

1 **CALL TO ORDER**

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3 Chair Grinnell called the meeting to order at 6:00 p.m.

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5 **ROLL CALL**

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7 Members Present: Robert Harris, Dutch Dunkelberger, Karen Kalmar, Ann Grinnell, Debbie
8 Driscoll-Davis, Mark Alesse, Marissa Day

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10 Staff Present: Rebecca Spitella

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12 **PLEDGE OF ALLEGIANCE**

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14 **APPROVAL OF MINUTES – July 27, 2017**

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16 Lines 26, 37 and 65 – Fix order of vote.

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18 **Vice Chair Kalmar moved to approve the July 27, 2017 Minutes as amended.**
19 **Mr. Dunkelberger seconded the motion.**

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

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23 **PUBLIC COMMENT**

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25 The Chair opened the public hearing. There being no comments, the Chair closed the public
26 hearing.

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28 **OLD BUSINESS / PUBLIC HEARING**

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30 **ITEM 1 – 9 Bowen Road – Shoreland Development Plan Review**

31 Action: Hold a public hearing; approve or deny plan. Owner/applicant Lee Reinhold requests
32 consideration of plans to expand an existing two-family dwelling and detached accessory structure
33 located within the 100-foot setback from a protected water body. The site is located at 9 Bowen
34 Road (Tax Map 17 Lot 3) in the Residential-Urban (R-U) and Shoreland Overlay (OZ-SL-250')
35 Zones. Agent is Peter Agrodnia, North Easterly Surveying

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37 Ms. Driscoll-Davis recused herself.

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39 Mr. Agrodnia explained they were before the Board on May 11th. On June 1st a site walk was
40 done. The applicant has received input from staff and neighbors. He has addressed concerns and
41 has changed the design.

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43 The applicant will not raise and add a foundation under the studio. New windows and a rooftop
44 deck are still proposed. Mr. Agrodnia stated the applicant will add a note to the plan stating this
45 building is a non-dwelling unit.

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The proposed addition to the main building has now been moved back from the road and does not go beyond the structure.

Volume and floor area calculations were requested and the applicant's architect prepared a detail volume calculation which includes additions built since 1989. Staff found this acceptable.

Mr. Agrodnia addressed a letter of concern from an abutter regarding noise from the proposed elevator. The elevator will be installed for the owner's mother who will visit. The architect stated the lift does not have an engine and is quiet.

Robbie Woodburn from Woodburn & Company Landscaping gave a review of the vegetation that is being proposed in three areas. The applicant has a permit to revegetate the rip rap along the shoreline and has agreed to replace plants if they expire. Blueberry plants will be planted and the applicant agrees with the number of plants stated in the staff notes.

The Chair opened public hearing.

Donna Jean Higgins, 5 Bowen Road, explained her home directly abuts 9 Bowen. She thanked the members for serving on the Board. She added the renovation plan is good but explained her concern of the studio becoming an accessory rental structure. she added there is no language in the Code that excludes bait shacks or sheds and is concerned because a bathroom is being added. She stated her concern with parking in front of the home and explained Bowen road is only 16-foot-wide road. She also questioned the roof top deck and what may happen in the future when house gets sold. She added she would like the existing trees along the property line to remain.

Milton Hall, 51 Bowen Road, explained there is no parking along the west side of the street and the right of way is for the Fire Department to get to the York yard. Chair Grinnell asked if signs were present. Mr. Hall replied there is one. Chair Grinnell would like the Department of Public Works to look into the lack of signs on the road.

Jeff Gordon, 5 Bowen Road, is pleased to see the new plans and spoke of his concern of the property being flipped. He doesn't want the studio to be turned into a rental. He also spoke of his concern of added stress to the sewer line and added the Town has not inspected or serviced the line since 1993. He added the Town informed him the property owners are responsible for the line but County documents state it is the Town's responsibility. Mr. Gordon asked if the studio will have a shower and a toilet. Ms. Spitella stated the previous owner had approval to include a bathroom for the studio and this proposed development is not requesting it because it is already approved. She added if the permit is over two years, the applicant would need to reapply. Chair Grinnell would like the issue regarding who is responsible for the sewer cleared up.

