

1 Present: Ronald Ledgett, Member, Russell White, Member, Stephen Bellantone,  
2 Member, John Perry, Member, and Karen Kalmar, Vice Chair

3  
4 Absent: Dutch Dunkelberger, Chair, and Drew Fitch, Member

5  
6 Staff: Kathy Connor, Project Planner, Adam Causey, Director of Planning and  
7 Development, and Craig Alfis, Code Enforcement Officer

8  
9 Advisory: Earle Wells, Conservation Commission

10

11 **NEW BUSINESS**

12

13 **ITEM 1 – Cluster Subdivision Workshop**

14 PURPOSE: The Planning Board will review and discuss potential amendments to Chapter  
15 16.8 Article XI Cluster Residential and Cluster Mixed-Use Development.

16 Mr. Causey gave a brief overview of the topic.

17 Mr. Ledgett discussed his positive view of the writing style and format of the Biddeford  
18 ordinance.

19 Ms. Connor reviewed the discussion guide.

20 Those present agreed that changing the ordinance title to Conservation Subdivision was  
21 preferable.

22 Dropping the Mixed-Use Cluster from the ordinance was also agreed upon.

23 The purpose statement was discussed by all members; including affordable housing and  
24 incentives in the ordinance was favored by the workshop.

25 Zoning and lot requirements explored for cluster development, emphasizing the need for  
26 each zone to have tailored standards. Different types of open space, such as urban open  
27 space discussed. Incentives could be linked to cluster development in certain zones.

28 Discussion ensued around achieving cluster density in the urban zones where lot size is  
29 smaller. Mr. Causey suggested limiting cluster development to public sewer utilities  
30 instead of specifying zoning.

31 Plan submission requirements discussed. Vice Chair Kalmar would like to keep the two  
32 sketch plan submissions comparing the cluster subdivision versus the conventional  
33 subdivision to see the benefits of cluster development. The Planning Department is  
34 reviewing the process and flow for plan submissions. Cluster subdivision could have a  
35 separate process in the code, and the revisions could happen in phases.

36 Discussion continued about requiring two plans at sketch review. Workshop members  
37 present did not think this was an issue despite wanting to simplify the process for  
38 applicants.

39 Open space standards discussed. A “green belt” is not considered open space, and  
40 benefits the residents. This would not work in all Kittery zones, especially in the urban  
41 zones. Buffering should be required around cluster developments, and can protect open  
42 space. Ms. Wells discussed the protections of wetlands and other natural resources in  
43 the developments.

44 Mr. Causey concluded that the Planning Department will take suggestions from the  
45 workshop to KLIC.

46

47 The Kittery Planning Board workshop of February 27, 2020 was adjourned by the Vice  
48 Chair at 5:55 p.m.

49

50 Submitted by Carrie Bacon, Development Staff Clerk on September 17, 2020.

51

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55 the discussion and actions that took place. For complete details, please refer to the video  
56 of the meeting on the Town of Kittery website at  
57 <http://www.townhallstreams.com/locations/kittery-maine>.

58

59

1 **CALL TO ORDER**

2

3 **ROLL CALL**

4

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

7

8 Absent: Drew Fitch, Member and Dutch Dunkelberger, Chair

9

10 Staff: Adam Causey, Director of Planning and Development

11

12 Advisory: Earle Wells, Conservation Commission

13

14 **PLEDGE OF ALLEGIANCE**

15

16 **PUBLIC COMMENTS**

17

18 The Vice Chair opened the Public Comments session.

19

20 There being none the Vice Chair closed the public comments.

21

22 **NEW BUSINESS**

23

24 **ITEM 1 – 459 Route 1 – Major Modification Review**

25 Action: Accept/deny application. Approve/deny application. Owner and applicant, DSS  
26 Land Holdings LLC, requests consideration of a major modification to a mixed-use  
27 development consisting of a hotel, and three residential buildings located at 459 U.S.  
28 Route 1 (Tax Map 60 Lot 24) in the Mixed Use (MU) Zone. Agents are Ken Wood and  
29 Brian Nielsen, Attar Engineering.

