

**TOWN OF KITTERY, Maine  
PLANNING BOARD SITE WALK  
8 HOYT'S ISLAND LANE**

**UNAPPROVED  
SEPTEMBER 15, 2022  
10:00 AM**

1  
2 Present: Ronald Ledgett, Member; John Perry, Member; Drew Fitch, Member; Steve  
3 Bellantone (came later), Member; Russell White, Member; Karen Kalmar, Vice Chair;  
4 and Dutch Dunkelberger, Chair  
5  
6 Absent: None  
7  
8 Staff: Kathy Connor, Project Planner  
9  
10 Advisory: Earledean Wells, Conservation Commission; Clayton Smith, Conservation  
11 Commission  
12  
13 Project Representatives: David Moulton, property owner; Steve Doe, agent; Monica  
14 Kieser, agen;, William Ross, architect.  
15  
16 Abutters: Bill Bristow, Linda Cheatem (neighbor, not direct abutter)  
17  
18 Chair Dunkelberger opened the meeting and explained the process for the site walk.  
19  
20 Steve Doe introduced the project, explaining that the owner is proposing to replace both  
21 the existing main house and the guest house. He then led the group on a tour of the  
22 property starting with the driveway that runs past the neighbor's house, on to the guest  
23 house and main house and ending with the proposed septic site up the hill towards the  
24 lane. Where possible, the building footprints were staked, the new parking areas were  
25 staked and the proposed septic area was staked.  
26  
27 Both the existing buildings are seasonal and are on piers. The new main house will  
28 have a concrete foundation while the guest house will be rebuilt on new piers. Both the  
29 buildings will be moved back from the 25-foot setback from the HAT. There are large  
30 existing trees which will be preserved near both buildings as well as trees up the slope  
31 near the road which are a strong consideration for keeping the buildings in the currently  
32 developed area.  
33  
34 Planning Board members asked questions about the trees in regards to which will  
35 remain and which will be removed, the location of the buildings in relation to the HAT  
36 and location of the driveway and parking areas. Bill Bristow said that he had no  
37 objection to the location of the proposed 2-car parking area which directly abuts his  
38 property.  
39

40 Karen Kalmar asked if DEP would find that preserving trees in lieu of moving the  
41 buildings further away from the HAT meets the intent of shoreland zoning requirements.  
42 Staff will contact DEP.

43  
44 Ron Ledgett asked why the guest house could not be moved to where the 2-car parking  
45 area is being proposed. Monica Kieser explained that there are other considerations,  
46 including side setbacks but said they would prepare an answer for the next submission  
47 to the Planning Board.

48  
49 **Russell White moved to adjourn. Seconded by John Perry. The motion passed 7-**  
50 **0-0.**

51  
52 The Kittery Planning Board site visit of September 15, 2022 adjourned at 10:33 a.m.

53  
54 Submitted by Kathy Connor, Project Planner on October 13, 2022.

55  
56 Disclaimer: The following minutes constitute the author's understanding of the meeting.  
57 Whilst every effort has been made to ensure the accuracy of the information, the  
58 minutes are not intended as a verbatim transcript of comments at the meeting, but a  
59 summary of the discussion and actions that took place.

**TOWN OF KITTERY, Maine  
PLANNING BOARD SITE WALK  
90 GOODWIN ROAD**

**UNAPPROVED  
SEPTEMBER 15, 2022  
11:00 AM**

1  
2 Present: Ronald Ledgett, Member; John Perry, Member; Drew Fitch, Member; Steve  
3 Bellantone, Member; Russell White, Member; Karen Kalmar, Vice Chair; and Dutch  
4 Dunkelberger, Chair

5  
6 Absent: None

7  
8 Staff: Kathy Connor, Project Planner

9  
10 Advisory: Earledean Wells, Conservation Commission; Clayton Smith, Conservation  
11 Commission

12  
13 Project Representatives: Tim DeCoteau, agent; Hiroko Lindsey, architect. The owner,  
14 Wendy Yang, joined the group a bit later.

