

1 **CALL TO ORDER**

2

3 **ROLL CALL**

4

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

8

9 Absent:

10

11 Staff: Max Zakian, Town Planner and Jason Garnham, Director of Planning and
12 Development

13

14 Advisory:

15

16 **PLEDGE OF ALLEGIANCE**

17

18 **APPROVAL OF AGENDA**

19

20 **PUBLIC COMMENTS**

21

22 The public may attend the meeting in person or remotely via Zoom. Attendees via Zoom
23 will be recognized during the public hearings and public comment portion of the
24 meeting. Please note: every effort will be made to make this run smoothly; however,
25 some technical difficulties may occur. To register via Zoom visit
26 https://us02web.zoom.us/webinar/register/WN_qycXEoK5SLm6FOA1FJDjYg or
27 <https://www.kitteryme.gov/planning-board>.

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

37

38 There being no public comments, the Chair closed the public comments.

39

40 **OLD BUSINESS –**

41

42 3:39

43 **ITEM 1 – 90 Goodwin Road– Shoreland Development Plan Review**

44 Action: Extend application deadline. Pursuant to §16.9.3 Shoreland Development
45 Review of the Town of Kittery Land Use and Development Code, owner/applicants
46 Yang Living Trust request a plan extension for an approved reconstruction of a legally
47 non-conforming dwelling within a base-zone water body setback located on the property
48 of 90 Goodwin Road, Tax Map 58, Lot 63, in the Residential Rural-Conservation,
49 Shoreland Overlay, and Resource Protection Overlay Zones.

50

51 Emlyn Chase, Chase Construction, presented the application briefly.

52 Mr. Zakian gave background information on the project to the Board.

53 Discussion ensued briefly.

54

55 **Mr. Bensley moved to extend the application deadline by six months. Seconded**
56 **by Vice Chair Kalmar. The motion passed 7-0-0.**

57

58 9:50

59 **ITEM 2 – L.D. 2003 Amendments**

60 Action: Hold public hearing. The Town of Kittery is legally required to update zoning
61 standards to comply with state statute regarding housing. The proposed amendments
62 will change applicability for land area per dwelling unit, lot area per dwelling unit, and
63 net residential acreage calculations.

64

65 Mr. Garnham presented the item to the Board.

66 The Board took a five-minute recess.

67 Chair Dunkelberger opened the public hearing.

68 Public comment was heard from: Mary Alice Lapoint, 115 Pepperrell Road; Jeff Clifford,
69 27 Miller Road; Rosemary Charlesworth, 37 Cutts Island Lane; and Clayton Smith, 5
70 Devon Woods Drive.

71 Mr. Garnham responded to questions.

72 Chair Dunkelberger closed the public hearing.

73 Discussion amongst the Board ensued.

74

75 **Mr. Bensley moved to forward a positive recommendation of only the required**
76 **changes, omitting the staff recommendation. Seconded by Vice Chair Kalmar.**

77 Mr. Garnham summarized the required changes.

78 **The motion passed by roll call vote, 4-3-0 with Chair Dunkleberger, Mr.**
79 **Bellantone, and Ms. Wells in opposition.**

80

81 **NEW BUSINESS –**

82

83 2:09:12

84 **ITEM 3 – 24 Bayview Lane– Shoreland Development Plan Review**

85 Action: Accept or deny application. Approve or deny plan: Pursuant to §16.9.3

86 Shoreland Development Review of the Town of Kittery Land Use and Development
87 Code, Robert Ouellet, on behalf of owner/applicants Stephen and Catherine Balazs,
88 requests approval for a vertical expansion of an existing non-conforming house within
89 the base zone setback of the Shoreland Overlay Zone located on the property of 24
90 Bayview Lane, Tax Map 2. Lot 79, in the Residential-Suburban, Shoreland Overlay, and
91 Resource Protection Zones.

92

93 Robert Oullet, presented the project.

94

95 **Vice Chair Kalmar moved to accept the application. Seconded by Mr. White. The**
96 **motion passed 7-0-0.**

97 **Vice Chair Kalmar moved to approve the application. Seconded by Mr. White. The**
98 **motion passed 7-0-0.**

99 **Mr. Bensley read the findings of fact into record. The Board moved to approve the**
100 **findings, 7-0-0.**

101 **The Board moved to approve 7-0-0.**

102

103 2:21:32

104 **APPROVAL OF MINUTES**

105

106 **ITEM 4 – September 28, 2023 Meeting Minutes**

107

108 **Mr. White moved to approve the minutes as presented. Seconded by Vice Chair**
109 **Kalmar. The motion passed 7-0-0.**

110

111 2:22:35

112 **BOARD MEMBER ITEMS-**

113

114 **ITEM 5 – Climate Adaption Committee**

115 The first draft of the Climate Action Plan is currently in progress. The Kittery Climate
116 Adaptation Committee is requesting input from the planning board regarding the 29
117 strategies proposed for the plan.

118 Chair Dunkelberger reviewed the item with the Board.
119 Mr. Zakian asked the Board for any points that are missing from the item.
120 Chair Dunkelberger asked for the results of the hydrological study.

121
122 Subcommittee reports

123
124 **STAFF ITEMS-**

125
126 2:30:00

127 **Adjournment**

128
129 **Ms. Wells moved to adjourn. Seconded by Mr. White. The motion passed 7-0-0.**

130
131 The Kittery Planning Board meeting of October 12, 2023 adjourned at 8:30 p.m.

132
133 Submitted by Carrie Varao, Development Staff Clerk on October 16, 2023.

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