

1 **CALL TO ORDER**

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3 **ROLL CALL**

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5 Present: Robert Doyle, Member, Karen Kalmar, Member, Steve Bellantone, Member,
6 Earldean Wells, Member, Russell White, Member, Ethan Bensley, Vice Chair, and
7 Dutch Dunkelberger, Chair

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9 Absent:

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11 Staff: Max Zakian, Town Planner

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13 Advisory:

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15 **PLEDGE OF ALLEGIANCE**

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17 **APPROVAL OF AGENDA**

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19 **PUBLIC COMMENTS**

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

25 https://us02web.zoom.us/webinar/register/WN_gycXEoK5SLm6FOA1FJDjYg or

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

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

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37 There being no public comments, the Vice Chair closed the public comments.

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39 **OLD BUSINESS –**

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4:35

ITEM 1—181 State Road—Marijuana Business Plan — Preliminary Review

Action: Hold public hearing. Approve plan or continue review. Mike Sudak, on behalf of owner/applicant IDC5 LLC, is proposing to replace an existing restaurant and single-family dwelling with a 2,000 square foot marijuana retail store and associated parking on the properties of 181-185 State Road, Tax Map 22, Lots 4-1 and 4-2, a parcel split by the Business Local and Old Post Road Commercial (C-3) Zone.

Lew Chamberlain, Attar Engineering, Inc., presented the project to the Board.

The Board asked several questions and discussion ensued briefly.

Vice Chair Bensley opened the public hearing.

Public comment was heard from: Ken Gray, 41 Brewster Street, Portsmouth; Gaby Velez, 58 A Broadstreet Lane, Eliot; and Mike Harris via Zoom.

Mr. Chamberlain addressed the public comments. The Board asked several follow-up questions.

Vice Chair Bensley closed the public hearing.

Mr. White moved to approve with stated conditions. Seconded by Ms. Kalmar. The motion passed 7-0-0.

37:03

ITEM 2—283 US Route 1—Master Site Plan — Preliminary Review

Action: Approve plan or continue review. Neil Hansen, on behalf of owner/applicant Two International Group, is proposing a multi-phase project to re-develop existing commercial retail facilities into a 107-unit housing complex, 119 room hotel, and 6,000 square feet commercial building intended for a restaurant, along with associated parking and utilities, located on the property of 283 US Route 1, Map 30 Lot 44, in the Route 1 Commercial (C-1) Zone.

Neil Hansen, Tighe & Bond, presented the project to the Board and reviewed the changes briefly.

Rob Harbeson, Market Square Architects, reviewed the architectural plans with the Board.

The Board asked several questions, and the requested waivers were discussed.

Mr. Garnham, Director of Planning and Development, addressed phasing.

Mr. White moved to approve the preliminary plan. Seconded by Mr. Bellantone. The motion passed 7-0-0.

The Board took a five-minute recess.

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80 **NEW BUSINESS –**

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82 1:24:01

83 **ITEM 3 – 15 Bowen Road– Shoreland Development Plan Review**

84 Action: Accept application. Approve plan or continue review: Pursuant to §16.9.3

85 Shoreland Development Review of the Town of Kittery Land Use and Development

86 Code, Nicole Sanborn, on behalf of owner/applicant Eric Dyer, requests approval to

87 stabilize 86 linear feet of existing eroding shoreline with riprap along the property of 15

88 Bowen Road, Tax Map 17, Lot 4, in the Residential-Urban, Shoreland Overlay, and

89 Resource Protection Overlay Zones.

90

91 Ryan McCarthy, Tidewater Engineering & Surveying Inc, presented the project to the
92 Board.

93 The Board asked several questions.

94 **Chair Dunkelberger moved to accept the plan. Seconded by Mr. White. The**
95 **motion passed 7-0-0.**

96 **Chair Dunkelberger moved to approve the plan. Seconded by Mr. White. The**
97 **motion passed 7-0-0.**

98 **Ms. Kalmar read the findings of fact into record. The Board moved to approve**
99 **each finding, 7-0-0.**

100 **The Board moved to approve by roll call vote, 7-0-0.**

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102 1:45:50

103 **ITEM 4—4 Bond Road—Major Plan Modification Review**

104 Action: accept application as complete. Approve plan: Josh Schneier, on behalf of

105 owner/applicant Stella B. Hall, proposes to divide a parcel within an approved

106 subdivision into two conforming lots on the property of 4 Bond Road, Tax Map 26, Lot

107 34, in the Residential Kittery Point Village zone.

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109 Ryan McCarthy, Easterly Surveying, presented the project to the Board.

110 **Chair Dunkelberger moved to accept the plan. Seconded by Mr. White. The**
111 **motion passed 7-0-0.**

112 **Chair Dunkelberger moved to approve the plan. Seconded by Mr. White. The**
113 **motion passed 7-0-0.**

114 Mr. McCarthy noted that he will submit an updated plan.

115 **Mr. White read the findings of fact into record. The Board moved to approve each**
116 **finding 7-0-0.**

117 **The Board moved to approve by roll call vote, 7-0-0.**

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119 **APPROVAL OF MINUTES**

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121 1:59:00

122 **ITEM 5 – 12/14/23 Meeting Minutes**

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124 **Chair Dunkelberger moved to accept the minutes as written. Seconded by Ms.**
125 **Kalmar. The motion passed 7-0-0.**

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127 **BOARD MEMBER ITEMS-**

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129 1:59:30

130 **ITEM 6—** Appointing Planning Board committee representatives

131 Mr. White appointed to DEI and Housing.

132 Ms. Wells appointed to KLIC.

133 Mr. Bellantone appointed to KPA.

134 Mr. Doyle tentatively appointed to the Comprehensive Plan Committee.

135 Mr. Bensley tentatively appointed to EDC.

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137 2:05:09

138 **STAFF ITEMS-**

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140 **ITEM 7 –** Planning board 2024 priorities and goals

141 Mr. Garnham presented the item. Discussion ensued on potential goals and updates.

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143 2:26:43

144 **Adjournment**

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146 **Mr. Bensley moved to adjourn. Seconded by Mr. Doyle. The motion passed 7-0-0.**

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148 The Kittery Planning Board meeting of January 11, 2024 adjourned at 8:28 p.m.

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150 Submitted by Carrie Varao, Development Staff Clerk on January 17, 2024.

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

153 Whilst every effort has been made to ensure the accuracy of the information, the

154 minutes are not intended as a verbatim transcript of comments at the meeting, but a

155 summary of the discussion and actions that took place. For complete details, please

156 refer to the video of the meeting on the Town of Kittery website at

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