



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, April 22, 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, or sign up by clicking on the following link:

https://us02web.zoom.us/webinar/register/WN_SSk-9Fq5T-uApy5s5UZFYA

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 or the Town Planner.

OLD BUSINESS

ITEM 1—459 U.S. Route 1—Major Modification Review to a Master Site Development Plan and Subdivision / Site Plan

Action: Accept or deny plan as complete; continue to a subsequent meeting; approve or deny plan; Pursuant to §16.10.9.3 *Modifications to approved plan* of the Town of Kittery Land Use and Development Code, owner/applicant Middlesex Land Holdings, LLC requests the review and consideration of a major modification to both an approved Master Site Development and Subdivision plan proposing to reduce the residential dwelling unit count from 44 (32 age-restricted; 12 non-age-restricted) to 32 (16 age-restricted; 16 non-age-restricted) dwelling units within 8 buildings and make associated improvements on real property with an address of 459 U.S. Route 1, Tax Map 60, Lot 24, in the Mixed-Use (MU) Zone.

ITEM 2—4 Pepperrell Road—Shoreland Development Plan Review

Action: Accept or deny application 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 after-the-fact permit application from owner/applicant Elizabeth Kirschner requesting approval to maintain a patio with an enclosed screened porch and expand 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 4 Pepperrell Road, (Tax Map 18, Lot 45-4) located in the Residential-Kittery Point Village (R-KPV) Zone and the Shoreland (OZ-SL-250) and Resource Protection (OZ-RP) Overlay Zones.

ITEM 3—Land Use Development Code Amendments—Proposed Revisions to Title 16 to Include Marijuana Uses

Action: Continue to a subsequent meeting, recommend or not recommend amendments to Town Council; Pursuant to M.R.S.A Title 30-A, Chapter 187, §4352 and §16.1.9 *Amendments* of the Town of Kittery Land Use and Development Code, the Planning Board seeks to make recommendations to Town Council on amendments to §16.2 *Definitions*, §16.3 *Land Use Regulations* and §16.8 *Design and Performance Standards for Built Environment* and §16.10 *Development Plan Application Review* of the Land Use and Development Code of the Town of Kittery by respectively removing and adding new definitions related to marijuana uses, designating areas of operation for marijuana businesses and medical marijuana registered caregiver home establishments within certain zoning districts, establishing performance standards for marijuana businesses and medical marijuana registered caregiver home establishments, and adding application approval criteria, or taking any other action relative thereto.

NEW BUSINESS

ITEM 4—80 Wilson Road—Resource Protection Plan Review

Action: Accept or deny application as complete; continue application to a subsequent meeting, schedule site walk and/or public hearing; approve or deny plan; Pursuant to §16.3.2.19 *Resource Protection Overlay Zone*, §16.7.3.3.C *Nonconforming structure reconstruction*, §16.10.3.4 *Shoreland Development Review* and Table §16.9 *Minimal Setback from Wetland and Waterbodies* of the Town of Kittery Land Use and Development Code, owner/applicant Dan Remick is requesting approval for a special exception permit to reconstruct a legally nonconforming single-family dwelling unit within its existing footprint and to demolish an existing detached garage and shed within the Resource Protection Overlay Zone on a legally nonconforming lot within the base zone setback of a wetland greater than an acre on real property with an address of 80 Wilson Road, (Tax Map 59, Lot 5) located in the Residential-Rural (R-RL) Zone and the Resource Protection (OZ-RP) Overlay Zone.

OTHER BUSINESS

ITEM 4—Board Member Items / Discussion

ITEM 5—Town Planner / Director of Planning & Development Items

ADJOURNMENT
