

1 **CALL TO ORDER**

2

3 **ROLL CALL**

4

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

7

8 Absent: Drew Fitch, Member

9

10 Staff: Adam Causey, Director of Planning and Development

11

12 Advisory: Earledean Wells, Conservation Commission

13

14 **PLEDGE OF ALLEGIANCE**

15

16 **APPROVAL OF MINUTES- 8/8/19 (Planning Board Meeting)**

17

18 **Postpone approval of minutes to the next meeting due to lack of quorum.**

19

20 **PUBLIC COMMENTS**

21

22 The Chair opened the Public Comments session.

23

24 There being none the Chair closed the public comment session.

25

26 **OLD BUSINESS**

27

**ITEM 1 – 60-68 Wallingford Square – Sketch Plan Review**

28 Action: Approve or deny sketch plan. Owner/applicant 60-68 Wallingford Square, LLC  
29 requests consideration of a sketch plan for the renovation of an existing 4-story mixed-  
30 use structure and the reconstruction of the garage portion of the structure into a 12-unit  
31 inn on a 14,375 sf lot at 60-68 Wallingford Square (Tax Map 4, Lot 79) in the Mixed Use  
32 – Kittery Foreside (MU-KF), Shoreland (OZ-SL), Resource Protection (OZ-RP) and  
33 Commercial Fisheries/Maritime Uses (OZ-CFMU) Overlay Zones. Agent is Nick  
34 Bouquet, Madbury Capital.

35

36 Agent Nick Bouquet presented an update of the plan in regards to the question of the  
37 firewall. Demolition determined that it is not a firewall.

38 Rob Harbeson, AIA, gave an explanation of the findings of the demolition, including the  
39 difference between a fire separation and a firewall. The findings determined that the  
40 building has a fire separation not a firewall.

41

42 Mr. Ledgett asked questions regarding the use and zones issues brought up at the last  
43 meeting, specifically in regards to converting the garage into part of the Inn. Non-  
44 conforming use in the Shoreland or Resources Protection zone cannot expand or  
45 become more non-conforming according to the code. The suggested use is not allowed  
46 under the Resource Protection or Maritime Fisheries zones and violates the setbacks.

47

48 Mr. Bellantone asked for an update on the parking spaces and the location of where the  
49 Innkeeper would live. These will be addressed at the preliminary plan review.

50

51 **Vice Chair Kalmar moved to accept the sketch plan. Seconded by Mr. Ledgett.**

52

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

54

55 **ITEM 2- 459 U.S. Route 1- Hotel Building Design Plan Review**

56 Action: Approve or deny building design plans.

57

58 Mike Brigham of Landmark Hill LLC presented the design briefly. It is a Marriott Town  
59 Place Suites design with a developer out of Massachusetts.

60

61 The board discussed a flat roof design for fire reasons.

62

63 Chair Dunkelberger discussed the Marriot design versus the town's design standards,  
64 stating the board would have to approve the proposed design as meeting the town's  
65 standards. Everything but the flat roof has been amended to meet the standards.

66

67 Mr. Causey reported that staff reviewed the plans and the design handbook, and noted  
68 the only element not meeting the standards is the flat roof.

69

70 Mr. Ledgett asked for clarification on the administrative process of the approval of the  
71 design. Chair Dunkelberger suggested the approval contain conditions in the record.

72

73 **Mr. Ledgett moved to approve the building design plan with the stated condition  
74 of acceptable flat roof. Seconded by Mr. White.**

75

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

77

78 **ITEM 3- 76 Dennett Road- Sidewalk Discussion**

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80 Shawn Tobey, P.E. Hoyle, Tanner Associates, Inc., gave an update on the project. They  
81 are still waiting for the DEP permit approval. Submitted a full DOT traffic study. Mr.  
82 Tobey presented the proposed plan for the front entrance of the building, including  
83 entrance lanes and sidewalks. He discussed three sidewalk options, with the first  
84 requiring significant grading and tree removal. Preferred option is to not have a front  
85 sidewalk and request a waiver. Internal sidewalks would be used. The last option would  
86 be to put the sidewalk right along the roadway but with the speed limit the developer did  
87 not feel that was safe.