Debbie Driscoll-Davis, property owner at 1 Bowen Road, agreed with the previous comments and expressed her concern for the lack of language in the Code regarding transient and overnight occupancy. She is hoping it is addressed by the Board soon. She also spoke of her concern of the shed being able to handle a rooftop deck and asked Mr. Adgrodnia if an analysis has been done.

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93 Ms. Higgins pointed out a letter from July 6th that includes verbiage on Page 3 regarding the
94 easement and believes it shows responsibility belongs to the Town.

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96 Ms. Driscoll-Davis would like to know what the applicant plans for guest parking since the area
97 that is being revegetated will take away the space. Mr. Adgrodnia explained the applicant will
98 be providing the same amount of parking. Ms. Driscoll-Davis disagreed and said she has seen
99 parking in that area since she has lived on the road.

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101 The following items were also discussed:

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- 103 • Vice Chair Kalmar reminded the applicant trees cannot be removed within the 100-ft
104 setback without approval. The applicant has no plans to remove trees and will have a
105 note on the plan to reflect this. The applicant confirmed they will not damage the
106 arborvitae near the planned spiral staircase, which was a concern of Mr. Gordon's.
- 107 • Chair Grinnell requested Public Works place additional no parking signs on the street
108 where appropriate.
- 109 • Discussion of the deck being nonconforming ensued. Ms. Spitella explained it is in
110 within the 30 percent expansion permitted in the Code.
- 111 • The Board requested the applicant have an itemized list of previous alterations to the
112 property since 1989.
- 113 • The measurement of 8.2 ft. for the bay window will be amended and added to the plan.

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115 The Chair closed the public hearing.

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117 Conditions of Approval will include a note stating the studio cannot be permitted to be a
118 dwelling unit under regulations at the time of this approval.

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120 **Mr. Dunkelberger moved to approve with conditions the Shoreland Development Plan**
121 **dated April 6, 2017 from owner and applicant Lee Reinhold for 9 Bowen Road (Tax Map**
122 **17 Lot 3) in the Residential-Urban and Shoreland Overlay Zones, upon the reading and**
123 **voting, in the affirmative, on the Finding of Fact.**

124 **Vice Chair Kalmar seconded the motion.**

125

126 A note regarding tree removal will be noted on the plan.

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

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131 Kittery Planning Board

APPROVED

132 Findings of Fact

M17 L3

133 9 Bowen Road

134 Shoreland Development Plan Review

WHEREAS: Lee Reinhold requests consideration of plans to expand an existing nonconforming two-family dwelling and detached nonconforming accessory structure located within the 100-foot setback from a protected water body. The site is located at 9 Bowen Road (Tax Map 17 Lot 3) in the Residential-Urban and Shoreland Overlay Zones, hereinafter the “Development” and

135 Pursuant to the Plan Review meetings conducted by the Town Planning Board as noted {in the plan
136 review notes prepared for 8/10/2017}

Shoreland Development Plan Review	5/11/2017	HELD
Site Walk	6/1/2017	HELD
Public Hearing	8/10/2017	HELD
Shoreland Development Plan Approval	8/10/2017	GRANTED

137

138 And pursuant to the application and plan and other documents considered to be a part of a plan review
139 decision by the Planning Board in this Finding of Fact consisting of the following (hereinafter the
140 “Plan”): {as noted in the plan review notes prepared for 8/10/2017}

141 1. Shoreland Development Plan Application, dated 4/6/2017

142 2. Shoreland Development Plan, North Easterly Surveying, dated 4/6/2017, revised 7/11/2017

143 3. Floor and Elevation Plans, Brian Libby, revised 5/9/2017, 6/15/2017 and 7/10/2017

144 4. Revegetation Plan, Woodburn & Company, dated 6/6/2017

145 **NOW THEREFORE**, based on the entire record before the Planning Board and pursuant to the
146 applicable standards in the Land Use and Development Code, the Planning Board makes the following
147 factual findings and conclusions:

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Chapter 16.3 LAND USE ZONE REGULATIONS

16.3.2.17.D Shoreland Overlay Zone

1.d The total footprints of the areas devegetated for structures, parking lots and other impervious surfaces, must not exceed twenty (20) percent of the lot area, including existing development, except in the following zones...

