

**TOWN OF KITTEERY, Maine  
PLANNING BOARD MEETING  
COUNCIL CHAMBERS**

**UNAPPROVED  
December 8, 2022**

1 **CALL TO ORDER**

2

3 **ROLL CALL**

4

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

7

8 Absent: Member Drew Fitch

9

10 Staff: Jordan Kelley, Town Planner

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12 Advisory: Earledean Wells, Conservation Commission

13

14 Sign in Sheet: Jodie Curtis (6 Happy Ave), Caroline Hall (21 Happy Ave), Nathan Amsden  
15 (Surveyor), Brandon Holben (Architect), Eric Walbrich (Altus) Geoff Aleva (Civil Consultants)

16

17 **PLEDGE OF ALLEGIANCE**

18

19 **APPROVAL OF AGENDA**

20

21 Approved

22

23 **PUBLIC COMMENTS**

24

25 No Public Comment

26

27 **OLD BUSINESS**

28

29 **ITEM 1 – 21 Happy Avenue and 12 Roseberry Road Right-of-Way (ROW) Review – Public**  
30 **Hearing**

31 Action: Application has been Accepted 11/17/22 – Hold Public Hearing. Owners and applicants,  
32 William and Cathy Cullen and Caroline Hall request consideration of a right-of-way plan for a  
33 4.78 acre +/- acre parcel (Tax Map 11, Lot 29) proposing a ROW located on Happy Avenue  
34 (Tax Map 11 Lot 29-5) in the Residential Suburban Zone (R-S). Agent is Nathan Amsden, PLS.,  
35 Amsden Field Survey.

36

37 **Item 1** was addressed first at **MINUTE MARK 4:00**

38 Agent Nathan Amsden addressed the planning board.

39 Board discussed site walk and project timeline, speculation of stormwater and water table.

40 Jodie Curtis spoke about the letter she wrote, Caroline Hall responded.

41 Earledean Wells spoke about the Conservation Commission's position.

42 The board discussed the project further in terms of how future project should have  
43 accountability.

44 All the waivers were approved, and some conditions were added to that approval.

45 Dutch Dunkelberger closed Public Hearing.

46 1.) The Road will not be improved or expanded, but road and drainage will be maintained as is.

47 2.) No further development along the Right of Way or using this as an access point.

48 3.) Snow removal, no sand or salt allowed, and the snow must not be pushed into the wetland  
49 or neighboring properties. Snow storage locations shall be designated on the plan.

50 4.) Have a Surveyor's Stamp on the plan.

51 **Russell White Motioned to Approve ROW Application with Conditions, Seconded by John**  
52 **Perry. Motion Passes 6-0-0.**

53  
54 **ITEM 2 – 41 Route 236 – Preliminary Site Plan Review**

55 Action: hold Public Hearing; continue, approve, or deny plan. Pursuant to §16.4 Land Use  
56 Regulations, §16.4.20 Special Exception Use Request, §16.5.32 Marijuana Business, and §16.7  
57 Site Plan Review of Kittery Land Use and Development Code, owner LaPierre Properties LLC  
58 and applicant Well Field 44 LLC with agent Attar Engineering requests approval for a special  
59 exception use to construct a 1,034-sf Marijuana Business with appurtenant infrastructure and a  
60 wetland alteration of 1,367-sf, located on real property with the address of 41 Route 236, Tax  
61 Map 29, Lot 1, in the Commercial 2 (C-2) zoning district.

62  
63 **Item 2** was addressed at **MINUTE MARK 50:00**

64 Dutch Dunkelberger stated the applicant has requested a continuance to the next meeting on  
65 December 12<sup>th</sup>.

66 **Karen Kalmar Motioned to continue the Preliminary Plan, Russell White Seconded.**  
67 **Motion Passes 5-0-0.**

68 **ITEM 3 – 3 Walker Street – Site Sketch Plan Review**

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69 Action: Accept or deny application. Approve or deny sketch plan. Owner/applicant 3 Walker  
70 Street, LLC and acting agent Brandon Holben requests consideration of a sketch plan for  
71 construction of a mixed-use structure consisting of a 1500 sf building footprint, a ground floor  
72 retail/restaurant, and the top two floors as apartment(s) on a 5,377sf lot at real property located  
73 at 3 Walker Street (Tax Map 4, Lot 99) in the Mixed Use – Kittery Foreside (MU-KF) Zone.