88

89 Discussion ensued from the board. Vice Chair Kalmar suggested a site walk so the  
90 board can see the issues and impacts at the site. Mr. White remarked on the road width  
91 and speed limits. Mr. Causey reported that the town could submit to the State to lower  
92 the speed limit. Mr. Ledgett received an overview on the internal sidewalks. Chair  
93 Dunkelberger favors the internal sidewalks and forgoing the sidewalk on Dennett Road.  
94 Mr. Ledgett agreed and included bike lane options with the State. Mr. Causey reviewed  
95 the staffs' opinion on the internal connection and the sidewalks. He clarified DOTs role  
96 in the sidewalk permit process.

97

98 Mr. Tobey agreed to ask DOT about the options for a sidewalk on Dennett Road but  
99 stated DOT does not require a sidewalk.

100

101 Bill Wharf, applicant, reported conversations with the abutting owner have been  
102 amicable and they both agree that internal connectivity is preferred.

103

104 Mr. Perry would like to see the town have a master plan for the entire road. He does not  
105 think a front sidewalk is safe and prefers the internal sidewalk plan.

106

107 Vice Chair asked the applicant to bring a rationale for why they cannot build a sidewalk  
108 safely. She would like written demonstration in the next packet detailing the evidence  
109 before deciding on the waiver.

110

111 Mr. Causey stated he would check with Town Council on the status of a Town Sidewalk  
112 Plan. The Planning Department will work with applicant on the sidewalk plan process.

113

114 Chair Dunkelberger closed the discussion by agreeing with applicant's proposal of  
115 internal sidewalks and keeping pedestrian traffic off the road. He would like the town to

116 pursue a bike lane with the State. The Chair reiterated Vice Chair Kalmar's idea of the  
117 applicant formally documenting the reasons why a sidewalk along Dennett Road is  
118 unsafe. Lastly, the Chair asked the applicant to include on the plan a sidewalk that goes  
119 from the site to Dennett Road for future needs.

120

121 **NEW BUSINESS**

122

123 **ITEM 4 – Board Member Items / Discussion**

124

125 A. Election of Officers

126

127 **Mr. White moved to nominate the current slate for the upcoming year:**  
128 **Dutch Dunkelberger as Chairmain, Karen Kalmar as Vice Chair, and Ronald**  
129 **Ledgett as Secretary.**

130

131 **Seconded by Mr. Perry.**

132

133 **The Motion carried 6-0-0.**

134

135 B. Other

136

- 137 • The board reviewed their schedule for the upcoming January meetings  
and determined enough members would be present for a quorum.
- 138 • Earldean Wells asked about the abutting neighbors of Elizabeth Lane,  
139 who also spoke at the Conservation Commission meeting. She requested  
140 an update on the Planning Departments inquiry with DEP on the two new  
141 building lots.

142

143 **ITEM 5- Town Planner / Director of Planning & Development Items**

144

145 Mr. Causey passed out a letter from the Town Attorney regarding the requested legal  
146 opinion on the Sawyer Lane Subdivision extension timeframes. It was concluded that  
147 the 10-year expiration date is in effect and that the applicant had the right to request it  
148 from the board.

149 Mr. Causey gave an update on the recodification effort and gave the members a list of  
150 action items for their review.

151

152 Mr. Ledgett requested clarification on the process of bringing other board questions to  
153 the recodification effort. He also requested coordination between boards, especially the  
154 Port Authority and the Planning Board.

155

156 Chair Dunkelberger requested all members take the list of action items home to review  
157 and make suggestions.

158

159 **Adjournment**

160

161 **Mr. Ledgett moved to adjourn the meeting. Mr. White seconded the motion.**

162

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

164

165 The Kittery Planning Board meeting of December 12, 2019 adjourned at 7:11 p.m.

166

167 Submitted by Carrie Bacon, Development Staff Clerk on April 21, 2020.

168

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

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