



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, July 13, 2023

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

CALL TO ORDER – ROLL CALL – PLEDGE OF ALLEGIANCE

AMENDMENTS TO THE AGENDA

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/j/88326455329?pwd=MklnVnF2TitkR1Fib0tnN1JGUxRrQT09> or

<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 comments 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 mzakian@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 – 35 Badgers Island West, Preliminary Site Plan and Shoreland Development Plan Review

Action: approve site plan or continue review. Pursuant to §16.4 Land Use Regulations §16.7 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 John Chagnon with Ambit Engineering request approval to expand a legally non-conforming office building and change its use to 10 residential units at 35 Badgers Island West, Tax Map 1, Lot 34, in the Mixed-Use Badgers Island Zone (MU-BI), Shoreland Overlay Zone (OZ-SL-250'), Resource Protection Overlay Zone (OZ-RP) and the Commercial Fisheries/Maritime Use (OZ-CFMU). This is a continued review after a public hearing held on May 25, 2023.

ITEM 2 – Proposed Amendments to Title 16.8.10.D

Action: Hold a public hearing, continue review: Kittery property owners James and Tudor Austin request a change to §16.8.10-D of Kittery's Land Use and Development Code to allow variances for first-time septic systems in minimum setback areas. §16.8.10-D.2.b.1 currently states that the minimum setback distance for a first-time subsurface disposal system may not be reduced by variance. This item was last reviewed at a planning board meeting held June 22, 2023.

NEW BUSINESS

ITEM 3 – 163 & 165 Rogers Road – Conventional Subdivision – Sketch Plan Review

Action: accept sketch plan or continue review: Engineer Rick Chellman, on behalf of applicant/owners Ruth and Karen Bouffard, is proposing to merge two existing parcels into a single 2.84 acre-lot subdivided by unit into five single-family residential dwellings, all along a shared driveway with individual private septic systems. The proposed subdivision is located on the properties of 163 and 165 Rogers Road, Tax Map 14, Lot 53 & 53-1, in the R-U (Residential-Urban) Zone.

ITEM 4 – 21 Badgers Island West – Shoreland Development Plan Review

Action: approve shoreland development plan or continue review: Pursuant to §16.9.3 Shoreland Development Review of the Town of Kittery Land Use and Development Code, engineer Cory Belden, on behalf of owner/applicants David and Lisa Daniels, request approval to remove and redevelop an existing single-family residence on a property shared with a

working waterfront business, while adding modifications to ensure access on the property for the working waterfront business. The property is located at 21 Badgers Island West, Tax Map 1, Lot 27, in the Mixed-Use Badgers Island (MU-BI) and Shoreland Overlay (OZ-SL-250') Zones, and partially within the Resource Protection (RZ-OP) and Commercial Fisheries (OZ-CFMU) Zones.

APPROVAL OF MINUTES

ITEM 5 – June 22, 2023, Meeting Minutes

BOARD MEMBER ITEMS

Subcommittee reports

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.