

1 **CALL TO ORDER**

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3 **ROLL CALL**

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

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9 Absent:

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11 Staff: Jason Garnham, Director of Planning

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13 Advisory:

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15 **PLEDGE OF ALLEGIANCE**

16

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.

24

25 Public comment and opinion are welcome during this meeting. However, comments and  
26 opinions related to development projects currently being reviewed by the Planning  
27 Board will be heard only during a scheduled public hearing when all interested parties  
28 have an opportunity to participate. The public may submit written public comments via  
29 email, US Mail, or by hand delivery to Town Hall. Those in the room providing  
30 comments must clearly state their name and address and record it in writing at the  
31 podium. For those attending via Zoom, please state your name and address for the  
32 record.

33

34 Emailed comments should be sent to: [mzakian@kitteryme.org](mailto:mzakian@kitteryme.org), or hand-delivered to  
35 Town Hall. Comments received by noon on the day of the meeting will become part of  
36 the public record and may be read in whole or in summary by the Planning Board or  
37 Town Staff.

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

40

41 **OLD BUSINESS –**

42

43 2:45

44 **ITEM 1—120 Route 1—Major Site Plan — Final Review**

45 Action: Approve plan or continue review. Nicole Duquette, on behalf of owner/applicant  
46 Kittery Circle LLC, is proposing to re-develop the site of a former gas station into a hotel  
47 with 102 rooms and associated parking and utilities. The proposed hotel is located on  
48 the properties of 112 & 120 US Route 1 Bypass and 139 Old Post Road, Map 14 Lots  
49 10, 12, & 12A, in the C-3 (Bypass/Old Post Road Commercial) Zone

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51 Nicole Duquette, GPI, reviewed updates to the project, including a landscape note that  
52 will be added to site plan, fence height, lighting plan, trees in parking lot, sign off from  
53 ME DOT, and DEP comments being addressed.

54 Questions and discussion regarding snow storage and removal, sewer connection, flow  
55 of traffic, erosion plan, and edit to language of findings of fact.

56 Brief comments regarding impact to Old Post Road and final plans being incomplete.

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58 **Mr. White moved to approve the final site plan. Seconded by Mr. Doyle. The**  
59 **motion passed 6-1-0, with Vice Chair Bensley voting in the negative.**

60 **Vice Chair Bensley read the findings of fact into record. The Board moved to**  
61 **approve each finding, 7-0-0, with the exceptions of Traffic Managed and**  
62 **Utilization of the Site, which each passed 6-1-0, with Vice Chair Bensley voting in**  
63 **the negative.**

64 **The Board moved to approve, 6-1-0, with Vice Chair Bensley voting in the**  
65 **negative.**

66

67 34:59

68 **ITEM 2—90 US Route 1—Major Site Plan — Preliminary Review**

69 Action: accept site plan as complete. Schedule site walk/public hearing. Geoff Aleva, on  
70 behalf of owner/applicants 90 US Route 1 LLC, requests approval to develop a hotel  
71 with 62 rooms and associated parking and utilities on the property of 90 US Route 1,  
72 Tax Map 14, Lot 2, in the Bypass-Old Post Road Commercial (C-3) Zone.

73

74 Geoff Aleva, Civil Consultants, reviewed updates to the site plan, including emergency  
75 connection, emergency access, vegetation/ash trees, and fence. Addressed removing  
76 paved walk from plans at bypass. Brief discussion regarding landscaping and trees,  
77 parking spaces, fencing/ abutters, public hearing, water main, waivers, and site lines.  
78 Chair Dunkelberger opened the public hearing.

79 Public comment was heard from: Nathan Duckworth, 103 Old Post Road.

80 Chair Dunkelberger closed the public hearing.

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**Ms. Kalmar moved to approved the preliminary site plan. Seconded by Vice Chair Bensley. The motion passed 7-0-0.**

**NEW BUSINESS**

59:50

**ITEM 3—5 Whipple Road—Major Site Plan — Preliminary Review**

Action: accept site plan as complete. Schedule site walk/public hearing. Mike Sudak, on behalf of owner/applicants PB Real Estate Holdings LLC, request approval to construct a 3,400 square foot commercial facility containing a butcher’s shop and restaurant, along with associated parking and utilities, on the property of 5 Whipple Road, Tax Map 9, Lot 134, in the Business Local (B-L) Zone.

Jason Garnham, Director of Planning, introduced why the project came before the Board.

Mike Sudak, Attar Engineering, described the site to the Board.

Shannon Hill presented the site and project history to the Board, including removal of storage tanks and hydraulic lift, positive arsenic test but otherwise clean site, and hazardous building material survey/ lead paint.

Mr. Sudak presented an overview of the project. Waivers regarding the landscaping planter strip and street tree minimum were presented and discussed. Discussion of Town of Kittery land, easement, and Town Council involvement. Discussion of stormwater management waiver.

**Mr. White moved to accept site plan as complete. Seconded by Ms. Kalmar. The motion passed 7-0-0.**

**The board declined to schedule a site walk.**

**Mr. White moved to schedule the public hearing for April 11, 2024. Seconded by Ms. Kalmar. The motion passed 7-0-0.**

1:44:08

**APPROVAL OF MINUTES**

Chair Dunkelberger announced new Code Enforcement Officer Carrie Varao. Written minutes will lapse temporarily. Archive video footage is available of all planning board meetings in the interim.

1:46:09

**BOARD MEMBER ITEMS-**

**ITEM 4- Request for town emails**

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

**UNAPPROVED  
MARCH 14, 2024**

121 Mr. Garnham discussed removal of Planning Board member phone numbers and email  
122 addresses from web page upon request and potential for town email addresses.

123

124 **Ms. Kalmar moved to adjourn. Seconded by Vice Chair Bensley.**

125

126 1:49:54

127 **STAFF ITEMS-**

128 Mr. Garnham discussed real estate market study and upcoming presentation tentatively  
129 scheduled for April 1, 2024, and upcoming events on town project page.

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131 1:53:55

132 **Adjournment**

133

134 **The motion to adjourn passed 7-0-0.**

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136 The Kittery Planning Board meeting of March 14, 2024 adjourned at 7:54p.m.

137

138 Submitted by Niki Floros, Development Staff Clerk on April 16, 2024.

139

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

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

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

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

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

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

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