



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, January 14, 2021

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

CALL TO ORDER—ROLL CALL—PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

APPROVAL OF MINUTES: None

PUBLIC COMMENTS

Public comment and opinion are welcome during this open session. However, comments related to agenda items currently under review by the Planning Board shall be heard only during their respective scheduled public hearing. Due to the current pandemic, all meetings and public hearings held by the Planning Board are conducted via Zoom webinar. To register in advance for the webinar, please submit a request to bmcdonough@kitteryme.org. After registering, you will receive a confirmation email containing information about joining the webinar. Webinar participants will be able to submit questions and comments during the public hearing and public comment period. Members of the public unable to participate during the webinar may submit comments for agenda items via email, US Mail, or by dropping written comments in the Drop Box outside the Town Hall entrance. Emailed comments should be sent to bmcdonough@kitteryme.org. Comments received by noon on the day of the meeting will be read into the record by the Planning Board Chair.

OLD BUSINESS

ITEM 1—Land Use and Development Code Amendments—Recodification of Title 16 Discussion—16.5 General Performance Standards

Action: Review and discuss the proposed amendments and continue to a subsequent meeting. To amend Title 16 by reorganizing the title while modifying certain provisions therein to align with the Town's Comprehensive Plan and Planning Board's goals and objectives.

NEW BUSINESS

ITEM 2—21 Litchfield Road—Sketch Plan Review, Cluster Subdivision

Action: Accept or deny plan as complete; continue application to a subsequent meeting; approve or deny plan; Pursuant to Title 30-A, M.R.S.A., Chapter 187, §4401-§4408 *Subdivisions* and §16.10.4.2 *Sketch Plan Review Phase* of the Town of Kittery Land Use and Development Code, the Planning Board shall consider an application from owner Brenda Haley and applicant Chingburg Development, LLC requesting approval for a sketch plan cluster subdivision development proposing seven (7) lots with appurtenant infrastructure on real property with an address of 21 Litchfield Road (Tax Map 46, Lot 6) located in the Residential-Rural (R-RL) Zone and Shoreland-Stream Protection (OZ-SL-75) Overlay Zone.

ITEM 3—71 Old Dennett Road—Shoreland Development Plan Review

Action: Accept or deny plan as complete; continue application to a subsequent meeting, schedule site walk and/or public hearing; approve or deny plan; Pursuant to §16.7.3.3.B *Nonconforming structure repair and/or expansion* and §16.10.3.4 *Shoreland Development Review* of the Town of Kittery Land Use and Development Code, the Planning Board shall consider an application from owner/applicant Patricia A. & Stephen E. Bradley requesting approval to expand a legally nonconforming dwelling unit on a legally nonconforming lot by 360-sf within the base zone setback of the Shoreland Overlay Zone on real property with an address of 71 Old Dennett Road (Tax Map 6, Lot 5) located in the Residential-Suburban (R-S) Zone and the Shoreland (OZ-SL-250) and Resource Protection (OZ-RP) Overlay Zones.

ITEM 4—18 Crockett Neck Road—Shoreland Development Plan Review

Action: Accept or deny plan as complete; continue application to a subsequent meeting, schedule site walk and/or public hearing; approve or deny plan; Pursuant to §16.7.3.3.B *Nonconforming structure repair and/or expansion* and §16.10.3.4 *Shoreland Development Review* of the Town of Kittery Land Use and Development Code, the Planning Board shall consider an application from owner/applicant Anne and Marshall Gaffney requesting approval to replace in situ a deck (350-sf) attached to a legally nonconforming dwelling unit on a legally nonconforming lot within the base zone setback of the Shoreland Overlay Zone on real property with an address of 18 Crockett Neck Road, (Tax Map 26, Lot 45) located in the Residential-Kittery Point Village (R-KPV) Zone and the Shoreland (OZ-SL-250) and Resource Protection (OZ-RP) Overlay Zones.

ITEM 5—23 Oak Terrace—Shoreland Development Plan Review

Action: Accept or deny plan as complete; continue application to a subsequent meeting, schedule site walk and/or public hearing; approve or deny plan; Pursuant to §16.7.3.3.B *Nonconforming structure repair and/or expansion* and §16.10.3.4 *Shoreland Development Review* of the Town of Kittery Land Use and Development Code, the Planning Board shall consider an application from owner 23 Oak Terrace LLC and applicant Drew Fitch requesting approval to replace and expand an existing deck attached to a legally nonconforming dwelling unit located on a legally nonconforming lot by 100-sf., totaling 232-sf., within the base zone setback of the Shoreland Overlay Zone on real property with an address of 23 Oak Terrace, (Tax Map 2, Lot 3) located in the Residential-Suburban (R-S) Zone and the Shoreland (OZ-SL-250) and Resource Protection (OZ-RP) Overlay Zones.

ITEM 6—Land Use and Development Code Amendments—To Amend §16.2 Definitions, §16.3 Land Use Zone Regulations, and §16.8 Design and Performance Standards for Built Environment

Action: Schedule public hearing; Pursuant to Title 30-A, M.R.S.A., Chapter 187, §4352 *Zoning Ordinances* and §16.1.9 *Amendment* of the Town of Kittery Land Use and Development Code, the Planning Board intends to schedule a public hearing to consider amending §16.2 *Definitions*, §16.3 *Land Use Zone Regulations*, and §16.8 *Design and Performance Standards for Built Environment* of the Town of Kittery Land Use and Development Code by respectively removing and adding new definitions related to marijuana uses, designating areas of operation for marijuana businesses within certain zoning districts, and establishing performance standards for marijuana businesses, or taking any other action relative thereto.

Due to the Declaration of a State of Emergency for the State of Maine and Town of Kittery, this meeting will be held remotely in accordance with LD 2167. The meeting will be broadcast on Channel 22, Facebook, and live broadcast from the Town's website.

OTHER BUSINESS

ITEM 6—Board Member Items / Discussion

ITEM 7—Town Planner / Director of Planning & Development 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.