Findings: The existing devegetated area is 31.2%. In order to avoid increasing devegetated area, the applicant will to revegetate existing devegetated areas, as depicted on the final plan, dated 4/6/2017, revised 7/11/2017. The proposed development does not result in a devegetated area greater than 30.9% of the total lot.

Conclusion: The requirement appears to be met.

Vote: 6 in favor 0 against 0 abstaining

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Chapter 16.7 GENERAL DEVELOPMENT REQUIREMENTS

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Article III Nonconformance

16.7.3.1 Prohibitions and Allowances

A. Except as otherwise provided in this Article, a nonconforming conditions must not be permitted to become more nonconforming

Finding: The proposed development does not encroach on any front or side yard setbacks, nor does it increase the encroachment in the 100-foot setback greater than currently exists. The applicant will revegetate a portion of the asphalt parking area, crushed stone walk way and shoreline riprap in order to avoid an increase to the lot's devegetated area. With consideration of condition of approval #4, the proposed development does not increase the nonconformity of any structure or aspect of the lot.

Conclusion: The requirement appears to be met.

Vote: 6 in favor 0 against 0 abstaining

16.7.3.5.6 Nonconforming structure reconstruction

A. In the Shoreland or Resource Protection Overlay Zone(s), any nonconforming structure which is located less than the required setback from a water body, tributary stream, or wetland and which is removed, damaged or destroyed, by any cause, by more than 50% of the market value of the structure before such damage destruction or removal, may be reconstructed or replaced provided that a permit is obtained within 18 months of the date of said damage, destruction, or removal, and provided that such reconstruction or replacement is in compliance with the water body, tributary stream or wetland setback requirement to the greatest practical extent as determined by the Planning Board.

Finding: The proposed reconstruction does not appear to damage or destroy more than 50% of the market value of any structure located on the lot.

Conclusion: The requirement appears to be met.

Vote: 6 in favor 0 against 0 abstaining

16.7.3.6 Nonconforming Structures in Shoreland and Resource Protection Zones

16.7.3.6.1 Nonconforming Structure Expansion

A nonconforming structure may be added to, or expanded, after obtaining Planning Board approval and a permit from the Code Enforcement Officer. Such addition or expansion must not increase the non-conformity of the structure and must be in accordance with the subparagraphs [A through C] below.

A. After January 1, 1989, if any portion of a structure is less than the required setback from the normal high-water line of a water body or tributary stream or the upland edge of a wetland, that portion of the structure will not be permitted to expand, as measured in floor area or volume, by thirty percent (30%) or more during the lifetime of the structure.

B. If a replacement structure conforms to the requirements of Section 16.7.3.6.1.A and is less than the required setback from a water body, tributary stream or wetland, the replacement structure will not be permitted to expand if the original structure existing on January 1, 1989, has been expanded by 30% in floor area and volume since that date.

C. Whenever a new, enlarged or replacement foundation is constructed under a nonconforming structure, the structure and new foundation must be placed such that the setback requirement is met to the greatest practical extent as determined by the Planning Board, basing its decision on the criteria specified in Section 16.7.3.5.2 – Relocation, below. If the completed foundation does not extend beyond the exterior dimensions of the structure, except for expansion in conformity with Section 16.7.3.5.3, above, and the foundation does not cause the structure to be elevated by more than three (3) additional feet, as measured from the uphill side of the structure (from original ground level to the bottom of the first-floor sill), it will not be considered to be an expansion of the structure.

