

CALL TO ORDER

ROLL CALL

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

Absent:

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

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/webinar/register/WN_qycXEoK5SLm6FOA1FJDjYg 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 mzakian@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.

OLD BUSINESS –

3:33

ITEM 1 – 89 Route 236 – Site Plan Modification and Marijuana Business Review

Action: hold public hearing. Vote on preliminary decision or continue review. Joshua Seymour of JD Investments, LLC, represented by Mike Sudak 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.

Mike Sudak, Attar Engineering presented the project and gave an overview.

Chair Dunkelberger opened the public hearing.

Public comment was heard from James Folan, 25 Morgan Court.

Mr. Zakian reviewed the issues presented in the written comments from Mr. Folan.

Mr. Sudak responded to Mr. Folan's comments. Mr. Garnham and Mr. Seymour responded to questions and comments.

The traffic study was reviewed briefly.

Mr. Zakian read the State statutes to the Board.

Chair Dunkelberger closed the public hearing.

Comments were heard from the Board, including discussion on stormwater, erosion control, landscaping, lighting, removal of existing septic or contaminated fill, and traffic. The Board requested a peer review of the traffic impact analysis study.

Mr. White moved to approve the site plan. Seconded by Vice Chair Kalmar. The motion passed 7-0-0.

NEW BUSINESS-

1:06:42

ITEM 2 – 120 Route 1 Bypass – Hotel Site Plan – Sketch Plan Review

Action: accept sketch plan or continue review. Engineer Nicole Duquette, on behalf of owner/applicant Kittery Circle LLC, is proposing to re-develop the site of a former gas station into a hotel with 102 rooms and associated parking and utilities. The proposed hotel is located on the properties of 112 & 120 US Route 1 Bypass and 139 Old Post Road, Map 14 Lots 10, 12, & 12A, in the C-3 (Bypass/Old Post Road Commercial) Zone.

Ms. Duquette presented the project to the Board and reviewed the plans. The Board asked various questions. Discussion ensued on curb cuts, extended stay definition, landscaping, headlight glare, DOT pavement, maximum setbacks, traffic impacts, and sidewalks.

Mr. White moved to accept the sketch plan. Seconded by Vice Chair Kalmar. The motion passed 7-0-0.

1:26:27

ITEM 3 – 85 Route 1 Bypass – Hotel Site Plan – Sketch Plan Review

Action: accept sketch plan or continue review. Engineer Ian MacKinnon, on behalf of owner/applicant Kamlesh Patel, is proposing to demolish the site of a previously existing hotel and redevelop the parcel with a new 107 room, 4-story hotel. The proposed hotel is located on the property of 85 US Route 1 Bypass, Map 7 Lot 26, in the C-3 (Bypass/Old Post Road Commercial) Zone.

Mr. MacKinnon, Jones & Beach Engineers Inc., presented the project to the Board. He corrected the owner name, to read “Rohit Patel”. Mr. MacKinnon reviewed the plans with the Board.

The Board asked various questions and discussion ensued regarding: state and local laws, swimming pool removal, stormwater mitigation, sewer pump station and lines, water supply, hotel branding, outstanding issues from the fire, and acreage inconsistencies.

Mr. Patel spoke to the Board regarding the state laws and the fire.

Mr. White moved to accept the sketch plan. Seconded by Mr. Bensley. The motion passed 7-0-0.

2:13:15

ITEM 4 – 23 Bond Road – Shoreland Development Plan Review

Action: Accept or deny application. Approve or deny plan: Pursuant to §16.9.3 Shoreland Development Review of the Town of Kittery Land Use and Development Code, Ryan McCarthy of Tidewater Civil Engineering & Surveying Inc, on behalf of Touchdown Capital LLC, requests approval for the demolition and reconstruction of a house and garage/guest house, new septic system, and associated walkways/driveways on the property of 23 Bond Road, Tax Map 25, Lot 9, in the Residential-Kittery Point Village (R-KPV), Shoreland Overlay Zone (OZ-SL-250’), and Resource Protection Zone (OZ-RP).

Mr. McCarthy presented the project to the Board. He reviewed the plans and the details of the project.

Discussion with the Board continued on building heights, the cabin, and tree removal.

Mr. White moved to accept the application. Seconded by Vice Chair Kalmar. The motion passed 7-0-0.

Vice Chair Kalmar moved to schedule a site walk on Monday, June 19th at 9 AM. Seconded by Mr. White. The motion passed 7-0-0.

Vice Chair Kalmar moved to schedule the public hearing on Thursday, June 22nd at 6 PM. Seconded by Mr. White. The motion passed 7-0-0.

APPROVAL OF MINUTES

2:31:33

ITEM 5 – May 25, 2023 Meeting Minutes

Vice Chair Kalmar moved to approve the minutes as written. Seconded by Mr. Bellantone. The motion passed 6-0-1, with Mr. White abstaining.

BOARD MEMBER ITEMS-

2:32:22

Subcommittee reports

2:33:19

Adjournment

Vice Chair Kalmar moved to adjourn. Seconded by Mr. White. The motion passed 7-0-0.

The Kittery Planning Board meeting of June 8, 2023 adjourned at 8:33 p.m.

Submitted by Carrie Varao, Development Staff Clerk on June 13, 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>.