15  
16 Abutters: none

17  
18 Chair Dunkelberger opened the meeting and explained the process for the site walk.

19  
20 Tim DeCoteau introduced the project, explaining that the owner is proposing to replace  
21 the existing main house but as the new residence will be mostly within the footprint of  
22 that house, much staking was not possible. He then led the group on a tour of the  
23 property, starting in the driveway facing the road, and walking the group around the  
24 entire house, explaining where the new footprint differed from the existing footprint.

25  
26 He explained that the property is largely untouched, there is only a small area around  
27 the residence that is maintained. He noted the functioning wellhead located near  
28 Goodwin Road and that a new septic is being proposed. There was also an old  
29 wellhead located off the corner of the existing deck on the south side that will be  
30 capped. Planning Board members had questions about whether the old well should be  
31 tested for saltwater intrusion. Tim DeCoteau explained that since that well is not being  
32 used and the existing functioning well is some distance away, there were no plans to  
33 test the old well.

34  
35 He went on to explain that the height of the proposed building is being determined by  
36 the recent amendment to shoreland zoning by Maine's legislature. This amendment  
37 allows a building that will be utilizing freeboard to meet state or municipal freeboard  
38 requirements to have the height of the building be measured from sill of the building to

39 the highest point of the building rather than the mean original grade at downhill side to  
40 the highest point of the structure.

41

42

43 **John Perry moved to adjourn. Seconded by Ron Ledgett. The motion passed 7-0-**  
44 **0.**

45

46 The Kittery Planning Board site visit of September 15, 2022 adjourned at 11:20 a.m.

47

48 Submitted by Kathy Connor, Project Planner on October 13, 2022.

49

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52 minutes are not intended as a verbatim transcript of comments at the meeting, but a  
53 summary of the discussion and actions that took place.

1 **CALL TO ORDER**

2

3 **ROLL CALL**

4

5 Present: John Perry, Member, Russell White, Member, Steve Bellantone, Member,  
6 Ronald Ledgett, Member, Karen Kalmar, Vice Chair, and Dutch Dunkelberger, Chair

7

8 Absent: Drew Fitch, Member

9

10 Staff: Adam Causey, Director of Planning, Jordan Kelly, Town Planner & Kathy Connor,  
11 Project Planner

12

13 Advisory: Earledean Wells, Conservation Commission

14

15 **PLEDGE OF ALLEGIANCE**

16

17 **APPROVAL OF AGENDA**

18 Chair Dunkelberger requested to add the recent site walk that had no quorum under  
19 “Old Business”. The Board concurred.

20

21 **PUBLIC COMMENTS**

22

23 The public may attend the meeting in person or remotely via Zoom. Attendees via Zoom  
24 will be recognized during the public hearings and public comment portion of the  
25 meeting. Please note: every effort will be made to make this run smoothly, however  
26 some technical difficulties may occur. To register via Zoom visit

27 [https://us02web.zoom.us/webinar/register/WN\\_SSk-9Fq5T-uApy5s5UZFYA](https://us02web.zoom.us/webinar/register/WN_SSk-9Fq5T-uApy5s5UZFYA) or at

28 <https://www.kitteryme.gov/planning-board>

29 Public comment and opinion are welcome during this meeting. However, comments and  
30 opinions related to development projects currently being reviewed by the Planning  
31 Board will be heard only during a scheduled public hearing when all interested parties  
32 have the opportunity to participate. Those providing comment must state clearly their  
33 name and address, and record it in writing at the podium. Further, the public may submit  
34 written public comments via email, US Mail, or by hand delivery to Town Hall. Emailed  
35 comments should be sent to [acausey@kitteryme.org](mailto:acausey@kitteryme.org). Comments received by noon on  
36 the day of the meeting will become part of the public record and may be read in whole  
37 or in summary by the Planning Board or Town Staff.

38

39 Jennifer Thayer commented on the site walk at 41 Route 236.

40 There being no other public comments, the Chair closed the public comments.

41

42 **OLD BUSINESS-**

43

44 8:21

45 **41 Route 236 – Preliminary Site Plan Review – Site Walk**

46 Chair Dunkelberger reported there was no quorum and asked if it should be  
47 rescheduled. The Board discussed the site walk, and agreed that it should be  
48 rescheduled.

