



# 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, January 27, 2022

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

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

### APPROVAL OF AGENDA

**APPROVAL OF MINUTES:** January 14, 2022, October 8, 2020, October 22, 2020 & November 12, 2020

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### PUBLIC COMMENTS

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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, the Town is testing its hybrid meeting technology. Every effort will be made to make this run smoothly, however some technical difficulties may occur as the Town implements this new approach. To register via Zoom:

<https://us02web.zoom.us/join/91012022000>

Further, the public may submit public comments 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](mailto:bmcDonough@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 Chair or Town Planner.

### OLD BUSINESS

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#### ITEM 1—41 Route 236—Preliminary 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 LaPierre Properties, LLC and applicant Well Field 44, LLC with agent Attar Engineering, Inc. requests approval for a special exception use to construct a 3,150-sf Marijuana Business with appurtenant infrastructure and to fill 10,384-sf of wetland, located on real property with the address of 41 Route 236, Tax Map 29, Lot 1, in the Commercial 2 (C-2) zoning district.

#### ITEM 2—8 Dexter Lane—Preliminary 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.

### PUBLIC HEARING

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#### ITEM 3— 35 Tilton Avenue—Medical Marijuana Registered Caregiver Home Establishment

Action: Continue public hearing to a subsequent meeting, schedule a site walk (discretionary), or approve or deny application. Pursuant to §16.3.2.4 Residential-Urban, §16.8 *Design and Performance Standards for Built Environment* and §16.10.11 *Medical Marijuana Registered Caregiver Home Establishment* of the Town of Kittery Land Use and Development Code, the Planning Board shall review an application from applicant Delta Lab, LLC requesting approval for a special exception to operate a Medical Registered Caregiver Home Establishment on real property with an address of 35 Tilton Ave. (Tax Map 16, Lot 178) located in the Residential-Urban (R-U) Zone.

### NEW BUSINESS

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

Action: Continue to a subsequent meeting, set public hearing. 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 will consider setting a public hearing for a proposed amendment to Title 16 that seeks to modify certain zoning standards within the Business Local (B-L) and Business Local-1 (BL-1) zoning districts, or taking any other action relative thereto.

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

Action: Continue to a subsequent meeting, set public hearing. 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 will consider setting a public hearing for a proposed amendment to Title 16 that seeks to regulate and establish standards for solar energy systems, or taking any other action relative thereto.

#### ITEM 6—Review of Planning Board Bylaws

Action: Continue to subsequent meeting, establish subcommittee to review bylaw language. To review existing language and make amends where appropriate.

**OTHER BUSINESS**

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**ITEM 7—Board Member Items / Discussion**

**ITEM 8—Town Planner / Director of Planning & Development 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.