

**TOWN OF KITTERY, Maine  
PLANNING BOARD MEETING  
REMOTE MEETING**

**UNAPPROVED  
MARCH 24, 2022**

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**CALL TO ORDER**

**ROLL CALL**

Present: John Perry, Member, Drew Fitch, Member, Russell White, Member, Ronald Ledge, Member, Karen Kalmar, Vice Chair, and Dutch Dunkelberger, Chair

Absent: Steve Bellantone, Member

Staff: Bart McDonough, Town Planner and Kathy Connor, Project Planner

Advisory: Earle Wells, Conservation Commission

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF AGENDA- None**

**APPROVAL OF MINUTES- March 25, 2021; April 8, 2021; and April 22, 2021**

March 25, 2021- line 122 change "tile" to "title".  
April 8, 2021- line 107 add "hearing" prior to public and fix the time stamp at 1:13, line 96 change "form" to "from".  
April 22, 2021-none

**Vice Chair Kalmar moved to approve the minutes as amended. Seconded by Mr. Ledge. The motion passed by roll call vote 6-0-0.**

**PUBLIC COMMENTS**

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

[https://us02web.zoom.us/webinar/register/WN\\_SSk-9Fq5T-uApy5s5UZFYA](https://us02web.zoom.us/webinar/register/WN_SSk-9Fq5T-uApy5s5UZFYA)

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

Chair Dunkelberger opened the public comments.

41 There being none, Chair Dunkelberger closed the public comments.

42

43 **OLD BUSINESS**

44

45 6:00

46 **ITEM 1—47 Cutts Road—Sketch Plan Review, Cluster Subdivision**

47 Action: Continue to a subsequent meeting; vote on sketch plan application. Pursuant to  
48 Title 30-A M.R.S.A. §4401-4408 Municipal Subdivision Law and §16.8, Subdivision  
49 Review of the Kittery Town Code, the Planning Board shall consider an application from  
50 owners/applicants Chip and Anne Andrews with agent Attar Engineering, Inc.  
51 requesting approval for a sketch plan cluster subdivision proposing eleven (11) lots with  
52 appurtenant infrastructure and wetland alteration of 5,083-sf on real property with an  
53 address of 47 Cutts Road (Tax Map 60, Lot 10-3) located in the Residential-Rural (R-  
54 RL) zoning district and Shoreland- (OZ-SL-250) and Resource Protection (OZ-RP)  
55 Overlay Zones.

56

57 The applicant did not submit additional material and was not present. Mr. McDonough  
58 suggested the Board continue the application.

59

60 **Mr. White moved to continue the application, not to exceed 90 days. Seconded by**  
61 **Vice Chair Kalmar. The motion passed by roll call vote 6-0-0.**

62

63 **NEW BUSINESS**

64

65 7:50

66 **ITEM 2—524 US Route 1—Major Site / Subdivision Sketch Plan Review**

67 Action: Application acceptance, continue to a subsequent meeting; vote on sketch plan  
68 application. Pursuant to Title 30-A M.R.S.A. §4401-4408 *Municipal Subdivision Law*,  
69 §16.7 *Site Plan Review* and §16.8, *Subdivision Review* of the Kittery Town Code, the  
70 Planning Board shall consider a sketch plan special exception application from owner  
71 C-Coast Properties and applicant York Harbor Builders, LLC with agent Civil  
72 Consultants, requesting sketch plan approval to construct 19 mixed-use single-family  
73 dwelling units, 8 age-restricted dwelling units and a 7,200-sf storage/office building with  
74 appurtenant infrastructure on real property with an address of 524 U.S. Route 1 (Tax  
75 Map 67, Lot 1) located in the Mixed-Use (MU) and Residential-Rural (R-RL) Zones and  
76 Shoreland (OZ-SL-250) and Resource Protection (OZ-RP) Overlay Zones.

77

78 Neil Rapoza, Civil Consultants, gave an overview of the project and reviewed the plans.

79

80 Chair Dunkelberger asked for clarification on the size of the commercial space. The  
81 Board asked questions regarding use, age-restricted community, right-of-way and street  
82 distinction, dwelling counts, commercial office space, residential layout, road standards  
83 and access, integration and Master Site Plan, and parking standards.

