

1 **CALL TO ORDER**

2

3 **ROLL CALL**

4

5 Present: Steve Bellantone, Member, Earledean Wells, Member, Russell White, Member,  
6 Karen Kalmar, Vice Chair, Robert Doyle, Member, and Dutch Dunkelberger, Chair

7

8 Absent: Ethan Bensley, Member

9

10 Staff: Jason Garnham, Director of Planning and Max Zakian, Town Planner

11

12 Advisory:

13

14 **PLEDGE OF ALLEGIANCE**

15

16 **APPROVAL OF AGENDA**

17

18 **PUBLIC COMMENTS**

19

20 The public may attend the meeting in person or remotely via Zoom. Attendees via Zoom  
21 will be recognized during the public hearings and public comment portion of the  
22 meeting. Please note: every effort will be made to make this run smoothly; however,  
23 some technical difficulties may occur. To register via Zoom visit

24 <https://us02web.zoom.us/j/88326455329?pwd=MklnVnF2TitkR1FIb0tnN1JGUxFrQT09>

25 or at <https://www.kitteryme.gov/planning-board>

26

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

36

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

38

39 **NEW BUSINESS-**

40

41 3:20

42 **ITEM 1 – 6 Goodwin Rd– Shoreland Development Plan Review**

43 Action: approve plan and Findings of Fact or continue review. Pursuant to §16.9.3  
44 Shoreland Development Review of the Town of Kittery Land Use and Development  
45 Code, Engineer Ryan McCarthy, on behalf of owner/applicants John and Laurel  
46 Gourville, request approval for the replacement of an existing non-conforming septic  
47 system and wastewater disposal field and replacement of a granite stairway leading to a  
48 pier. The project would include removing and rebuilding a pre-existing 12' x 20' deck, on  
49 top of a new retaining wall, within the base zone setback of the Shoreland Overlay Zone  
50 located on the property of 6 Goodwin Road, Tax Map 58. Lot 11, in the Residential-  
51 Rural Conservation (R-RC) and Shoreland Overlay Zone (OZ-SL-250').

52

53 Ryan McCarthy, Tidewater Engineering presented to plan to the Board.  
54 The Board asked various questions. Discussion ensued briefly on the retaining wall,  
55 foundations, vegetation removal, and de-vegetation area.

56

57 **Mr. White moved to accept the plan. Seconded by Vice Chair Kalmar. The motion**  
58 **passed 6-0-0.**

59

60 **Vice Chair Kalmar read the findings of fact into record. The Board moved to**  
61 **approve each finding, 6-0-0. The Board moved to approve the plan by roll call**  
62 **vote, 6-0-0.**

63

64 26:45

65 **ITEM 2 – 89 Route 236 – Site Plan Modification and Marijuana Business Review**

66 Action: review submission for completeness, schedule public hearing, or continue  
67 review. Joshua Seymour of JD Investments, LLC, represented by Mike Sudak of Attar  
68 Engineering, proposes to change use of portion of existing commercial building to adult-  
69 use marijuana retail and extend sewer main to serve the subject property. Applicant  
70 also proposes to construct parking improvements that were approved by the Planning  
71 Board in 2021. Property address 89 Route 236; identified as Tax Map 28, Lot 14-2,  
72 located in C-2 Commercial zoning district.

73

74 Ken Wood, Attar Engineering, introduced the applicant, Joshua Seymour. Mr. Seymour  
75 presented his business to the Board.

76 Mr. Wood presented the plans to the Board. Discussion ensued briefly on parking,  
77 crosswalks, sewer and gas lines.

78 The Board discussed dates for a site walk and public hearing.

79 **Mr. White moved to accept the plan. Seconded by Mr. Bellantone. The motion**  
80 **passed 6-0-0.**

81  
82 **Mr. White moved to schedule a site walk on May 22, 2023 at 5 PM. Seconded by**  
83 **Seconded by Mr. Bellantone. The motion passed 6-0-0.**

84  
85 **Mr. White moved to schedule a public hearing on June 8, 2023 at 6 PM. Seconded**  
86 **by Mr. Bellantone. The motion passed 6-0-0.**

87  
88 41:35

89 **ITEM 3 – 77 Bartlett Rd, Subdivision Sketch Plan Review**

90 Action: accept sketch plan or continue review. Engineer Michael Tadema-Wielandt, on  
91 behalf of owner/applicant Geoff Bowley, is proposing to divide a 19.11-acre parcel into a  
92 conservation subdivision of 9 single-family residential building lots, a private street  
93 system, and an open space plot around identified wetlands, vernal pools, and a pre-  
94 existing cemetery. Proposed subdivision is located on the property of 77 Bartlett Road,  
95 Map 62 Lot 26, in the Residential-Rural (R-RL) and Resource Protection Overlay (OZ-  
96 RP) Zones.

97  
98 Mr. Tadema-Wielandt presented the project to the Board. He reviewed the plans and  
99 the two types of subdivision.

100 Discussion ensued briefly on the road, sidewalks, snow storage, vernal pools,  
101 stonewalls, building envelopes, septic, no-cut buffers, and utilities.

102  
103 **Mr. White moved to accept the sketch plan as complete. Seconded by Vice Chair**  
104 **Kalmar. The motion passed 6-0-0.**

105  
106 1:00:20

107 **ITEM 4 – Business Park Zoning Amendments**

108 Action: schedule public hearing: Moratorium on permit applications in former  
109 Neighborhood Mixed Use zoning district expires August 8. Draft revisions to  
110 Neighborhood Mixed Use zoning standards are under development, pending  
111 implementation of a public engagement plan. Formal adoption of Business Park zoning  
112 standards and Zoning Map is recommended during the interim to ensure consistency,  
113 predictability, and fairness for property owners and residents.

114  
115 The Board and Mr. Garnham discussed the zoning map and amendment briefly.

116

117 **Mr. White moved the schedule a public hearing on May 25, 2023 at 6 PM.**  
118 **Seconded by Vice Chair Kalmar. The motion passed 6-0-0.**

119  
120 **APPROVAL OF MINUTES**

121  
122 1:07:50

123 **ITEM 5 – April 27, 2023 Meeting Minutes**

124  
125 **Vice Chair Kalmar moved to approve the minutes as written. Seconded by Mr.**  
126 **White. The motion passed 6-0-0.**

127  
128 1:08:16

129 **BOARD MEMBER ITEMS-**

130  
131 **Subcommittee reports**

132 Mr. White updated the Board on the Housing Committee.

133  
134 **Planning Board 2023 Goals discussion, continued**

135  
136 Mr. Garnham updated the Board on the septic system on Gooseberry Island in regards  
137 to a zoning amendment petition.

138  
139 1:14:20

140 **Adjournment**

141  
142 **Vice Chair Kalmar moved to adjourn. Seconded by Mr. White. The motion passed**  
143 **6-0-0.**

144  
145 The Kittery Planning Board meeting of May 11, 2023 adjourned at 7:14 p.m.

146  
147 Submitted by Carrie Varao, Development Staff Clerk on May 18, 2023.

148  
149 Disclaimer: The following minutes constitute the author's understanding of the meeting.  
150 Whilst every effort has been made to ensure the accuracy of the information, the  
151 minutes are not intended as a verbatim transcript of comments at the meeting, but a  
152 summary of the discussion and actions that took place. For complete details, please  
153 refer to the video of the meeting on the Town of Kittery website at  
154 <http://www.townhallstreams.com/locations/kittery-maine>.