49 Mr. Causey and the Board discussed dates for the site walk.

50

51 **Mr. Bellantone moved to hold a site walk on 10/5/2022 at 2 PM. Seconded by Mr.**  
52 **Ledgett. The motion passed 6-0-0.**

53

54 **NEW BUSINESS-**

55

56 15:18

57 **Item 1 – 21 Happy Avenue & 12 Roseberry Lane – Right-of-Way Plan Review**

58 Action: Application acceptance; If accepted, continue to a subsequent meeting,  
59 respectively schedule site walk or public hearing (discretionary); vote on application:

60 Pursuant to §16.9.4. Right-of-way Plan Review of the Town of Kittery Land Use and  
61 Development Code, owners William and Kathy Cullen and applicant Caroline Hall  
62 propose a new Right-Of-Way on Tax Map 11 Lot 29-5 to access real property located  
63 on Tax Map 11 Lot 29 in the Residential-Suburban (R-S) Zone

64

65 Mr. Causey introduced the plan and described the project. Mr. Causey reviewed the  
66 current roadway and plan discrepancies. He reviewed the CMA report on the roadway,  
67 the pond and the wetland.

68 Caroline Hall introduced herself to the Board and explained the reason for the  
69 application.

70 Vice Chair Kalmar requested confirmation from CMA that the stormwater management  
71 system is adequate presently and in the future. Utility easements required discussed  
72 briefly.

73 Mr. Ledgett asked about the previously approved wetland crossing plan. Discussion  
74 continued on the crossing.

75 Eardean Wells commented on the 1998 wetland permit, the location of the culverts,  
76 snow removal plan, stormwater management plan, and permit fill discrepancy.

77 Mr. Causey replied to the inaccuracies on the plan, lack of DEP permit copies, and  
78 CMA's review.

79 Mr. Ledgett asked about a letter received regarding concern of the road and further  
80 construction in the area.

81 The Board reached consensus to take no action on the application, and requested that  
82 the applicant provide an updated plan.

83

84 **APPROVAL OF MINUTES**

85

86 41:53

87 **ITEM 2 – August 25, 2022 Planning Board Meeting; September 8, 2022 Planning**  
88 **Board Meeting**

89 September 8, 2022: Line 74 delete “submitted” and insert “prepared for Board  
90 discussion”. Line 81 delete “highlighting the new concerns of the Planning Board” and  
91 insert “recommending 8,000 square feet per dwelling unit be retained and the special  
92 exception for building height greater than 40 feet to be deleted”.

93

94 **Mr. Ledgett moved to accept the minutes of August 25, 2022 as written. Seconded**  
95 **by Mr. White. The motion passed 6-0-0.**

96 **Mr. Ledgett moved to accept the minutes of September 8, 2022 as amended.**  
97 **Seconded by Mr. White. The motion passed 5-0-1. Mr. Bellantone abstained.**

98

99 44:59

100 **BOARD MEMBER ITEMS-**

101 None

102

103 45:18

104 **TOWN STAFF ITEMS-** Welcome new Town Planner Jordan Kelley

105 Mr. Causey introduced Jordan Kelley to the Board. Mr. Kelley briefly addressed the  
106 Board.

107 Mr. Causey announced he will be leaving the Town of Kittery effective October 14, 2022.

108

109 48:40

110 **Adjournment**

111

112 **Mr. White moved to adjourn. Seconded by Mr. Ledgett. The motion passed 6-0-0.**

113

114 The Kittery Planning Board meeting of September 22, 2022 adjourned at 6:48 p.m.

115

116 Submitted by Carrie Varao, Development Staff Clerk on September 28, 2022.

117

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120 minutes are not intended as a verbatim transcript of comments at the meeting, but a  
121 summary of the discussion and actions that took place. For complete details, please  
122 refer to the video of the meeting on the Town of Kittery website at  
123 <http://www.townhallstreams.com/locations/kittery-maine>.



