

**TOWN OF KITTERY, Maine
PLANNING BOARD MEETING
COUNCIL CHAMBERS**

**UNAPPROVED
OCTOBER 27, 2022**

1 **CALL TO ORDER**

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3 **ROLL CALL**

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5 Present: Dutch Dunkleberger Vice Chair Kamar Member, Drew Fitch, Member, John Perry, Member Steve
6 Bellatone, Member Russell White, Member Ron Ledge

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8 Staff: Jordan Kelley, Town Planner

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10 Advisory: Earle Wells, Conservation Commission

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12 **PLEDGE OF ALLEGIANCE**

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14 **APPROVAL OF AGENDA**

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16 **PUBLIC COMMENTS**

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18 The public may attend the meeting in person or remotely via Zoom. Attendees via Zoom will be
19 recognized during the public hearings and public comment portion of the meeting. Please note: every
20 effort will be made to make this run smoothly, however some technical difficulties may occur. To register
21 via Zoom visit https://us02web.zoom.us/webinar/register/WN_Rcj4kiG4SRayzgXJDsCeyg or at
22 <https://www.kitteryme.gov/planning-board>

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

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

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34 **OLD BUSINESS**

35 None

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37 **NEW BUSINESS-**

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ITEM 1 – 35 Badgers Island West, Shoreland Development Plan

Action: review for completeness, continue approve accept or deny : Pursuant to §16.4 Land Use Regulations and §16.9.3 Shoreland Development Review requirements of the Town of Kittery Land Use and Development Code, owner B.I.W. Group, LLC and agent Steven Riker with Ambit Engineering request approval to expand a legally non-conforming building and convert an existing office building to 10 residential units on a legally conforming lot located on real property with the address of 35 Badgers Island West, Tax Map 44, Lot 71, in the Mixed-Use Badgers Island Zone (MU-BI), Shoreland Overlay Zone (OZ-SL-250'), and Resource Protection Overlay Zone (OZ-RP).

39 **John Chagnon gave his summary description of the proposed project proposed that it should be changed John
40 Chagnon from Steve Riker. There was a question form Vice Chair Kalmar to clarify the existing conditions i.e. the
41 boat storage area.

42 The hold occurs based on proving this portion of the PRN

43 **(c) Preserve the environmental quality of coastal resources. Protect existing wildlife habitat, conserve**
44 **shore cover and ensure the quality of stormwater runoff by satisfying all of the following standards:**

45 **[1] Retain and protect existing significant wildlife habitat that provides food, cover and/or nesting for**
46 **migratory songbirds and wading birds;**

47 **[2] In order to conserve shore cover, contiguous areas of shrubberies of varying height, such as dwarf**
48 **species of barberry, serviceberry, holly, crabapple, dogwood, cotoneaster, euonymus, firethorn**
49 **and/or osa rugosa, as well as erosion-resistant ground cover plantings must be retained and planted,**
50 **and existing trees retained, wherever practicable in the setback;**

51 **[3] Implementation of a stormwater management plan endorsed by the York County Soil and Water**
52 **Conservation District (SCS), or the Town's engineering peer review consultant, that treats stormwater**
53 **with appropriate BMPs and removes pollutants in accordance with the most-current edition of the**
54 **Maine Department of Environmental Protection BMP Manual, Stormwater Management for Maine.**
55 **Pollutants sought to be removed include suspended solids, nitrates, hydrocarbons and heavy metals.**
56 **Such special treatment of the first flush of runoff may include detention, infiltration, filtering and**
57 **trapping of pollutants.**

58 Steve Ricker made a public Comment regarding the background of the project and the desire to
59 complete it

60 Point of order from member Russel White to take no action to not start a clock

61 Present: Dutch Dunkleberger Vice Chair Kamar Member, Drew Fitch, Member, John Perry, Member Steve
62 Bellatone, Member Russell White, Member Ron Ledge agree

63

64 Sketch plan incomplete for C 1, 2, 3 Make it Extraordinary

65 Steven Riker Commented again saying the revetment is completed and a suggestion for a site walk was
66 initiated

67 Procedurally able to do a site walk?

68 Russel stated site walk, Ron agreed

69 Chair Dunkleberger set the date for a site walk for November 14th

70 **APPROVAL OF MINUTES- –**

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ITEM 2 – October 5th Site Walk and October 13th Meeting

October 5th Site Walk at 41 Route 236 – added Jeff Clifford (Representing KLT)
Dutch Motioned to Approve as amended, Motion passed 4-0-3 (Drew Ron Dutch abstained)

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October 13th PB Minutes - Karen Motioned to Approve, Motion passed 6-0-1 (Russel abstained)

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Board Member Items/Discussion

Confirming of next Planning Board Meeting for November 17th – Confirmed

Public Hearing for 28 Wyman Ave for November 17th – 2nd Public Hearing, Abutters Notices will be sent

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Adjournment

Vice Chair Kalmar moved to adjourn. Seconded by Drew The motion passed 7-0-0

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The Kittery Planning Board meeting of October 27, 2022 adjourned at 7:17 p.m.

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Submitted by Jordan Kelley, Development Staff Clerk on October 19, 2022.

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