Finding:

A & B. The proposed development is the 3rd expansion for the principle structure. The floor area and volume as of January 1, 1989 is 4,147 sf and 28, 748 cf, respectively. The proposed floor area and volume, as depicted on the plan dated 4/6/2017, revised 7/11/2017 is 4,942 sf and 34,058 cf, respectively. This is an expansion of 19.7% in floor area, and 18.5% in volume.

The proposed development is the first expansion for the accessory structure, therefore, the existing dimensions are equivalent to the recorded dimensions for January 1, 1989. The existing floor area and volume of the accessory structure is 610 sf and 4,108 cf, respectively. The proposed floor area and volume, as depicted on the plan dated 4/6/2017, revised 7/11/2017, is 790 sf and 3,907 cf. This is an expansion of 29.5% in floor area, and -4.9% in volume.

C. The proposed development does not remove, replace or raise the foundation of either the principle or accessory structure.

Conclusion: This requirement appears to be met.

Vote: 6 in favor 0 against 0 abstaining

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Chapter 10 DEVELOPMENT PLAN APPLICATION AND REVIEW

Article 10 Shoreland Development Review

<p>16.10.10.2 Procedure for Administering Permits</p> <p><i>D. An application will be approved or approved with conditions if the reviewing authority makes a positive finding based on the information presented. It must be demonstrated the proposed use will:</i></p>
<p><i>1. Maintain safe and healthful conditions;</i></p> <p><u>Finding:</u> The proposed development as represented in the plans and application does not appear to have an adverse impact.</p> <p><u>Conclusion:</u> This requirement appears to be met</p>
<p style="text-align: right;">Vote: <u> 6 </u> in favor <u> 0 </u> against <u> 0 </u> abstaining</p>
<p><i>2. Not result in water pollution, erosion or sedimentation to surface waters;</i></p> <p><u>Finding:</u> Maine DEP Best Management practices will be followed for erosion and sedimentation control during site preparation and building construction to avoid impact on adjacent surface waters.</p> <p><u>Conclusion:</u> This requirement appears to be met</p>
<p style="text-align: right;">Vote: <u> 6 </u> in favor <u> 0 </u> against <u> 0 </u> abstaining</p>
<p><i>3. Adequately provide for the disposal of all wastewater;</i></p> <p><u>Finding:</u> The proposed development does not increase the impact on the existing wastewater disposal system.</p> <p><u>Conclusion:</u> This requirement appears to be met.</p>
<p style="text-align: right;">Vote: <u> 6 </u> in favor <u> 0 </u> against <u> 0 </u> abstaining</p>
<p><i>4. Not have an adverse impact on spawning grounds, fish, aquatic life, bird or other wildlife habitat;</i></p> <p><u>Finding:</u> The proposed development does not appear to have an adverse impact.</p> <p><u>Conclusion:</u> This requirement appears to be met.</p>
<p style="text-align: right;">Vote: <u> 5 </u> in favor <u> 0 </u> against <u> 1 </u> abstaining</p>
<p><i>5. Conserve shore cover and visual, as well as actual points of access to inland and coastal waters;</i></p> <p><u>Finding:</u> Shore cover does not appear to be adversely impacted</p>

