

1 **CALL TO ORDER**

2

3 **ROLL CALL**

4

5 Present: Ronald Ledgett, Member; Dutch Dunkelberger, Member; Russell White,
6 Member; Mark Alesse, Member; Karen Kalmar, Vice Chair, and Ann Grinnell, Chair

7

8 Absent: Drew Fitch

9

10 Staff: Jamie Steffen, Town Planner; Adam Causey, Director of Planning and
11 Development

12

13 Advisory: Earldean Wells, Conservation Commission

14

15 **PLEDGE OF ALLEGIANCE**

16

17 Chair Grinnell announced that she would like to move Items 2, 3 & 4 up first on the
18 agenda. Vice Chair Kalmar suggested moving Item 3 until the end of the meeting.

19

20 **NEW BUSINESS**

21

22 **ITEM 2 – 230 U.S. Route 1 – Preliminary Site Plan Review**

23 Action: Accept or deny application; Approve or deny preliminary site plan

24 Owner/Applicant Green Brook, LLC requests consideration to develop a food truck pod
25 on a 1.04 acre lot located at 230 U.S. Route 1 (Tax Map 22 Lot 14) in the Commercial
26 (C-1) Zone. Agent is Barbara Jenny.

27

28 Barbara Jenny, owner/applicant, gave a brief overview of the proposal. She discussed
29 the site walk and the changes to the plans that arose from the walk. Notable changes
30 include: installing trough planters and removable bollards at the north entrance to keep
31 some separation between vehicles entering and exiting the property and the food truck
32 pod area; pavement markings and signage at the entrances / exits for directing traffic
33 and moving the porta-potties closer to the food truck area and screening them from
34 abutters.

35

36 **Vice Chair Kalmar moved to accept the preliminary site plan from**
37 **Owner/Applicant Green Brook, LLC for a food truck pod on a 1.04 acre lot located**
38 **at 230 U.S. Route 1 (Tax Map 22 Lot 14) in the Commercial (C-1) Zone. Mr. Alesse**
39 **seconded the motion.**

40 **Roll call vote was taken with all voting in favor. The motion carried 6-0-0.**

41

42 **Vice Chair Kalmar moved to schedule a public on February 14, 2019 for the**
43 **preliminary site plan from Owner/Applicant Green Brook, LLC for a food truck**
44 **pod on a 1.04 acre lot located at 230 U.S. Route 1 (Tax Map 22 Lot 14) in the**
45 **Commercial (C-1) Zone. Seconded by Mr. White.**

46

47 **Roll call vote was taken with all voting in favor. The motion carried 6-0-0.**

48

49 **ITEM 4 - 19 Water Street – Shoreland Development Plan Review**

50 Action: Accept or deny application. Approve or deny plan. Owner/applicant Andrew

51 Page requests consideration to construct a roof deck and stairs on an existing shed on
52 a 39,289+- square foot parcel located at 19 Water Street (Tax Map 1 Lot 48) in the
53 Residential – Urban (R-U) and the Shoreland Overlay (OZ-SL-250') Zones. Agent,
54 Sean Marshall, Dynamic Solutions Construction LLC.

55

56 Drew Page, owner/applicant, gave a brief overview of the project. He would like to
57 remove the roof from the shed / chicken coop structure and replace it with a roof deck.
58 He would also be constructing a stairway from it down to an existing patio. He noted
59 that the only increase to the square footage was for the stairway and that would total 61
60 sf. He noted he would keep the historical nature of the building intact.

61

62 Mr. Ledgett asked if the structure was fully attached to the house. Mr. Page responded
63 yes, it is original to the barn.

64

65 **Vice Chair Kalmar moved to approve the shoreland development application to**
66 **construct a roof deck and stairs on an existing shed on a 39,289+- square foot**
67 **parcel located at 19 Water Street (Tax Map 1 Lot 48) in the Residential – Urban (R-**
68 **U) and the Shoreland Overlay (OZ-SL-250') Zones. Seconded by Mr. Fitch.**

69

70 **FINDINGS OF FACT**

71

72 The Planning Board made the following factual findings and conclusions:

73

74 **Section 16.3.2.17.D Shoreland Overlay Zone**

75 (1)(d)[3]. The total footprint of devegetated area must not exceed twenty (20) percent of
76 the lot area, located within the Shoreland Overlay Zone, except in the following zones :
77 Residential-Urban (R-U) Zone where the lot is equal to or less than 10,000 square feet,
78 the maximum de-vegetated area is fifty (50) percent.