74  
75 **Item 3** was addressed at **MINUTE MARK 52:00**

76 Applicant Brandon Holben addressed the Planning Board and summarized the project in  
77 concept and location.

78 **Russell White Motioned to Accept the Sketch Plan Application, John Perry Seconded.**  
79 **Motion Passes 6-0-0**

80  
81 **ITEM 4 – 22 Shapleigh Road– Site Plan - Sketch Plan Review**

82 Action: Accept or deny application. Approve or deny sketch plan. Owner/applicant Fair Tide and  
83 acting agent Geoffrey R Aleva, PE of Civil Consultants requests consideration of a sketch plan  
84 for construction of two distinct structures. One is to redevelop an existing commercial building  
85 with proposed additions creating a footprint of 5,669sf, the second is a 6-unit residential building  
86 consisting of a 2,058sf building footprint, at real property located at 22 Shapleigh Road (Tax  
87 Map 15, Lot 64) in the Business-Local (B-LI) and Residential-Urban (R-U) Zones respectively.

88  
89 **Item 4** was addressed at **MINUTE MARK 1:06:00**

90 Agent/Applicant Geoff R. Aleva summarized the project.

91 Karen Kalmar mentioned she is working with Arch (project architects) on a completely different  
92 project asked the Planning Board if they would like to recuse herself. No action taken.

93 Emily Flinkstrom also summarized the project and Fair Tide’s background.

94 Robyn Wardell also summarized the project and CHOM’s background.

95 Megan Shapiro Ross spoke summarized the project and Footprint’s background and also spoke  
96 to the hope for the connections that the “Mainspring” Commercial building & affordable housing  
97 units can offer.

98 Geoff R. Aleva summarized more of the projects goals and addressed some of the items that  
99 were brought up.

100 **Russell White Motioned to Accept the Sketch Plan, Seconded by John Perry, Motion**  
101 **Passes 6-0-0**

102 **APPROVAL OF MINUTES-**

103  
104 **ITEM 5** was addressed at **MINUTE MARK 1:31:00**

105  
106 **October 27<sup>th</sup> Planning Board Meeting Minutes** – Line 87 insert between line 65 and 66. Line  
107 89, remove “Ron Ledgett seconded”.

108 **November 17<sup>th</sup> Planning Board Meeting Minutes** – Line 109 change “approve” to “accept”.  
109 Line 124, discussion is misspelled. Delete line 126.

110 **November 15<sup>th</sup> Site Walk Minutes for 35 Badgers Island** – Line 78 motion passed vote  
111 changed to 5-0-0.

112 **November 28<sup>th</sup> Site Walk Minutes for 21 Happy Ave** – Line 58 change to John Perry, not the  
113 resident. Line 66 change to Chair Dunkelberger closed the site walk.

114  
115 **Karen Kalmar Motioned to Approve Minutes as amended, Seconded by Ron Ledgett,**  
116 **Motion Pass 6-0-0.**

117

118 **BOARD MEMBER ITEMS / DISCUSSION**

119

120 Subcommittee reports were read, Russell White spoke on Housing. Ron Ledgett spoke on  
121 Climate Adaptation; Karen Kalmar spoke on Land Issues.

122

123 Planning Board confirmed the dates for Planning Board Meetings in 2023.

124

125 **ADJOURNMENT**

126 **Ron Ledgett Motioned to Adjourn, John Perry Seconded. The Motion Passes 6-0-0**

127

128 The Kittery Planning Board meeting of December 8, 2022 adjourned at 7:48 p.m.

129

130 Submitted by Jordan Kelley, Town Planner December 12, 2022.

131

132 Disclaimer: The following minutes constitute the author's understanding of the meeting. Whilst  
133 every effort has been made to ensure the accuracy of the information, the minutes are not  
134 intended as a verbatim transcript of comments at the meeting, but a summary of the discussion  
135 and actions that took place. For complete details, please refer to the video of the meeting on  
136 the Town of Kittery website at <http://www.townhallstreams.com/locations/kittery-maine>.