

1 **CALL TO ORDER**

2

3 **ROLL CALL**

4

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

8

9 Absent: none

10

11 Staff: Bart McDonough, Town Planner

12

13 Advisory: Earldean Wells, Conservation Commission

14

15 **PLEDGE OF ALLEGIANCE**

16

17 **APPROVAL OF AGENDA**

18

19 **APPROVAL OF MINUTES- None**

20

21 **PUBLIC COMMENTS**

22

23 1:20

24 The public may attend the meeting in person or remotely via Zoom. Attendees via Zoom  
25 will be recognized during the public hearings and public comment portion of the  
26 meeting. Please note, the Town is testing its hybrid meeting technology. Every effort will  
27 be made to make this run smoothly, however some technical difficulties may occur as  
28 the Town implements this new approach. To register via Zoom:

29 [https://us02web.zoom.us/webinar/register/WN\\_SSk-9Fq5T-uApy5s5UZFYA](https://us02web.zoom.us/webinar/register/WN_SSk-9Fq5T-uApy5s5UZFYA)

30 Further, the public may submit public comments via email, US Mail, or by dropping  
31 written comments in the Drop Box outside the Town Hall entrance. Emailed comments  
32 should be sent to bmcDonough@kitteryme.org. Comments received by noon on the day  
33 of the meeting will become part of the public record and may be read in whole or in  
34 summary by the Planning Board Chair or Town Planner.

35

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

37

38 **OLD BUSINESS**

39

40 2:42

41 **ITEM 1—134 Whipple Road—Shoreland Development Plan Review**

42 Action: Continue the agenda item to a subsequent meeting, schedule a public hearing  
43 or approve or deny plan: Pursuant to §16.10.3.2 *Shoreland Development Review* and  
44 Article III *Nonconformance* of §16.7 *General Development Requirements* of the Town of  
45 Kittery Land Use and Development Code, owners Nicolas and Amy Mercier and agent  
46 Altus Engineering, Inc. requests approval to reconstruct and relocate a legally non-  
47 conforming structure on a legally non-conforming lot within the base zone setback of the  
48 Shoreland Overlay Zone located on real property with the address of 134 Whipple  
49 Road, Tax Map 10, Lot 6A, in the Residential-Urban (R-U) Zone and the Shoreland  
50 Overlay Zone.

51

52 Chair Dunkelberger told the public that the Board had a site walk in the morning and  
53 brought up several issues.

54 Erik Saari, Altus Engineering, Inc. gave an overview of the project. The stormwater  
55 management plan was reviewed. The patio and tree removal were discussed briefly. A  
56 comprehensive landscape plan will be provided.

57 Mr. McDonough read the ordinance regarding the stairs, and shared the interpretation  
58 of the Assistant Code Enforcement Officer. The Board asked that the details of the  
59 stairs be provided and that CMA review it. Discussion on the stairs and erosion control  
60 continued. The replanting and landscape plan discussed. Existing runoff and State  
61 regulations mentioned.

62 Mr. McDonough and Mr. Saari discussed the timeline of the project.

63

64 **Mr. White moved to continue the Item to 10/14/21. Seconded by Mr. Ledgett. The**  
65 **motion passed by roll call vote 7-0-0.**

66

67 **New Business**

68

69 27:00

70 **ITEM 2— Land Use and Development Code Amendments—Recodification of Title**  
71 **16**

72 Action: Set public hearing. Pursuant to M.R.S.A Title 30-A, Chapter 187, §4352 and  
73 §16.1.9 *Amendments* of the Town of Kittery Land Use and Development Code, the  
74 Planning Board seeks to set a public hearing date for a proposed amendment to Title 16  
75 by reorganizing the title while modifying certain provisions therein to align with the  
76 Town's Comprehensive Plan, or taking any other action relative thereto.

77

78 Mr. McDonough briefly discussed the timeline and possible dates. He told the Board  
79 that they should expect the materials a week or two before the hearing. He suggested  
80 the Board break up the sections between the members. Discussion continued on how  
81 the Board wants to organize the hearings.

82

83 **Mr. White moved to schedule the public hearing for 9/23/2021. Seconded by Vice**  
84 **Chair Kalmar. The motion passed by roll call vote 7-0-0.**

85

86 **OTHER BUSINESS**

87

88 36:36

89 **ITEM 3 – Board Member Items/Discussion**

90

91 Chair Dunkelberger reminded the Board about a scheduled site walk on 8/31/2021 at 1  
92 PM. Chair Dunkelberger asked if the town line dispute would have a bearing on this site  
93 walk.

94 Chair Dunkelberger apologized to Eardean Wells for the Board.

95

96 38:30

97 **ITEM 4 – Town Planner/Director of Planning & Development Items**

98

99 Mr. McDonough told the Board about the upcoming meeting agenda.

100

101 39:45

102 **Adjournment**

103

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

106

107 The Kittery Planning Board meeting of August 26, 2021 adjourned at 6:40 p.m.

108

109 Submitted by Carrie Varao, Development Staff Clerk on March 21, 2022.

110

111 Disclaimer: The following minutes constitute the author's understanding of the meeting.  
112 Whilst every effort has been made to ensure the accuracy of the information, the  
113 minutes are not intended as a verbatim transcript of comments at the meeting, but a  
114 summary of the discussion and actions that took place. For complete details, please  
115 refer to the video of the meeting on the Town of Kittery website at  
116 <http://www.townhallstreams.com/locations/kittery-maine>.