79 **Finding:** The property is currently at 16.7% devegetated area and after the construction
80 it will become 16.9%.

81 **Conclusion:** This standard appears to be met.

82

83

Vote of 6 in favor 0 against 0 abstaining

84

85 **Section 16.7.3.1 Prohibitions and Allowances**

86 A. Except as otherwise provided in this Article, a nonconforming condition must not be
87 permitted to become more nonconforming.

88

89 **Finding:** This is an existing, nonconforming single family dwelling structure relative to
90 the 100 foot setback from the water. A dwelling is a special exception in the Shoreland
91 Overlay Zone.

92 The proposed development does not increase the nonconformity as permitted in
93 16.7.3.3.B Nonconforming structure repair and/or expansion.

94

95 The proposed development does not increase the nonconformity as permitted in
96 16.7.3.3.B. Nonconforming structure repair and/or expansion.

97 **Conclusion:** This standard appears to be met.

98

99

Vote of 6 in favor 0 against 0 abstaining

100

101 **Section 16.7.3.3 Nonconforming Structures**

102 **16.7.3.3.B Nonconforming structure repair and/or expansion**

103 **16.7.3.3.B (d)**

104 **16.7.3.3.B (e)[5] [a]**

105 In cases where the structure is located in the Shoreland or Resource Protection Overlay
106 Zone, the repair and/or expansion must be approved by the Planning Board. See
107 16.6.6.A.2 reference below.

108

109 **Finding:** The proposed development increases the nonconformity as permitted in
110 16.7.3.3.B. (1) [5] [a] Nonconforming structure repair and/or expansion. The expansion
111 of the footprint of the structure will not exceed 1,000 square feet in size. The height of
112 the structure will not be greater than the height of the existing structure.

113 **Conclusion:** This standard appears to be met.

114

115

Vote of 6 in favor 0 against 0 abstaining

116

117 **Section 16.6.6. Basis for Decision**

118 **16.6.6.A.2** In hearing appeals/requests under this Section, the Board of Appeals [note:
119 Planning Board is also subject to this section per 16.7.3.3.B.(1) above] must use the
120 following criteria as the basis of a decision:

- 121 1. Proposed use will not prevent the orderly and reasonable use of adjacent properties
122 or of properties in adjacent use zones;
- 123 2. Use will not prevent the orderly and reasonable use of permitted or legally
124 established uses in the zone wherein the proposed use is to be located, or of permitted
125 or legally established uses in adjacent use zones;
- 126 3. Safety, the health, and the welfare of the Town will not be adversely affected by the
127 proposed use or its location; and
- 128 4. Use will be in harmony with and promote the general purposes and intent of this
129 Code.

130

131 **Finding:** The proposed development does not pose a concern.

132 **Conclusion:** The requirement appears to be met.

133

134

Vote of 6 in favor 0 against 0 abstaining

135

136 **Section 16.10.10.2 Procedure for Administering Permits**

137 D. An application will be approved or approved with conditions if the reviewing authority
138 makes a positive finding based on the information presented. It must be demonstrated
139 the proposed use will:

140

141 **Finding:** The Planning Board made a positive finding on Criteria 1-10 with all of the
142 criteria appearing to be met.

143

144

Vote of 6 in favor 0 against 0 abstaining

145

146 Based on the foregoing Findings, the Planning Board finds the applicant has satisfied
147 each of the review standards for approval and, therefore, the Planning Board approves
148 the Shoreland Development Plan subject to any conditions or waivers, as follows:

149

150 **Waivers:** None

151

152 **Conditions of Approval** (to be included on final plan to be recorded):

153

- 154 1. No changes, erasures, modifications or revisions may be made to any Planning
155 Board approved final plan. (Title 16.10.9.1.2).

- 156 2. Applicant/contractor will follow Maine DEP *Best Management Practices* for all
157 work associated with site and building construction to ensure adequate erosion
158 control and slope stabilization.
- 159 3. Prior to the commencement of grading and/or construction within a building
160 envelope, as shown on the Plan, the owner and/or developer must stake all
161 corners of the envelope. These markers must remain in place until the Code
162 Enforcement Officer determines construction is completed and there is no danger
163 of damage to areas that are, per Planning Board approval, to remain
164 undisturbed.
- 165 4. All Notices to Applicant contained herein (Findings of Fact dated 1/10/19).

166
167 **Conditions of Approval** (not to be depicted on final plan):

- 168
169 1. Incorporate any plan revisions on the final plan as recommended by Staff,
170 Planning Board or Peer Review Engineer, and submit for Staff review prior to
171 presentation on final Mylar.