<p><u>Conclusion</u>: This requirement appears to be met.</p>
<p style="text-align: right;">Vote: <u> 6 </u> in favor <u> 0 </u> against <u> 0 </u> abstaining</p>
<p><i>6. Protect archaeological and historic resources;</i></p> <p><u>Finding</u>: There does not appear to be any resources impacted.</p> <p><u>Conclusion</u>: This requirement appears to be met.</p>
<p style="text-align: right;">Vote: <u> 6 </u> in favor <u> 0 </u> against <u> 0 </u> abstaining</p>
<p><i>7. Not adversely affect existing commercial fishing or maritime activities in a commercial fisheries/maritime activities district;</i></p> <p><u>Finding</u>: The proposed development is not located within the commercial fisheries / maritime activities zone.</p> <p><u>Conclusion</u>: This requirement is not applicable</p>
<p style="text-align: right;">Vote: <u> 6 </u> in favor <u> 0 </u> against <u> 0 </u> abstaining</p>
<p><i>8. Avoid problems associated with floodplain development and use;</i></p> <p><u>Finding</u>: The property is designated Zone C by FEMA Flood Zone standards and is defined as an area of minimal flood hazard. The proposed development does not appear to have an impact on a floodplain or flood-prone area.</p> <p><u>Conclusion</u>: This requirement appears to be met.</p>
<p style="text-align: right;">Vote: <u> 6 </u> in favor <u> 0 </u> against <u> 0 </u> abstaining</p>
<p><i>9. Is in conformance with the provisions of this code;</i></p> <p><u>Finding</u>: With consideration of the conditions of approval below, the proposed development complies with the applicable standards of Title 16.</p> <p><u>Conclusion</u>: This requirement appears to be met.</p>
<p style="text-align: right;">Vote: <u> 6 </u> in favor <u> 0 </u> against <u> 0 </u> abstaining</p>
<p><i>10. Be recorded with the York county Registry of Deeds.</i></p> <p><u>Finding</u>: With consideration of condition of approval # 5, a plan suitable for recording will be prepared.</p> <p><u>Conclusion</u>: As stated in the Notices to Applicant contained herein, shoreland Development plans must be recorded with the York County Registry of Deeds prior to the issuance of a building permit.</p>
<p style="text-align: right;">Vote: <u> 6 </u> in favor <u> 0 </u> against <u> 0 </u> abstaining</p>

155 Based on the foregoing Findings, the Planning Board finds the applicant has satisfied each of the review
156 standards for approval and, therefore, the Planning Board approves the Shoreland Development Plan
157 Application and subject to any conditions or waivers, as follows:

158 **Waivers:** None

159 **Conditions of Approval** (to be depicted on final plan to be recorded):

- 160 1. No changes, erasures, modifications or revisions may be made to any Planning Board approved
161 final plan. (Title 16.10.9.1.2)
- 162 2. Applicant/contractor will follow Maine DEP *Best Management Practices* for all work associated
163 with site and building construction to ensure adequate erosion control and slope stabilization.
- 164 3. The accessory structure identified on the plan as “studio” cannot be permitted as a dwelling unit.
- 165 4. The property owner is responsible for the maintenance of the blueberry shrubs located along the
166 shoreline of the property. Any vegetation that is not viable, as determined by the Code Enforcement
167 Officer or Shoreland Resource Officer, must be replanted at the property owner’s expense.
- 168 5. No trees are to be removed without prior approval by the Code Enforcement Officer or the
169 Shoreland Resource Officer, per 16.9.2.2.
- 170 6. All Notices to Applicant contained herein (Findings of Fact dated 7/13/2017).
- 171

172 **Conditions of Approval** (not to be depicted on final plan):

- 173 7. Incorporate all plan revisions to the final plan as recommended by Staff or Planning Board, and
174 submit for Staff review prior to presentation on final Mylar.
175

176 The Planning Board authorizes the Planning Board Chair, or Vice Chair, to sign the Final Plan and the
177 Findings of Fact upon confirmation of required plan changes.

178

179 **Vote: 6 in favor 0 against 0 abstaining**

180

181 APPROVED BY THE KITTERY PLANNING BOARD ON August 10, 2017

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183

184 _____
Ann Grinnell, Planning Board Chair

185 **Notices to Applicant:**

- 186 1. Incorporate any plan revisions on the final plan as required by Planning Board and submit for
187 Staff review prior to presentation of final mylar.

188 2. Prior to the release of the signed plans, the applicant must pay all outstanding fees associated with the
189 permitting, including, but not limited to, Town Attorney fees, peer review,
190 newspaper advertisements and abutter notification.

191 3. One (1) mylar copy of the final plan and any and all related state/federal permits or legal documents
192 that may be required, must be submitted to the Town Planning Department for signing. Date of
193 Planning Board approval shall be included on the final plan in the Signature Block. After the signed
194 plan is recorded with the York County Registry of Deeds, a mylar
195 copy of the signed original must be submitted to the Town Planning Department.

