

1 **CALL TO ORDER**

2

3 **ROLL CALL**

4

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

7

8 Absent: Russell White, Member

9

10 Staff: Kathy Conner, Project Planner, Bart McDonough, Town Planner, and Adam
11 Causey, Director of Planning

12

13 Advisory: Earldean Wells, Conservation Commission

14

15 **PLEDGE OF ALLEGIANCE**

16

17 **APPROVAL OF AGENDA**

18 Chair Dunkelberger proposed moving Item 2 to the first agenda item, Item 4 to the
19 second spot, and Item 1 last. All were in favor.

20

21 **APPROVAL OF MINUTES- None**

22

23 **PUBLIC COMMENTS**

24

25 The public may attend the meeting in person or remotely via Zoom. Attendees via Zoom
26 will be recognized during the public hearings and public comment portion of the
27 meeting. Please note, the Town is testing its hybrid meeting technology. Every effort will
28 be made to make this run smoothly, however some technical difficulties may occur as
29 the Town implements this new approach. To register via Zoom:

30 https://us02web.zoom.us/webinar/register/WN_Rcj4kiG4SRayzqXJDsCeyg

31 Further, the public may submit public comments via email, US Mail, or by dropping
32 written comments in the Drop Box outside the Town Hall entrance. Emailed comments
33 should be sent to bmcdonough@kitteryme.org. Comments received by noon on the day
34 of the meeting will become part of the public record and may be read in whole or in
35 summary by the Planning Board Chair or Town Planner.

36

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

38

39 **OLD BUSINESS- None**

40

41 **PUBLIC HEARING**

42

43 7:13

44 **ITEM 2—89 Route 236—Preliminary Site Plan Review**

45 Action: Hold public hearing, continue to a subsequent meeting: Pursuant to Commercial
46 (C-1, C-2, C-3, §16.8 *Design and Performance Standards for Built Environment* and
47 Article V *Preliminary Plan Application Review* of §16.10 *Development Plan Application*
48 of the Town of Kittery Land Use and Development Code, the Planning Board shall hold
49 a public hearing on October 14, 2021 at 6:00 pm in Council Chambers located in Town
50 Hall with an address of 200 Rogers Road, Kittery ME to consider an preliminary site
51 plan application from applicant/owner JD Investment Inc. and agent Jones & Beach
52 Engineers, Inc. requesting preliminary approval to expand the existing parking lot by 11
53 spaces totaling 3,400-sf. of additional impervious surface with appurtenant stormwater
54 infrastructure on real property with an address of 89 Route 236 (Tax Map 28, Lot 14-2)
55 located in the Commercial-2 (C2) Zone.

56

57 Wayne Morrill, Jones & Beach Engineers, Inc. gave an update and reviewed the
58 comments from the Board. He updated the Board on the new plans, addressing
59 concerns and giving the history of the site.

60 The Board asked questions regarding the failed septic and the new design, snow
61 storage, and re-planting.

62

63 The Chair opened the item up to the public. There being no public comments, the public
64 hearing was closed by the Chair.

65

66 **Vice Chair Kalmar moved to approve the preliminary application. Seconded by**
67 **Mr. Ledgett. The motion passed by roll call vote 6-0-0.**

68

69 **NEW BUSINESS**

70

71 29:03

72 **ITEM 4—524 US Route 1—Final Site & Right-of-Way Plan Review**

73 Action: continue to a subsequent meeting; approve or deny final plan. Pursuant to
74 §16.3.2.13 *Mixed-Use*, §16.8 *Design and Performance Standards for Built Environment*
75 and Article V *Preliminary Plan Application Review* of §16.10 *Development Plan*
76 *Application* of the Town of Kittery Land Use and Development Code, the Planning
77 Board shall consider an final site and right-of-way plan application from applicant/owner
78 C-Coast Properties and agent Altus Engineering, Inc. requesting final approval to

79 construct 20,000-sf manufacturing building with appurtenant infrastructure and
80 landscaping on real property with an address of 524 U.S. Route 1 (Tax Map 67, Lot 1)
81 located in the Mixed-Use (MU) and Residential-Rural (R-RL) Zones and Shoreland (OZ-
82 SL-250) and Resource Protection (OZ-RP) Overlay Zones.