30

31 Brian Nielsen, Attar Engineering updated the board. The major change is a proposal of  
32 raising the grade by 2 feet to reduce the amount of soil export during construction. No  
33 changes are needed for the stormwater management plan. CMA confirmed that the  
34 change in the grade was not enough to affect the stormwater management plan. DEP  
35 permit amendments were not included, and staff will inquire with CMA.

36

37 **Mr. Ledgett moved to accept and approve the major modification plan. Seconded**  
38 **by Mr. White.**

39 **The motion carried 5-0-0.**

40

41 **OLD BUSINESS**

42

43 **ITEM 2- 76 Dennett Road – Street/Sidewalk/Landscape Design Discussion**

44 Action: Approve or deny street/sidewalk design. Owners William J. Cullen and Sail  
45 Away, LLC and applicant William Wharff were granted preliminary plan approval on  
46 September 26, 2019. That approval was granted with conditions, one of which was to  
47 present sidewalk designs per the requirements of Title 16. Applicant will also present  
48 street design and landscape design. Agent is Shawn Tobey, P.E. Hoyle, Tanner &  
49 Associates, Inc.

50

51 Shawn Tobey, P.E. Hoyle, Tanner & Associates, Inc. presented to the board. After  
52 previous meetings, a full sidewalk across the front was preferred by the board. A new  
53 design was presented to the board, with curbing and tree clearing considerations. DOT  
54 requirements reviewed in terms of speed limits and turn lanes. Removing the right turn  
55 lane favors the sidewalk plan. Sidewalk plan satisfies all DOT requirements. 3rd party  
56 review on landscaping plan satisfies all requirements and concerns. Removed the  
57 booster pump building from the middle of the plan, and each building will now have their  
58 own separate pump, per the Kittery Water District's engineer. Staff will confirm with the  
59 technical review committee any changes to the plans. Clarification was requested on  
60 the traffic control plan coordination between the State and the Town. Staff passed out  
61 and read CMA's comments on eliminating the right turn lane. CMA recommends the  
62 right turn lane remain in the plan. Discussion continued regarding the right turn lane  
63 elimination justifications. Dennett Road would become a no passing zone in front of the  
64 project and a center left turn lane to enter the I-95 Southbound on-ramp.

65

66 **Mr. White moved to accept the withdrawal of the sidewalk waiver request.**  
67 **Seconded by Mr. Ledgett. The motion carried 5-0-0.**

68

69 **Mr. White moved to approve the sidewalk and street design plan with stated**  
70 **condition. Seconded by Mr. Ledgett. The motion carried 5-0-0.**

71

72 **Mr. Ledgett moved to approve the landscape design plan. Seconded by Mr. White.**  
73 **The motion carried 5-0-0.**

74

75 **ITEM 3- 8 Wentworth Street – Preliminary Plan Acceptance**

76 Action: Accept or deny application. Owner/applicant, the Town of Kittery, requests  
77 consideration of a preliminary plan for a three-story addition and related site  
78 improvements to the Rice Public Library located at 8 Wentworth Street (Tax Map 4, Lot  
79 88) in the Mixed Use – Kittery Foreside (MU-KF) Zone. Agent is Ryan Kanteres, Scott  
80 Simons Architects.

81

82 Curtis Wood, spoke on behalf of Ryan Kanteres, and presented the project.  
83 Continuation of non-conforming use due to the height limits and the flat roof, with Board  
84 of Appeals approval discussed. A parking proposal was reviewed with staff input on  
85 parking calculations. Staff has determined that the plan meets the code requirements.  
86 The retaining wall was briefly discussed, and staff reported that a technical review  
87 committee would be performed during preliminary plan review.

88

89 **Mr. Ledgett moved to accept the preliminary plan application with the stated**  
90 **condition. Seconded by Mr. White. The motion carried 5-0-0.**

91 **Mr. Ledgett moved to hold the public hearing on March 26, 2020 on a preliminary**  
92 **plan for the Rice Public Library. Seconded by Mr. White. Vice Chair discussed**  
93 **that the public comments received for the project be included in the packet for**  
94 **the public hearing. The motion carried 5-0-0.**

95

96 A site walk will be scheduled after the preliminary plan review.

97

#### 98 **ITEM 4 – Board Member Items / Discussion**

99

100 • York River Designation as A Partnership Wild and Scenic River: Judy  
101 Spiller, Kittery’s representative on the York Wild and Scenic River Study  
102 gave an update on the plan. The National Park Service reviewed the  
103 report and the York River met all the requirements of a wild and scenic  
104 river. Ms. Spiller asked the board to re-endorse the study since the  
105 designation of the river is not complete. Ms. Spiller will submit the support  
106 of the board to the National Park Service.