196 4. This approval by the Town Planning Board constitutes an agreement between the Town and the
197 Developer, incorporating as elements the Development Plan and supporting documentation, the
198 Findings of Fact, and any Conditions of Approval.

199 Per Title 16.6.2.A - An aggrieved party with legal standing may appeal a final decision of the Planning
200 Board to the York County Superior Court in accordance with Maine Rules of Civil Procedures Section
201 80B, within forty-five (45) days from the date the decision by the Planning Board was rendered.

202
203 **NEW BUSINESS**

204
205 **ITEM 2 – Seward Farm Lane – Major Subdivision Preliminary Plan Review**

206 Action: Hold a public hearing; approve or deny preliminary plan. Owner/Applicant Gary
207 Seward, Gregg Seward and Patti Parsons request consideration of a 14-lot conventional
208 subdivision on remaining land along a previously approved private Right-of-Way (Seward Farm
209 Lane) located at Picott Road (Tax Map 46 Lot 4) in the Residential-Rural (R-RL) and Shoreland
210 Overlay (OZ-SL-250) Zones. Agent is Stephen Haight, Civilworks New England.

211
212 Stephen Haight reviewed the proposed continued subdivision and explained the road is an
213 existing right of way and will be increased to 60 feet and paved. The lots will have septic
214 systems.

215
216 Mr. Haight addressed the following CMA comments:

- 217
218
- 219 ● Comment. 2 – a note for the stone monument will be added to the plan.
 - 220 ● The applicant has not proposed a sidewalk on the roadway and has requested a waiver
221 now.
 - 222 ● The end of cul de sac at the existing hammerhead will be maintained.
 - 223 ● Site distance to Picott Road – applicant will add site distance that exists now.
 - 224 ● Road is a gravel roadway and Mr. Haight explained how it will be supplemented with
225 Maine State specified gravel and then paved. The Board would like DPW to confirm in a
226 letter.
 - 227 ● Applicant has met with the Kittery Water district and will meet with the Fire Department
228 to review the location of the fire hydrant.
 - 229 ● Reserve leech fields - test bits have been done and each lot has sufficient space for one
reserved field. The locations will be shown on the plan.

- 230 • Surface drainage – Mr. Haight has spoken to the State DEP and they are not indicating
231 the need to go back for additional permitting.
232 • Post construction stormwater management - the applicant will submit storm management
233 plan
234 • Trees – the applicant will indicate where they are on the plan and they are looking to
235 plant pear trees.
236

237 The following staff comments were addressed:
238

- 239 • View shed – staff did not see one on the plan. Mr. Haight has met with the Planning
240 Department regarding Picott Road being a scenic road and the view shed needs to be
241 defined and shown on the plan.
242 • Comment 3 – ratio of width. Mr. Haight explained why they don't meet the requirement
243 is because of the configuration of lot 9. The applicant would like lot 9 to remain wooded
244 and be common open space. Ms. Spitella stated common open cannot be individually
245 owned. The applicant would like to discuss this further in the meeting.
246 • Comment 8 length of cul de sac – applicant agrees.
247 • The applicant would like to add a street and subdivision signs. Ms. Spitella stated there
248 are two street sign waivers.
249 • Fire hydrant shown on the plan and profile - the applicant will identify the hydrants to the
250 Fire Department.
251 • Septic systems will be identified on the plan.
252 • Comment 13 –the applicant will submit a municipal impact analysis.
253

254 The note sheet showing special exception under waivers and will be fixed.
255

256 **Vice Chair Kalmar moved to grant preliminary approval, with conditions, of the**
257 **subdivision plan dated 6/22/2017, from owner/Applicant Gary Seward, Gregg Seward and**
258 **Patti Parsons request consideration of a 14-lot conventional subdivision on remaining land**
259 **along a previously approved private Right-of-Way (Seward Farm Lane) located at Picott**
260 **Road (Tax Map 46 Lot 4) in the Residential-Rural (R-RL) and Shoreland Overlay (OZ-SL-**
261 **250) Zones.**