172
173 The Planning Board authorizes the Planning Board Chair or Vice Chair to sign the Final
174 Plan and the Findings of Fact upon confirmation of compliance with any conditions of
175 approval.

176
177 **Vote of 6 in favor 0 against 0 abstaining**

178
179 **OLD BUSINESS**

180
181 **ITEM 3 - 28 Mendum Avenue – Shoreland Development Plan Review**

182 Action: Approve Findings of Fact. Owners/applicants Oliver P. & Claire H. Gaudissart
183 request consideration for rip rap shoreline stabilization along Mendum Creek on a
184 9,600+- sf parcel located at 28 Mendum Avenue (Tax Map 3 Lot 52) in the Residential –
185 Urban (R-U) and the Shoreland Overlay (OZ-SL-250') Zones. Agent Steven Riker, CWS
186 - Ambit Engineering, Inc.

187
188 Mr. Steffen stated that this application was approved by the Board at its December 13,
189 2018 meeting but the draft Findings of Fact weren't available for the Board's review and
190 action.

191
192 **FINDINGS OF FACT**

193
194 The Planning Board made the following factual findings and conclusions:

195
196
197
198
199
200
201
202
203
204
205
206
207
208
209
210
211
212
213
214
215
216
217
218
219
220
221
222
223
224
225
226
227
228
229
230
231
232

Section 16.3.2.17.D Shoreland Overlay Zone

(1)(d)[3]. The total footprint of devegetated area must not exceed twenty (20) percent of the lot area, located within the Shoreland Overlay Zone, except in the following zones : Residential-Urban (R-U) Zone where the lot is equal to or less than 10,000 square feet, the maximum de-vegetated area is fifty (50) percent.

Finding: The property is currently at 28% devegetated area and after the construction it will become 33.4%.

(2) (a) [3] The water body, tributary stream, or wetland setbacks do not apply to structures that require direct access to the water body or wetland as an operational necessity, such as piers and retaining walls, nor do they apply to other functionally water-dependent uses, as defined in 16.2.

Finding: Though the retaining wall is considered a new structure in the Shoreland Overlay Zone closer to the water body than the principal structure, the proposed revetment is exempt from meeting the 100 foot setback requirement as it is an operational necessity.

Conclusion: This standard appears to be met.

Vote of 5 in favor 0 against 0 abstaining

Section 16.9.2.2 Clearing or removal of vegetation for uses other than timber harvesting in Resource Protection of Shoreland Overlay Zone.

A. In a Shoreland Overlay Zone, cutting of vegetation is prohibited within the strip of land extending 100 feet, horizontal distance, inland from the normal high-water line, except to remove safety hazards.

Finding: A replanting plan conforming to 16.9.2.2 will need to be approved by the Code Enforcement Office prior to any excavation work. A site walk with the Shoreland Resource Officer and/or Code Enforcement Officer will be required prior to approval of the Replanting Plan.

Conclusion: This standard appears to be met.

Vote of 5 in favor 0 against 0 abstaining

Section 16.10.10.2 Procedure for Administering Permits

233 D. An application will be approved or approved with conditions if the reviewing authority
234 makes a positive finding based on the information presented. It must be demonstrated
235 the proposed use will:
236

237 **Finding:** The Planning Board made a positive finding on Criteria 1-10 with all of the
238 criteria appearing to be met.
239

240 **Vote of 5 in favor 0 against 0 abstaining**
241

242 Based on the foregoing Findings, the Planning Board finds the applicant has satisfied
243 each of the review standards for approval and, therefore, the Planning Board approves
244 the Shoreland Development Plan subject to any conditions or waivers, as follows:
245

246 **Waivers:** None
247

248 **Conditions of Approval** (to be included on final plan to be recorded):

- 249 1. No changes, erasures, modifications or revisions may be made to any Planning
250 Board approved final plan. (Title 16.10.9.1.2).
- 251 2. Applicant/contractor will follow Maine DEP *Best Management Practices* for all
252 work associated with site and building construction to ensure adequate erosion
253 control and slope stabilization.
- 254 3. A replanting plan conforming to 16.9.2.2 will need to be approved by the
255 Shoreland Resource Officer and/or the Code Enforcement Office prior to any
256 excavation work.
- 257 4. All Notices to Applicant contained herein (Findings of Fact dated 12/13/18).
258

259 **Conditions of Approval** (not to be depicted on final plan):