107 **Mr. Ledgett moved that the board reaffirm its endorsement,**  
108 **seconded by Mr. White. The motion carried 5-0-0.**

109 • PB Representative to the Marijuana Working Group: Vice Chair asked for  
110 volunteers for the group. Mr. White volunteered. The next workshop at  
111 Town Hall is March 5<sup>th</sup> at 3PM.

112 • Short Term Rental Workshop: March 2<sup>nd</sup> 5:15 pm. Town Council  
113 Workshop on the short-term rentals invited PB members. Staff passed out  
114 draft of the workshop.

114

#### 115 **ITEM 5 – Town Planner / Director of Planning & Development Items**

116 None

117

118 Ms. Wells expressed appreciation on the narrative on the landscaping letter.

119

120 **Adjournment**

121

122 **Mr. Ledgett moved to adjourn the meeting. Mr. White seconded the motion.**

123

124 **The motion carried 5-0-0.**

125

126 The Kittery Planning Board meeting of February 27, 2020 adjourned at 6:58 p.m.

127

128 Submitted by Carrie Bacon, Development Staff Clerk on September 23, 2020.

129

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135 <http://www.townhallstreams.com/locations/kittery-maine>.

136

137

1 **CALL TO ORDER**

2

3 **ROLL CALL**

4

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

7

8 Absent: Russell White, Member

9

10 Staff: Adam Causey, Director of Planning and Development

11

12 **PLEDGE OF ALLEGIANCE**

13

14 **PUBLIC COMMENTS**

15

16 The Chair opened the Public Comments session.

17

18 There being none the Chair closed the public comments.

19

20 **NEW BUSINESS**

21

22 **ITEM 1 – 50 Chauncey Creek Road – Shoreland Plan Amendment**

23 Action: Accept or deny application. Approve or deny plan amendment. Owners and  
24 applicants, Thomas and Michele Jordan request consideration of a plan amendment to  
25 add an 80 sf addition to a 1,115 sf residence on a 7,800 +/- square foot parcel located  
26 at 50 Chauncey Creek Road (Tax Map 44 Lot 59) in the Residential Kittery Point Village  
27 (R-KPV), Shoreland Overlay (OZ-SL-250') and Resource Protection (OZ-RP) zones.  
28 Agent Tom Emerson, studioB-E.

29

30 Tom Emerson presented the plan and detailed the addition dimensions. Setbacks are  
31 maintained, and de-vegetation calculations remain the same. Mr. Emerson detailed  
32 several previously approved items on the plan that are to be removed: walkway from  
33 front to side deck, portion of the deck, and one set of stairs. The addition will be on top  
34 of one site wall.

35

36 Mr. Ledgett asked for details on the 2<sup>nd</sup> floor cantilever. A condition of approval was  
37 requested to make sure the cantilever meets the code.

38

39 **Vice Chair moved to accept the application as complete, and approve the**  
40 **Shoreland Development Plan amendment with added conditions. Seconded by**  
41 **Mr. Ledgett.**

42 **The motion carried 6-0-0.**

43

44 **OLD BUSINESS**

45

46 **ITEM 2- 459 U.S. Route One – Major Modification Findings of Fact**

47 Action: Review and Approve Findings of Fact for grade change major modification  
48 approved on February 27, 2020.

49

50 Mr. Causey explained the reason for this agenda item.

51

52 Chair Dunkelberger read the findings of fact to the board.

53 **The board moved to approve the findings 5-0-1.**

54

55 **ITEM 3 – Board Member Items / Discussion**

56 Social distancing efforts reviewed pertaining to the Town of Kittery Boards, and public  
57 attendance/comments procedures discussed. Members asked to contact the Chair if  
58 feeling unwell prior to the meeting. Meetings will continue to occur. Staff asked that  
59 members let the department know anticipated attendance the week of meetings so a  
60 quorum can be determined before the meeting. The next workshop is still set to occur  
61 depending on attendance. Staff does not have the update changes in the cluster  
62 ordinance yet.

