sketch plan as complete. Seconded by Vice Chair Kalmar. The motion passed 6-0-0.

1:00:20

ITEM 4 – Business Park Zoning Amendments

Action: schedule public hearing: Moratorium on permit applications in former Neighborhood Mixed Use zoning district expires August 8. Draft revisions to Neighborhood Mixed Use zoning standards are under development, pending implementation of a public engagement plan. Formal adoption of Business Park zoning standards and Zoning Map is recommended during the interim to ensure consistency, predictability, and fairness for property owners and residents.

The Board and Mr. Garnham discussed the zoning map and amendment briefly.

**Mr. White moved the schedule a public hearing on May 25, 2023 at 6 PM.
Seconded by Vice Chair Kalmar. The motion passed 6-0-0.**

APPROVAL OF MINUTES

1:07:50

ITEM 5 – April 27, 2023 Meeting Minutes

Vice Chair Kalmar moved to approve the minutes as written. Seconded by Mr. White. The motion passed 6-0-0.

1:08:16

BOARD MEMBER ITEMS-

Subcommittee reports

Mr. White updated the Board on the Housing Committee.

Planning Board 2023 Goals discussion, continued

Mr. Garnham updated the Board on the septic system on Gooseberry Island in regards to a zoning amendment petition.

1:14:20

Adjournment

Vice Chair Kalmar moved to adjourn. Seconded by Mr. White. The motion passed 6-0-0.

The Kittery Planning Board meeting of May 11, 2023 adjourned at 7:14 p.m.

Submitted by Carrie Varao, Development Staff Clerk on May 18, 2023.

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>.