83

84 Erik Saari, Altus Engineering, Inc. gave an update to the Board regarding the final
85 plans. Discussion around the road and the cemetery ensued briefly.

86 The Board asked questions regarding the pole easement, designated open space, snow
87 storage, and road classification.

88

89 **Vice Chair Kalmar moved to approve the site plan and right of way application**
90 **with the stated conditions. Vice Chair Kalmar withdrew the motion.**

91 **Vice Chair Kalmar moved to approve the stated waivers. Seconded by Mr. Fitch.**
92 **The motion passed by roll call vote 6-0-0.**

93 **Vice Chair Kalmar moved to approve the plan. Seconded by Mr. Ledgett. The**
94 **motion passed by roll call vote 6-0-0.**

95 **Vice Chair Kalmar read the findings of fact. The Board approved each finding as**
96 **stated, 6-0-0.**

97 **Vice Chair Kalmar read the granted waivers and conditions of approval.**

98 **The Board motions passed by roll call vote 6-0-0.**

99

100 57:20

101 **ITEM 3— Route 236 / MacKenzie Lane —Permit Extension Request**

102 Continue to a subsequent meeting. Pursuant to 16.10.9.1 D *Approve Plan Expiration of*
103 *the Town of Kittery Land Use and Development Code*, the Planning Board shall
104 consider a permit extension request from Waebak, LLC for an approved site plan
105 depicting a 1,672-sf Car Wash with appurtenant infrastructure at the corner of Route
106 236 and MacKenzie Lane (Tax Map 28, Lot 25D) located within the Commercial (C-2)
107 zone.

108

109 Mr. McDonough gave an overview of the request and an update of the project to the
110 Board.

111

112 **Vice Chair Kalmar moved to extend the approval for three years. Seconded by Mr.**
113 **Bellantone. The motion passed by roll call vote 6-0-0.**

114

115 **PUBLIC HEARING**

116

117 103:00

118 **ITEM 1—Land Use and Development Code Amendments—Recodification of Title**
119 **16**

120 Action: Hold public hearing, continue to a subsequent meeting, recommend/not
121 recommend to Town Council. Pursuant to M.R.S.A Title 30-A, Chapter 187, §4352 and
122 §16.1.9 *Amendments* of the Town of Kittery Land Use and Development Code, the
123 Planning Board will hold a public hearing for a proposed amendment to Title 16 by
124 reorganizing the tile while modifying certain provisions therein to align with the Town’s
125 Comprehensive Plan, or taking any other action relative thereto.

126
127 Chair Dunkelberger assigned sections to each Board member for review.
128 The Chair opened the public hearing.
129 Kate Johnston shared her comments with the Board.

130
131 **Mr. Ledgett moved to continue the public hearing until 10/28/2021 at 6PM.**
132 **Seconded by Mr. Perry. The motion passed by roll call vote 6-0-0.**

133
134 **OTHER BUSINESS**

135
136 1:12:30

137 **ITEM 5 – Board Member Items/Discussion**

138
139 None

140
141 1:12:40

142 **ITEM 6 – Town Planner/Director of Planning & Development Items**

143
144 Mr. McDonough told the Board about the upcoming meeting agenda.

145
146 1:13:13

147 **Adjournment**

148
149 **Vice Chair Kalmar moved to adjourn. Seconded by Mr. Ledgett. The motion**
150 **passed by roll call vote 6-0-0.**

151
152 The Kittery Planning Board meeting of October 14, 2021 adjourned at 7:13 p.m.

153
154 Submitted by Carrie Varao, Development Staff Clerk on April 21, 2022.

155
156 Disclaimer: The following minutes constitute the author’s understanding of the meeting.
157 Whilst every effort has been made to ensure the accuracy of the information, the
158 minutes are not intended as a verbatim transcript of comments at the meeting, but a

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