- 260 1. Incorporate any plan revisions on the final plan as recommended by Staff,
261 Planning Board or Peer Review Engineer, and submit for Staff review prior to
262 presentation on final Mylar.
263

264 The Planning Board authorizes the Planning Board Chair or Vice Chair to sign the Final
265 Plan and the Findings of Fact upon confirmation of compliance with any conditions of
266 approval.
267

268 **Vote of 5 in favor 0 against 0 abstaining**
269

270 **ITEM 1 – 88 Pepperrell Road – The Bistro – Parking Plan Review for Business Use**
271 **Change**

272 Action: Approve or deny plan. Owner, Chatham Street, LLC, and applicant, Ann Kendall
273 are establishing a new business entity in an existing facility, where intensity of use is
274 significantly different, located at 88 Pepperrell Cove (Tax Map 27 Lot 49) in the
275 Business Local (B-L) and Shoreland Overlay (OZ-SL-250') Zones.

276 Adam Causey, Director of Planning and Development, discussed the redevelopment
277 effort on this property consisting of four businesses; The View, The Wharf, and
278 Provisions which have all received approvals for building permits and certificates of
279 occupancy and are currently in operation. On October 26, 2017 there was a vote for the
280 applicant to return with its fourth use to finalize the parking plan that would meet the
281 requirements for every use in operation.

282
283 A site walk was done on December 27, 2018, and members of the staff, public, planning
284 board and board of appeals were in attendance, minutes of the site walk were provided
285 for reference. It is being discussed with the applicant that the amount of parking they
286 are requesting to satisfy the needs for each use, with the current calculations, is met in
287 their plan but that plan is not sufficient in meeting the requirements in the code for
288 parking lots with regard to landscaping, pavement, buffering, and a host of things that
289 must be met when building out a parking lot and increasing the number of spaces.

290
291 The applicant was sent to the Board of Appeals to see if there was an option to allow for
292 a parking miscellaneous variation request for parking standards. A draft notice of
293 decision from the Board of Appeals was provided to Planning Board members and was
294 reviewed in length including changes that have occurred since the draft was submitted.
295 (A draft copy of the Board of Appeals notice of decisions has been submitted into
296 record)

297
298 Ken Wood, Attar Engineering, spoke on behalf of the applicants. He stated that the
299 Board of Appeals approved the five waivers in support of what both abutters and
300 applicants were looking for in that the lot remained as is with a few improvements. Mr.
301 Wood presented the revised plan with the waiver requests as a result of the Board of
302 Appeals meeting with the minor adjustments, dated 01/10/2019. The changes included:

- 303 • the addition of the dock on the waterfront, with the dimensions of dock
304 including floats;
- 305 • CMP's recommendation of a 250 watt, high pressure sodium fixture facing
306 down illuminating the parking lot;
- 307 • the sidewalk was straightened out as suggested by Dave Rich, Public
308 Works Commissioner, and now runs perpendicular to Pepperrell Road.

309

310 Mr. Wood spoke on the suspected tomb of slave remains under the gravel parking lot
311 and stated the tombs were a supposed 40 feet away where nothing could be disturbed
312 within that distance. Mr. Wood continued conversation regarding the suggestion of
313 having a parking lot attendant onsite when the businesses are in use. He asked the
314 board to consider two things:

- 315 1. That the plan being submitted meets the ordinance requirements and
316 believes from his experience that any project that met the ordinance did not
317 require an attendant;
- 318 2. Suggested instead that a parking lot attendant be provided by the applicants
319 when all three of the public venues are in operation or when The View (the
320 function facility) has an event that has 75 or more people in attendance.

321
322 The applicants submitted a waiver request for sidewalks, justification for the waiver was
323 written into the request. Dave Rich, Public Works Commissioner, suggested five
324 sections of sidewalks on both sides of Pepperrell Road which was submitted in the
325 memo along with the waiver. Mr. Wood does not believe the sidewalks are necessary
326 and thinks it would be an engineering disaster. Mr. Wood & Mr. Rich and Dave agreed
327 to remove the crosswalk near the Kittery Point Post Office and placed it into position as
328 suggested by Mr. Rich.

329
330 Chair Grinnell, stated that it was her understanding that a conditional approval does not
331 pass as an approval for a Certificate of Occupancy, allowing the business to open.
332 Adam Causey, Director of Planning and Development, clarified what was agreed to with
333 a conditional approval. He stated that due to seasonal conditions the applicants would
334 not be able to meet certain conditions, but the Planning Board can place time restraints
335 on those conditions that would allow the applicants to meet those conditions at a later
336 date. The applicants would then agree to finalize those conditions set forth in the
337 conditional approval allowing for a Certificate of Occupancy to be signed off on.

