



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, May 12, 2022

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

CALL TO ORDER–ROLL CALL–PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

APPROVAL OF MINUTES: September 15, 2020 (workshop); December 10, 2020; December 9, 2021; April 14, 2022

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_Rcj4kiG4SRayzgXJDsCeyg 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. 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 – 460 US Route 1 – Site Plan Modification

Action: Continue to a subsequent meeting, approve or deny plan. Pursuant to §16.4.23 Mixed-Use, §16.7 Site Plan Review and of the Town of Kittery Land Use and Development Code, the Planning Board shall consider a Site Plan modification application from applicant PigPenPartners and agent Civil Consultants requesting approval to construct 10,000-sf outdoor dining space with a 180-sf outdoor bar and converting 360-sf of customer access space within the restaurant to employee space on real property with an address of 460 U.S. Route 1 (Tax Map 61, Lot 27A) located in the Mixed-Use (MU) Zone and Shoreland (OZ-SL-250) and Resource Protection (OZ-RP) Overlay Zones.

ITEM 2 – 523 US Route 1 – Final Site Plan Review

Action: Continue to a subsequent meeting; approve or deny plan. Pursuant to §16.3.23 Mixed-Use, §16.7 Site Plan Review of the Town of Kittery Land Use and Development Code, the Planning Board shall consider a final site plan application from applicant GSC Enterprises, LLC and agent Haley Ward, Inc. requesting final approval to construct 1,010-sf coffee shop with a drive-through with appurtenant infrastructure and landscaping on real property with an address of 523 U.S. Route 1 (Tax Map 68, Lot 26) located in the Mixed-Use (MU) Zone.

ITEM 3 – Constructed Wetlands – Land Use & Development Code Amendment

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).

PUBLIC HEARING

None.

NEW BUSINESS

ITEM 4 – 32 Pocahontas Road – Shoreland Development Plan

Action: Accept or deny application as complete; if accepted, continue application to a subsequent meeting, set public hearing and/or site walk (discretionary), or approve or deny application. Pursuant to 16.4 Land Use Regulations, §16.9.3 Shoreland Development Review and Article III Nonconformance of §16.7 General Development Requirements of the Town of Kittery Land Use and Development Code, owner/applicant Edward and Carol Besade request approval to expand a legally non-conforming accessory structure on a legally non-conforming lot within the base zone setback of the Shoreland Overlay Zone located on real property with

the address of 32 Pocahontas Road, Tax Map 51, Lot 3, in the Residential-Rural Conservation Zone (R-RC), Shoreland Overlay Zone (OZ-SL-250'), and Resource Protection Overlay Zone (OZ-RP).

ITEM 5 – 35 Badgers Island – Shoreland Development Plan

Action: Accept or deny application as complete; if accepted, continue application to a subsequent meeting, set public hearing and/or site walk (discretionary), or approve or deny application: 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 B.I.W. Group, LLC and agent Steven Riker with Ambit Engineering request approval to repair and construct stone revetments on a legally conforming lot located on real property with the address of 35 Badgers Island West, Tax Map 1, Lot 32, in the Mixed-Use Badgers Island Zone (MU-BI), Shoreland Overlay Zone (OZ-SL-250'), and Resource Protection Overlay Zone (OZ-RP).

ITEM 6 – 0 Route 236 – Site Plan Modification

Action: Continue to a subsequent meeting; approve or deny plan: Owner/applicant Waebak LLC and agent Sarah Simon with GPI Engineering request consideration of a Site Plan modification to include the construction of a gravity sewer connection to the approved car wash on a 324,233-sf lot located at the corner of Route 236 and MacKenzie Lane (Tax Map 28, Lot 25D) in the Commercial Zone (C-2).

OTHER BUSINESS

ITEM 7 – Board Member Items – Bylaws revisions

ITEM 8 – Town Staff Items

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.