



KITTERY PLANNING BOARD MEETING

200 Rogers Road, Kittery, Maine 03904

Phone: 207-475-1323 - Fax: 207-439-6806 - www.kitteryme.gov

REGULAR MEETING AGENDA

Thursday, February 9, 2023

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

CALL TO ORDER – ROLL CALL – PLEDGE OF ALLEGIANCE

AMENDMENTS TO THE 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 <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.

OLD BUSINESS

ITEM 1 – 22 Shapleigh Road– Preliminary Site Plan Review

Action: Hold public hearing. Owner/applicant Fair Tide and acting agent Geoffrey R Aleva, PE of Civil Consultants propose to redevelop an existing commercial building with additions creating a footprint of 5,669sf, and to add a 6-unit residential building consisting of a 2,058sf building footprint, at real property located at 22 Shapleigh Road (Tax Map 15, Lot 64) in the Business-Local (B-LI) and Residential-Urban (R-U) Zones respectively.

ITEM 2 – 39 Badgers Island West – Minor Subdivision Sketch and Shoreland Development Plan Review

Action: Hold public hearing: Pursuant to §16.4 Land Use Regulations and §16.9.3 Shoreland Development Review requirements of the Town of Kittery Land Use and Development Code, owner applicant B.I.W. Group, LLC and agent Chris Atwood Otter Creek homes with Ambit Engineering propose to subdivide the 0.48-acre parcel identified as Lot 38 of Tax Map 1 into 4 residential condominiums. The property is located at 39 Badgers Island West, in the Mixed-Use Badgers Island Zoning District (MU-BI) and Shoreland Overlay Zone (OZ-SL-250').

ITEM 3 – MS4 Stormwater Changes to Title 16

Action: Hold public hearing. Staff and consultants presented draft amendments to Title 16 that are required to be adopted by June 30, 2023 in accordance with state law during the January 12 workshop. Draft amendments and supporting memos from the January 12 workshop are provided for review and discussion. Staff recommend rescheduling this item to comply with public notice requirements of MRS §4352.

NEW BUSINESS

ITEM 4 – 35 Badgers Island West, Site Plan and Shoreland Development Plan

Action: review for completeness, continue, approve, or deny plan: Pursuant to §16.4 Land Use Regulations §16.7 and §16.9.3 Shoreland Development Review requirements of the Town of Kittery Land Use and Development Code, owner B.I.W. Group, LLC and agent John Chagnon with Ambit Engineering request approval to expand a legally non-conforming office building and it to 10 residential units on a legally conforming lot located on real property with the address of 35

Badgers Island West, Tax Map 1, Lot 34, in the Mixed-Use Badgers Island Zone (MU-BI), Shoreland Overlay Zone (OZ-SL-250'), Resource Protection Overlay Zone (OZ-RP) and the Commercial Fisheries/Maritime Use (OZ-CFMU).

ITEM 5 – 6 Kelsey Lane, Marijuana Home Establishment Business License and Major Home Occupation

Action: review for completeness, schedule public hearing: Pursuant to provisions of Title 16 of Kittery Town Code, applicant/ owner Ian Schlotman requests Planning Board approval of a proposed medical marijuana registered caregiver home establishment at his residence located at 6 Kelsey Lane, Lot 1b of Map 60. This use is classified as a major home occupation per §16.5.12. No retail, manufacturing, or testing of cannabis products is proposed.

APPROVAL OF MINUTES

ITEM 5 – January 26, 2023 Meeting Minutes

BOARD MEMBER ITEMS

MMA Planning Board training reminders
Subcommittee reports from Housing and from Climate Adaptation and Kittery Land Issues.

ADJOURNMENT

* +/-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.