262 **Mr. Dunkelberger seconded the motion.**
263

264 Chair Grinnell asked Mr. Haight to change stormwater analysis from 12 to 14 lots. Mr. Haight
265 replied a letter was included in the original packet and should address that item.
266

267 Discussion ensued of the applicant's proposal to have lot 9 as open space. Mr. Haight stated the
268 applicant does not want to restrict the space and it is used as a hayfield. The applicant wants to
269 use the whole parcel and may want to break it out and develop it in the future. The Board asked
270 why not separated now and retain ownership? Mr. Haight stated the owners do not want to do it
271 now. Chair Grinnell explained it would be difficult for future boards. Ms. Driscoll-Davis stated
272 it could be beneficial for the owners to separate now because of the affect how they address the
273 road and other items.
274

275 Mr. Haight explained Mr. Seward would like to maintain the lot to hay it. After further
276 discussion, the Board determined lot 9 is in code, but Ms. Spitella will double check the Code
277 before coming back for the next meet and will supply the information to the applicant.

278

279 Because the public hearing was not opened, the following motion was made:

280

281 **Mr. Dunkelberger moved to reconsider the motion for Seward Farm.**

282 **Vice Chair Kalmar seconded the motion.**

283

284 **The motion carried 6-1 -0.**

285

286 The Chair opened the public hearing. There being none, the Chair closed the public hearing.

287

288 **Vice Chair Kalmar moved to grant preliminary approval, with conditions, of the**
289 **subdivision plan dated 6/22/2017, from owner/Applicant Gary Seward, Gregg Seward and**
290 **Patti Parsons request consideration of a 14-lot conventional subdivision on remaining land**
291 **along a previously approved private Right-of-Way (Seward Farm Lane) located at Picott**
292 **Road (Tax Map 46 Lot 4) in the Residential-Rural (R-RL) and Shoreland Overlay (OZ-SL-**
293 **250) Zones.**

294 **Ms. Driscoll-Davis seconded the motion.**

295

296 **The motion carried 6-1-0.**

297

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

299

300 Chair Grinnell received a letter dated July 20th from the Town Manager regarding the Open
301 Space Committee attending a meeting to discuss Title 16 the business park. Chair Grinnell
302 added Vice Chair Kalmar is the representative not her.

303

304 Mr. Alesse informed the Board the committee reviewing the Town Charter have a proposal to
305 remove the Planning Board member representing on the Kittery Port Authority Board and have a
306 Town Council member instead. Mr. Alesse does not believe this is a good idea because issues
307 overlap between the Planning Board and the KPA. He added the reason is administrative fluidity
308 due to the proposal to place the KPA under the Town. This will need to go before the voters.
309 Chair Grinnell would like the public to know. After further discussion, the Planning Board was
310 in consensus to place a request to the Town Manager of what is driving the change. If there is a
311 response, members will discuss further.

312

313 Ms. Driscoll-Davis asked to have the Board address non-dwelling unit issues which is on the
314 Board's to do list. She would like the item moved up on the list. Ms. Spitella stated she will
315 speak with Mr. Di Matteo regarding this.

316

317 Chair Grinnell asked of the report on traffic and parking in the foreside. Ms. Day informed the
318 Board a working group meeting will take place soon. They have reviewed the data and she will
319 give a status update. She will also let the Board know when to submit their questions.

320

321 **Mr. Alesse moved to adjourn the meeting.**

322 **Mr. Harris seconded the motion.**

323

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

325

326 The Kittery Planning Board meeting of August 10, 2017 adjourned at 7:55 p.m.

327

328 Submitted by Mary Mancini, Minute Recorder, on August 17, 2017.

329

330 Disclaimer: The following minutes constitute the author's understanding of the meeting. Whilst

331 every effort has been made to ensure the accuracy of the information, the minutes are not

332 intended as a verbatim transcript of comments at the meeting, but a summary of the discussion

333 and actions that took place. For complete details, please refer to the video of the meeting on the

334 Town of Kittery website at <http://www.townhallstreams.com/locations/kittery-maine>

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