



# 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, November 17th, 2022

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

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

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### AMENDMENTS TO THE AGENDA

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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: 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](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 [jkelly@kitteryme.org](mailto:jkelly@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

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#### **ITEM 1 – 28 Wyman Avenue – Sketch Plan Review – Cluster Residential Subdivision – Public Hearing**

Action: hold Public Hearing; continue, approve or deny plan: Pursuant to Title 30-A M.R.S.A. §4401-4408 Municipal Subdivision Law and §16.8.10.H, Cluster Residential Development of the Town of Kittery Land Use and Development Code, owner Lusitano, LLC requests approval for a cluster residential development proposing three (3) single-family residences as a condominium on real property with an address of 28 Wyman Avenue (Tax Map 16, Lot 148) located in the Residential-Urban (R-U) Zone.

#### **ITEM 2 – 181 State Road – Sketch Site Plan Review, Marijuana Business**

Board Must Take Action: Accept or Deny application as complete; if accepted, set site walk. Pursuant to 16.4 *Land Use Regulations*, 16.4.21 *Special Exception Use Request*, 16.5.32 *Marijuana Business*, and 16.7 *Site Plan Review* of the Town of Kittery Land Use and Development Code, applicant IDC 5, LLC and agent Sebago Technics request approval for special exception use to construct a 1,100-sf Marijuana Business on real property with an address of 181 State Road (Tax Map 22, Lot 4) located in the Commercial (C-3) Zone and Business Local (BL) Zone.

#### **ITEM 3 – 41 Route 236 – Preliminary Site Plan Review – Note See Letter of Continuance Request §16.7.10.C (3) a & c, Continued to December 8<sup>th</sup>, Please see attached Letter in Place of ITEM 4 PRN**

Action: hold Public Hearing; continue, approve, or deny plan. Pursuant to §16.4 Land Use Regulations, §16.4.20 Special Exception Use Request, §16.5.32 Marijuana Business, and §16.7 Site Plan Review of Kittery Land Use and Development Code, owner LaPierre Properties LLC and applicant Well Field 44 LLC with agent Attar Engineering requests approval for a special exception use to construct a 1,034-sf Marijuana Business with appurtenant infrastructure and a wetland alteration of 1,367-sf, 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 4 – 21 Happy Avenue and 12 Roseberry Road Right-of-Way (ROW) Review**

Action: Accept or deny application. Approve or deny plan. Owners and applicants, William and Cathy Cullen and Caroline Hall request consideration of a right-of-way plan for a 4.78 acre +/- acre parcel (Tax Map 11, Lot 29) proposing a ROW located on Happy Avenue (Tax Map 11 Lot 29-5) in the Residential Suburban Zone (R-S). Agent is Nathan Amsden, PLS., Amsden Field Survey.

**NEW BUSINESS**

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**ITEM 5 – 6 Chauncey Creek - Shoreland Development Plan Review**

Action: Accept or deny application. Approve or deny plan. Owners and applicants, Beneficial Owner Andy Kaplan with approval from legal owner Creek House Nominee Trust (Matthew J. Downey Trustee) requests consideration to construct a 2'-6" x 4'-6" concrete pad for a generator on a nonconforming single family dwelling on a 871 +/- square foot upland section of the parcel located at 6 Chauncey Creek Road (Tax Map 44 Lot 71) in the Residential Kittery Point Village (R-KPV), Shoreland Overlay (OZ-SL-250') and Resource Protection (OZ-RP) zones.

**APPROVAL OF MINUTES**

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**ITEM 6** – October 27<sup>th</sup> Meeting Minutes

**BOARD MEMBER ITEMS**

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Subcommittee reports from Housing and from Climate Adaptation and Kittery Land Issues.

**TOWN STAFF ITEMS**

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**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.