63

64 **ITEM 4 – Town Planner / Director of Planning & Development Items**

- 65 • New Town Planner Announcement: Mr. Causey announced a new Town Planner  
66 will start on March 23<sup>rd</sup>, Bart McDonough.

67

68 **Adjournment**

69

70 **Vice Chair moved to adjourn the meeting. Mr. Ledgett seconded the motion.**

71

72 **The motion carried 6-0-0.**

73

74 The Kittery Planning Board meeting of March 12, 2020 adjourned at 6:15 p.m.

75

76 Submitted by Carrie Bacon, Development Staff Clerk on September 23, 2020.

77

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**CALL TO ORDER**

**ROLL CALL**

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

Absent: None

Staff: Adam Causey, Director of Planning and Development and Bart McDonough, Town Planner

Advisory: Earldean Wells, Conservation Commission

**PLEDGE OF ALLEGIANCE**

**PUBLIC COMMENTS**

The public may submit public comments for the DISCUSSION agenda item 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](mailto:bmcdonough@kitteryme.org). Comments received by noon on the day of the meeting will be read into the record by the Council Chair.

There being none the Chair closed the public comments.

**NEW BUSINESS**

**ITEM 1 – Miller Road – Major Modification to an Approved Conventional Subdivision Plan Review**

Action: Accept/deny application & Approve/deny major subdivision modification plan:

Owners D.E.C.M LLC requests consideration of a lot line adjustment to convey a segment of land (255-sf) within the approved 40-foot right-of-way (McCloud Drive) to Lot 1 in order to comply with the approved setbacks for the 6-lot conventional subdivision on land along Miller Road (Tax Map 59 Lot 20) in the Residential-Rural (R-RL) and Resource Protection Overlay (OZ-RP) Zones as recorded at the York County Registry of Deeds under Book 397 Page 32. Agent is Nathan Amsden, Amsden Field Survey.

Nathan Amsden gave the board an overview of the reason for the modification. The building constructed on Lot 1 was constructed within the setbacks and the easiest way to remedy the error would be to move the Right of Way. This would not affect the other lots

43 of the subdivision, and would increase the lot size of Lot 1. The lot would be restricted  
44 with an easement along the Right of Way. Clarification was given to why the building was  
45 constructed in the wrong place.

46 Bart McDonough made comments in addition to the prepared staff notes regarding the  
47 site, including stormwater and the paved drive with DPW permits.

48 Discussion opened up to the board members. The missing and replacement of  
49 monuments discussed and explained. The topic of variances versus plan modification  
50 discussed, with staff noting a modification was preferred. Concerns over the board setting  
51 a precedent over modifying road standards was discussed.

52

53 **Mr. White moved to approve all 7 requested waivers. Seconded by Vice Chair**  
54 **Kalmar.**

55 **The motion carried 7-0-0.**

56

57 **Vice Chair Kalmar moved to accept and approve the major modification plan with**  
58 **stated conditions. Seconded by Mr. Ledgett.**

59 **The motion carried 7-0-0.**

60

61 The applicant asked a few administrative questions regarding the plans.

62

63 **Mr. McDonough read the Findings of Fact, and the board voted to affirm each**  
64 **finding, 7-0-0.**

65

66 **Mr. McDonough read each waiver and Conditions of Approval.**

67 **The Planning Board authorized the Planning Board Chair, or Vice Chair, to sign**  
68 **the Final Plan and the Findings of Fact upon confirmation of required plan**  
69 **changes, 7-0-0.**

70

71 Feedback on the video conference meeting format was shared by members.

72

73 **Adjournment**

74

75 **Mr. White moved to adjourn the meeting. Mr. Bellantone seconded the motion.**

76

77 **The motion carried 7-0-0.**

78

79 The Kittery Planning Board meeting of April 23, 2020 adjourned at 6:54 p.m.

80

81 Submitted by Carrie Bacon, Development Staff Clerk on September 28, 2020.

82

**TOWN OF KITTERY, Maine**  
**PLANNING BOARD MEETING**  
**REMOTE**

**UNAPPROVED**  
**April 23, 2020**

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