

1 **CALL TO ORDER**

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3 **ROLL CALL**

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

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8 Absent: Steve Bellantone, Member, and Russell White, Member

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10 Staff: Adam Causey, Director of Planning and Kathy Connor, Project Planner

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12 Advisory: Earldean Wells, Conservation Commission

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14 **PLEDGE OF ALLEGIANCE**

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16 **APPROVAL OF AGENDA-** None

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18 **APPROVAL OF MINUTES-** May 13, 2021; May 27, 2021; and July 22, 2021

19 May, 13, 2021: Line 180, add Mr. Ledgett as the dissenter. Line 114, add “plan” after
20 preliminary.

21 May, 27, 2021: no corrections

22 July 22, 2021: Line 28: Change the motion numbers to “4-0-2” and add who abstained.

23 Line 106: Change the motion numbers to “4-2-0”, with the minority as Chair

24 Dunkelberger and Mr. White.

25 **Mr. Ledgett moved to accept the minutes as amended. Seconded by Vice Chair**

26 **Kalmar. The motion passed 5-0-0.**

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28 **PUBLIC COMMENTS**

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

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

36 Further, the public may submit public comments via email, US Mail, or by dropping
37 written comments in the Drop Box outside the Town Hall entrance. Emailed comments
38 should be sent to acausey@kitteryme.org. Comments received by noon on the day of

39 the meeting will become part of the public record and may be read in whole or in
40 summary by the Planning Board Chair or the Director of Planning and Development.

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42 Chair Dunkelberger read a written comment from Filomena Knowles, 2 Estuary Drive.

43 Chair Dunkelberger replied to the comment.

44 There being no other comments, the Chair closed the public comments.

45 Chair Dunkelberger re-opened the public comments.

46 Comments were heard via Zoom from Steven Thomson, Lisa Linehan, and Sarah
47 Dennett.

48 Mr. Causey responded to Ms. Linehan's comment. Chair Dunkelberger replied to Ms.
49 Dennett.

50 Jen Thayer, 47 Martin Road read her letter to the Board.

51 Mr. Causey gave an update on the Board's request for a historical and hydraulic study
52 of the zone. Chair Dunkelberger responded to her other comments. Discussion on the
53 Comprehensive Plan ensued.

54 Chair Dunkelberger closed the public comments.

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56 **OLD BUSINESS-** None

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58 **NEW BUSINESS**

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60 33:25

61 **ITEM 1—523 US Route 1—Final Site Plan Review**

62 Action: Accept plan as complete, continue to a subsequent meeting or vote on final plan
63 application; Pursuant to §16.3.23 *Mixed-Use*, §16.7 *Site Plan Review* of the Town of
64 Kittery Land Use and Development Code, the Planning Board shall consider a final site
65 plan application from applicant GSC Enterprises, LLC and agent Haley Ward, Inc.
66 requesting final approval to construct 1,010-sf coffee shop with a drive-through with
67 appurtenant infrastructure and landscaping on real property with an address of 523 U.S.
68 Route 1 (Tax Map 68, Lot 26) located in the Mixed-Use (MU) Zone.

69

70 Sean Thies, Haley Ward Inc., gave an update on the project, addressing the changes
71 made in response from the Board's and DOT's input.

72 The Board asked questions relating to the sign location and design, Parsons Lane
73 access and exit, and entrance on Route 1 and public safety. Discussion continued
74 around potential development, traffic, safety, DOT and CMA review. Questions around
75 the proposed use and zoning clarified. The Board discussed the primary use and the
76 Code. Waiver request for the flat roof on the rear of the building discussed briefly.

77 Stormwater management plan with CMA review, and erosion control discussed. Snow
78 storage mentioned.

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80 **Mr. Ledgett moved to continue the application. Seconded by Vice Chair Kalmar.**

81 The applicant asked for a summary of the issues the Board identified.

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83 **Mr. Ledgett amended the motion. Mr. Ledgett moved to continue the application**
84 **to 5/12/2022 at 6PM. Seconded by Vice Chair Kalmar. The motion passed 5-0-0.**

85
86 1:17:25

87 **ITEM 2— 460 US Route 1—Site Plan Modification**

88 Action: Accept application as complete; continue to a subsequent meeting, or vote on
89 plan application; Pursuant to §16.3.23 *Mixed-Use*, §16.7 *Site Plan Review* and of the
90 Town of Kittery Land Use and Development Code, the Planning Board shall consider a
91 site plan modification application from applicant PigPenPartners and agent Civil
92 Consultants requesting approval to construct 10,000-sf outdoor dining space with a 180-
93 sf outdoor bar and converting 360-sf of customer access space within the restaurant to
94 employee space on real property with an address of 460 U.S. Route 1 (Tax Map 61, Lot
95 27A) located in the Mixed-Use (MU) Zone and Shoreland (OZ-SL-250) and Resource
96 Protection (OZ-RP) Overlay Zones.

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98 Dan Caiazza, Civil Consultants gave an update of the project to the Board.
99 Discussion on the potential expansion of the use related to parking and seating
100 continued. Vegetation and stormwater discussed. Plan details around lighting, server
101 access, buffers, striping, and vegetative calculations discussed.

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103 **Mr. Ledgett moved to continue the application to 5/12/2022 at 6 PM. Seconded by**
104 **Mr. Fitch. The motion passed 5-0-0.**

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106 **OTHER BUSINESS**

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108 1:41:32

109 **ITEM 3 – Board Member Items/Discussion**

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111 Chair Dunkelberger reported that the Town Manager is looking for a representative for
112 the Diversity Council.

113 Mr. Ledgett commented about summer events in reference to the last application.
114 Discussion on the process for special events was discussed briefly.

115 Mr. Fitch asked about full-size site plan requirements in the Code.

116 Ms. Wells would like to review the table for wetland setbacks.

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ITEM 4 – Town Planner/Director of Planning & Development Items

Mr. Causey gave the Board a brief update on the Planning Department since the previous Planner's departure.

1:49:00

Adjournment

Mr. Ledgett moved to adjourn. Seconded by Mr. Fitch. The motion passed 5-0-0.

The Kittery Planning Board meeting of April 14, 2022 adjourned at 7:49 p.m.

Submitted by Carrie Varao, Development Staff Clerk on April 28, 2022.

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>.