1 **CALL TO ORDER**

2

3 **ROLL CALL**

4

5 Present: John Perry, Member, Russell White, Member, Steve Bellantone, Member,  
6 Ronald Ledgett, Member, Karen Kalmar, Vice Chair, and Dutch Dunkelberger, Chair

7

8 Absent: Drew Fitch, Member

9

10 Staff: Adam Causey, Director of Planning, Jordan Kelly, Town Planner, Kathy Connor,  
11 Project Planner

12

13 Advisory: Earldean Wells, Conservation Commission

14

15 **PLEDGE OF ALLEGIANCE**

16

17 **APPROVAL OF AGENDA**

18 Chair Dunkelberger requested to add the recent site walk that had no quorum under  
19 “Old Business”. The Board concurred.

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21 **PUBLIC COMMENTS**

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24 will be recognized during the public hearings and public comment portion of the  
25 meeting. Please note: every effort will be made to make this run smoothly, however  
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29 Public comment and opinion are welcome during this meeting. However, comments and  
30 opinions related to development projects currently being reviewed by the Planning  
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32 have the opportunity to participate. Those providing comment must state clearly their  
33 name and address, and record it in writing at the podium. Further, the public may submit  
34 written public comments via email, US Mail, or by hand delivery to Town Hall. Emailed  
35 comments should be sent to [jkelly@kitteryme.org](mailto:jkelly@kitteryme.org). Comments received by noon on the  
36 day of the meeting will become part of the public record and may be read in whole or in  
37 summary by the Planning Board or Town Staff.

38

39 There being no public comments, the Chair closed the public comment item.

40

41 **OLD BUSINESS**

42

43 8:05

44 **Item 1 – 134 Whipple Road – Shoreland Development Plan**

45 Chair Dunkelberger invited the applicant to present the plan.

46

47 Agent Erik Saari and applicant Nick Mercier presented the shoreland plan and  
48 explained the changes from the previous plan, which included a reduction in the height  
49 of the proposed seawall. Mr. Saari explained that approval from Maine Department of  
50 Environmental Protection had already been secured and the Planning Board approval  
51 was the only remaining step.

52

53 Vice Chair Kalmar asked about the landscaping at the edge of the property. Nick  
54 Mercier stated that the landscaping package from the previously approved house  
55 design would be utilized and that existing healthy plantings would be retained.

56

57 Conservation Commissioner Earle Wells asked about the grade of the land. Nick  
58 Mercier replied that the grading would be adjusted per the plan, which would moderate  
59 the slope during construction of the smaller wall.

60

61 Board member Steve Bellantone asked about the stairs down to the wall and how they  
62 would be built with the revised scope. Erik Saari replied that the stairs would be rebuilt  
63 to match the grade to the existing gangway to the dock.

64

65 Board member Ron Ledgett asked the applicant to revise the title of the submitted plan  
66 to add “Supplemental” to “Shoreland development plan,” to ensure this plan was not  
67 confused with other shoreland plans for the property.

68

69 **Mr. White moved to approved the shoreland development plan as presented.**  
70 **Seconded by Mr. Perry. The motion passed 6-0-0.**

71

72 Vice Chair Kalmar read the plan’s Findings of Fact, which were approved unanimously  
73 with a 6-0-0 vote.

74

75 **NEW BUSINESS**

76 None

77

78 **APPROVAL OF MINUTES**

79 None

80

81 **BOARD MEMBER ITEMS**

82 None

83

84 **TOWN STAFF ITEMS**

85 None

86

87 **Adjournment**

88

89 **Mr. Bellantone moved to adjourn. Seconded by Mr. White. The motion passed 6-0-**  
90 **0.**

91

92 The Kittery Planning Board Special Meeting of September 29, 2022 adjourned at 8:40  
93 a.m.

94

95 Submitted by Adam Causey, Planning & Development Director on October 13, 2022.

96

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99 are not intended as a verbatim transcript of comments at the meeting, but a summary of  
100 the discussion and actions that took place. There was no video record for this meeting.