

1 **CALL TO ORDER**

2

3 **ROLL CALL**

4

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

7

8 Absent: Steve Bellantone, Member

9

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

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/81906646338?pwd=YVJHSWgwdWlzWmt5azI4ZTVSK0xCZz09> or <https://www.kitteryme.gov/planning-board>.

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

35

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

37

38 **OLD BUSINESS –**

39 4:25

40 **ITEM 1 – Proposed Amendments to Title 16.8.10.D**

41 Action: set a public hearing date, continue review: Kittery property owners James and
42 Tudor Austin request a change to §16.8.10-D of Kittery’s Land Use and Development
43 Code to allow variances for first-time septic systems in minimum setback areas.
44 §16.8.10-D.2.b.1 currently states that the minimum setback distance for a first-time
45 subsurface disposal system may not be reduced by variance. This item was tabled
46 during the January 12, 2023 meeting.

47

48 James and Tudor Austin presented to the Board and summarized their intent.

49

50 **Mr. White moved to schedule the public hearing on July, 13, 2023. Seconded by**
51 **Vice Chair Kalmar. The motion passed 6-0-0.**

52

53 11:07

54 **ITEM 2 – 16 Ridgewood Drive – Shoreland Development Plan Review**

55 Action: Accept or deny application. Approve or deny plan: Pursuant to §16.9.3
56 Shoreland Development Review of the Town of Kittery Land Use and Development
57 Code, Jill and Daniel White request approval to build a 32’x 8’ uncovered farmer’s porch
58 on the front of their house located on the property of 16 Ridgewood Drive, Tax Map 20,
59 Lot 2-8, in the Residential-Suburban (R-S) and Resource Protection Zone (OZ-RP).
60 Item is the resubmittal of an application tabled during the June 9, 2022 meeting.

61

62 Jill and Daniel White briefly presented their revised plan.

63 The Board asked several questions regarding the roof and steps.

64

65 **Mr. White moved to accept the application as presented. Seconded by Vice Chair**
66 **Kalmar. The motion passed 6-0-0.**

67 **Mr. White moved to approve the application with the stated flood hazard**
68 **condition. Seconded by Vice Chair Kalmar. The motion passed 6-0-0.**

69 **Vice Chair Kalmar read the findings of fact into record. The Board moved to**
70 **approve each finding 6-0-0. The Board moved to approve by roll call vote 6-0-0.**

71

72 25:30

73 **ITEM 3 – 23 Bond Road – Shoreland Development Plan – Public Hearing**

74 Action: Hold public hearing. Approve or deny plan: Pursuant to §16.9.3 Shoreland
75 Development Review of the Town of Kittery Land Use and Development Code, Ryan
76 McCarthy of Tidewater Engineering & Surveying Inc, on behalf of Touchdown Capital
77 LLC, requests approval for the reconstruction of a house and garage/guest house, new
78 septic system, and associated walkways/driveways on the property of 23 Bond Road,

79 Tax Map 25, Lot 9, in the Residential-Kittery Point Village (R-KPV), Shoreland Overlay
80 Zone (OZ-SL-250'), and Resource Protection Zone (OZ-RP).

81

82 Ryan McCarthy, Tidewater Engineering, presented the project and reviewed the plans.
83 The Board asked questions regarding the septic system.

84 Chair Dunkelberger opened the public hearing.

85 Public comment was heard from: Patrick Bedard on behalf of Sandra Lutts, 20 Bond
86 Road; Phyllis Ford, 19 Bond Road; Marjan Frank, 18 Bond Road; and George Glidden,
87 18 Bond Road.

88 Chair Dunkelberger closed the public hearing.

89 Mr. McCarthy and staff responded to the comments from the public.

90 Chair Dunkelberger re-opened the public hearing. Public comment was heard again
91 from Phyllis Ford, 19 Bond Road.

92 Mr. McCarthy responded.

93 Mike Scelly, relative and caretaker, described the intended use of the property.

94 Chair Dunkelberger closed the public hearing.

95 Discussion continued on: the need for a legal opinion, record review, septic
96 replacement, allowed uses, and discontinued uses.

97

98 **Mr. White moved to continue the application, not to exceed 90 days. Seconded by**
99 **Mr. Bensley. The motion passed 6-0-0.**

100

101 The Board took a five-minute recess.

102

103 **NEW BUSINESS-**

104

105 2:00:55

106 **ITEM 4 – 27 & 29 Wentworth Street – Hotel Site Plan – Sketch Plan Review**

107 Action: accept sketch plan or continue review. Architect Brandon Holben, on behalf of
108 owner/applicant Madbury Real Estate Ventures, is proposing to convert an existing bed
109 and breakfast into two independent inns with a total of 12 rental units plus 1 innkeeper's
110 suit each. The proposed hotel is located on the properties of 27 & 29 Wentworth Street,
111 Map 9 Lots 37 & 38, in the MU-KF (Kittery Foreside) Zone.

112

113 Taylor McMaster, Madbury Real Estate Ventures, presented the project to the Board.

114 Eric Weinrieb, Altus Engineering, Inc. reviewed the site plans briefly.

115 Brandon Holben, Winter Holben Design, LLC, discussed the various proposals and
116 presented the renderings to the Board.

117 The Board asked various questions. Discussion ensued with the applicants and staff on
118 parking, lot coverage, sewer connection, abutting railroad, shared driveway, off-site
119 parking, and green roofs.

120

121 **Mr. White moved to continue the application. Seconded by Vice Chair Kalmar. The**
122 **motion passed 6-0-0.**

123

124 2:54:25

125 **APPROVAL OF MINUTES**

126

127 **ITEM 5 – June 8, 2023 Meeting Minutes**

128

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

131

132 2:55:05

133 **BOARD MEMBER ITEMS-**

134

135 **Subcommittee reports**

136

137 2:55:20

138 **STAFF MEMBER ITEMS-**

139

140 **Traffic Impact Fees**

141 Mr. Garnham provided an update on the Green Truck project, the traffic impact analysis
142 study and their condition of approval.

143

144 2:58:42

145 **Adjournment**

146

147 **Vice Chair Kalmar moved to adjourn. Seconded by Mr. White. The motion passed**
148 **6-0-0.**

149

150 The Kittery Planning Board meeting of June 22, 2023 adjourned at 8:58 p.m.

151

152 Submitted by Carrie Varao, Development Staff Clerk on July 5, 2023.

153

154 Disclaimer: The following minutes constitute the author's understanding of the meeting.
155 Whilst every effort has been made to ensure the accuracy of the information, the
156 minutes are not intended as a verbatim transcript of comments at the meeting, but a

157 summary of the discussion and actions that took place. For complete details, please
158 refer to the video of the meeting on the Town of Kittery website at
159 <http://www.townhallstreams.com/locations/kittery-maine>.