84 The Board did not accept the plan.

85

86 40:37

87 **ITEM 3—Land Use and Development Code Amendments**

88 Action: Continue to a subsequent meeting, set public hearing. Pursuant to M.R.S.A Title  
89 30-A, Chapter 187, §4352 and §16.1.7 *Amendments* of the Kittery Town Code, the  
90 Planning Board will consider setting a public hearing for proposed amendments to Title  
91 16 that seek to delete cluster residential development provisions throughout Title 16 and  
92 be replaced with new regulations governing non-traditional subdivisions along with  
93 establishing a new chapter titled ‘Conservation Subdivision’ or take any other action  
94 relative thereto.

95

96 Kathy Connor gave a brief summary of the process and reviewed the amendment with  
97 the Board. Ms. Connor went over the changes.

98 The Board reviewed the amendment page by page, asking questions and commenting.

99

100 **Vice Chair Kalmar moved to set a public hearing on April 28, 2022 at 6 PM.**

101 **Seconded by Mr. White. The motion passed by roll call vote 6-0-0.**

102

103 1:30:50

104 **ITEM 4—Land Use and Development Code Amendments**

105 Action: Continue to a subsequent meeting, set public hearing. Pursuant to M.R.S.A Title  
106 30-A, Chapter 187, §4352 and §16.1.7 *Amendments* of the Kittery Town Code, the  
107 Planning Board will consider setting a public hearing for a proposed amendments to  
108 Title 16 that seek require affordable housing, to regulate cottage clusters within the  
109 Mixed-Use Neighborhood (MU-N) zoning district (§16.4.23), and to provide clarifying  
110 language, or take any other action relative thereto.

111

112 Ms. Connor gave an overview of the amendment. The Board reviewed the amendment  
113 page by page with no comments.

114

115 **Vice Chair Kalmar moved to set a public hearing on April 28, 2022 at 6 PM.**

116 **Seconded by Mr. Ledgett. The motion passed by roll call vote 6-0-0.**

117

118 1:34:00

119 **ITEM 5—Land Use and Development Code Amendments**

120 Action: Continue to a subsequent meeting, set public hearing. Pursuant to M.R.S.A Title  
121 30-A, Chapter 187, §4352 and §16.1.7 *Amendments* of the Kittery Town Code, the  
122 Planning Board will consider setting a public hearing for proposed amendments to Title  
123 16 that seek to regulate constructed wetlands (§16.5.30), or take any other action  
124 relative thereto.

125  
126 Ms. Connor introduced the Item.  
127 Earledean Wells gave an overview of the amendment.

128  
129 **Mr. Ledgett moved to hold a public hearing on April 28, 2022 at 6 PM. Seconded**  
130 **by Mr. White. The motion passed by roll call vote 6-0-0.**

131  
132 **OTHER BUSINESS**

133  
134 1:37:51  
135 **ITEM 6 – Board Member Items/Discussion**

136  
137 Chair Dunkelberger told the Board he would like a historical site review and hydrologic  
138 study for the entire Mixed-Use Neighborhood zone, funded by the Town of Kittery or TIF.

139  
140 **Mr. Ledgett moved to recommend to the Town Manager and/or the Town Council**  
141 **to conduct a historical and hydrologic survey of the entire Mixed-Use**  
142 **Neighborhood zone. Seconded by Mr. Perry. The motion passed 6-0-0.**

143  
144 Chair Dunkelberger shared that Mr. McDonough would be leaving the Town of Kittery.  
145 The Board wished him well.

146 Chair Dunkelberger told the Board the next meeting will be in person.  
147 Earledean Wells asked the Board about the wetland table setbacks and would like to  
148 review them.

149  
150 1:44:49  
151 **ITEM 7 – Town Planner/Director of Planning & Development Items**

152  
153 Mr. McDonough gave the Board an update on the next agenda.  
154 Earledean Wells told the Board that the wetland impact fees will be on the Town Council  
155 agenda on 3/28/2022.  
156 Mr. Ledgett asked about the solar ordinance.

157  
158 1:46:35  
159 **Adjournment**

160  
161 **Mr. Ledgett moved to adjourn. Seconded by Mr. White. The motion passed by roll**  
162 **call vote 6-0-0.**

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163

164 The Kittery Planning Board meeting of March 24, 2022 adjourned at 7:47 p.m.

165

166 Submitted by Carrie Varao, Development Staff Clerk on May 9, 2022.

167

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

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

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

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

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

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