



# KITTERY PLANNING BOARD MEETING

200 Rogers Road, Kittery, Maine 03904

Phone: 207-475-1323 - Fax: 207-439-6806 - [www.kitteryme.gov](http://www.kitteryme.gov)

## REGULAR MEETING AGENDA

Thursday, April 28, 2022

6:00 P.M. to 10:00 P.M

### CALL TO ORDER—ROLL CALL—PLEDGE OF ALLEGIANCE

### APPROVAL OF AGENDA

APPROVAL OF MINUTES: August 12, 2021; August 26, 2021; September 9, 2021

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### 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\\_SSk-9Fq5T-uApy5s5UZFYA](https://us02web.zoom.us/webinar/register/WN_SSk-9Fq5T-uApy5s5UZFYA) 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 [acausey@kitteryme.org](mailto:acausey@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.

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### OLD BUSINESS

#### ITEM 1—52 State Road—Shoreland Development and Final Site Plan Review

Action: continue public hearing to a subsequent meeting, approve or deny plan: Pursuant to §16.3 *Land Use Regulations*, Article III *Nonconformance* of §16.7 *General Development Requirements* and §16.10 *Development Plan Application* and review of the Town of Kittery Land Use and Development Code, owner/applicant Kevin Cambridge and agent Attar Engineering Inc. requests approval expand a legally nonconforming commercial structure and construct a 26-space parking lot with stormwater improvements on real property with an address of 52 State Road, (Tax Map 3, Lot 1) located in the Business-Local 1 (B-L1) Zone and the Shoreland Stream Protection Overlay Zone (OZ-SP-75).

#### ITEM 2—8 Dexter Lane—Final Site Plan Review

Action: Accept application as complete; if accepted—continue application to a subsequent meeting, or set public hearing and site walk. Pursuant to 16.3 *Land Use Regulations*, 16.6.4.D *Special Exception Use Request*, 16.8 *Design Performance Standards for Built Environment* and §16.10 *Development Plan Application and Review* of the Kittery Town Code, owner The Outlet Mall of Kittery, LLC and applicant Tree Tips 3, LLC with agent Attar Engineering, Inc. requests approval for a special exception use to operate a Marijuana Business within an existing commercial retail space located on real property with the address of 8 Dexter Avenue, Unit 8, Tax Map 47, Lot 3, in the Commercial 1 (C-1) zoning district.

#### ITEM 3—98 Dennett Road and 27 Route 236—Master Site Development Plan Review

Action: Application acceptance, continue application to a subsequent meeting, or vote on sketch plan application. Pursuant to 16.6 *Master Site Development* of the Kittery Town Code, owners/applicants 98 Dennett Road, LLC and c/o Sheila Grant with agent Hoyle, Tanner & Associates, Inc. requests sketch plan approval for a master site development plan comprising 900 dwelling units, ±30,000-sf of commercial retail space, ±29,000-sf of medical office space and ±42,000-sf of lab/life sciences with appurtenant road and stormwater infrastructure and 13,241-sf of wetland alteration on real property totaling 82 acres with an address of 98 Dennett Road, (Tax Map 12, Lot 3-1), and 27 Rt. 236 (Tax Map 20 Lot 13) in the Mixed-Use—Neighborhood (MU-N), Residential-Suburban (R-S) and Commercial-2 (C-2) zoning districts along with Resource Protection (OZ-RP) and Stream Protection (OZ-75-SP) Overlay Zones.

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### PUBLIC HEARING

#### ITEM 4—Land Use and Development Code Amendments

Action: Continue to a subsequent meeting, or vote on recommendation to Town Council. Pursuant to M.R.S.A Title 30-A, Chapter 187, §4352 and §16.1.7 Amendments of the Kittery Town Code, the Planning Board holds a public hearing for an amendment to Title 16 proposed by the Town of Kittery seeking to delete cluster residential development provisions throughout Title 16 and replace with new regulations governing non-traditional subdivisions along with establishing a new chapter titled '16.10 Conservation Subdivision'.

#### ITEM 5—Land Use and Development Code Amendments

Action: Continue to a subsequent meeting, or vote on recommendation to Town Council. Pursuant to M.R.S.A Title 30-A, Chapter 187, §4352 and §16.1.7 Amendments of the Kittery Town Code, the Planning Board holds a public hearing for an amendment to Title 16 proposed by the Town of Kittery seeking to require affordable housing and to regulate cottage clusters within the Mixed-Use Neighborhood (MU-N) zoning district (§16.4.23), and to provide clarifying language.

#### ITEM 6—Land Use and Development Code Amendments

Action: Continue to a subsequent meeting, or vote on recommendation to Town Council. Pursuant to M.R.S.A Title 30-A, Chapter 187, §4352 and §16.1.9 Amendments of the Kittery Town Code, the Planning Board holds a public hearing for an amendment to Title 16 proposed by the Town of Kittery seeking to regulate constructed wetlands (§16.5.30).

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### NEW BUSINESS

None

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### OTHER BUSINESS

ITEM 8—Board Member Items

**ITEM 9—Town Staff Items**

**ADJOURNMENT**

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\* +/-**ADJOURNMENT - (by 10:00 PM unless extended by motion and vote)**

NOTE: ACTION LISTED IN ABOVE AGENDA ITEMS IS FOR REFERENCE ONLY AND THE BOARD MAY DETERMINE A DIFFERENT ACTION. DISCLAIMER: ALL AGENDAS ARE SUBJECT TO REVISION ONE WEEK PRIOR TO THE SCHEDULED TOWN PLANNING BOARD MEETING. TO REQUEST A REASONABLE ACCOMMODATION FOR THIS MEETING CONTACT STAFF AT (207) 475-1323.