338
339 Mr. White gave his suggestion that dependent upon the season, weather and
340 construction realities they would ask the applicants for a reasonable timeframe for them
341 to meet the conditions for things such as plantings and for them to be put into place at
342 those dates set by the conditional approval.

343
344 Chair Grinnell agreed stating they could put a date certain on things.

345
346 Mr. Fitch asked a couple questions: 1) Was there a particular reason that the applicant
347 had a handicap or ADA parking spot on the parking lot as opposed to up against the
348 restaurant? Mr. Wood answered saying that he felt it was a more central location to

349 access each business. Mr. Fitch suggested it would alleviate concerns and the
350 necessity for the sidewalks. 2) In the waiver were they proposing any sidewalks in front
351 of the Bistro. Mr. Wood stated no, but they are more than agreeable in striping it.

352
353 Mr. Ledgett asked about the curb stops and why they were in the unpaved portion of the
354 parking lot, but not in the paved portion. His concerns laid with the exit passage way of
355 the parking lot where he felt having curb stops would assist in not allowing a vehicle to
356 obstruct the passage way. Mr. Wood agreed that in retrospect they should have the
357 curb stops there allowing for back passage out of the parking lot.

358
359 Vice Chair Kalmar asked to place a condition on the applicants' waiver request for
360 sidewalks to have Mr. Rich, sign off and approve their plan. Mr. Wood agreed. Karen
361 Kalmar restated that she would prefer to see him submit a plan and have Mr. Rich sign
362 off on it. Mr. Wood said that would be satisfactory.

363
364 Mr. Ledgett spoke to the recommendations made by staff, Mr. Causey, under number
365 four and asked Mr. Causey to comment. Mr. Causey stated that his recommendations
366 were made after speaking with Mr. Rich. Mr. Causey gave his opinion that when
367 commercial development happens that it come with new infrastructure, and it is his
368 recommendation and opinion that the sidewalks be addressed.

369
370 Earldean Wells commented regarding the staff notes that two drains in the parking lot
371 had been covered and were unknown to be draining, and that the applicants intended to
372 store snow on site and wanted clarity as to where they were planning to store snow. Mr.
373 Wood stated the drain is working and that snow would be in the parking lot or they
374 would be able to transport offsite.

375
376 **PUBLIC COMMENT:**

- 377
378 (1) Derward Parkinson, representing Driscoll Realty Inc., an abutter to the project,
379 agreed that the landscaping could start between the two zoning districts and
380 wrap up around the gravesite area. They would like to see a parking lot attendant
381 on site, but would like the time changed from 12-7 to 12-8, and have the
382 attendant be available through to Columbus Day weekend. They would also like
383 to see a police officer available for events with 100 people or more. Last was a
384 condition for the applicant to provide offsite parking when all venues are open.
385 They would like to see these suggestions written into the applicants' plan.
386 (2) Clint Reed, 4 Pepperrell Terrace, spoke regarding plantings being stated as
387 arborvitaes which moved to evergreens with a minimum of four foot, and a

388 maximum of six foot. He would like to see plantings that are done tastefully that
389 will allow for visibility and access to the tomb.

390 (3) Jim McPherson, member of the Board of Wood Island, spoke on behalf of the
391 character of the applicants, thanking them for what they are doing for the
392 community and enriching the town. He spoke of their generosity in feeding over
393 60 National Guards who were working on Wood Island.

394 (4) Tom Philbrook, 27 Cutts Island Lane, spoke regarding what he felt was being
395 overlooked, which is the congestion on the Town wharf. He was concerned with
396 residents who were parking down at the town dock to access the venues. He
397 thought there should be some stipulations and that the owner should be more
398 proactive in curbing customer parking down at the dock.

399 (5) Nikolas Franks, 72 Foyes Lane, said how great of an opportunity it has been to
400 be able to walk down to the Wharf with his family and enjoy the area and is
401 thankful to have the opportunity.

402 (6) Wendy Turner, 621 Haley Road, representing Elizabeth Segers, an abutter to the
403 project, asked to not plant arborvitae along the parking lot as she does not see it
404 needed and instead to place them on Mrs. Segers property between the fence
405 and the bollards to help block noise from the parking lot. The applicants have
406 agreed to assist in the planting on Mrs. Segers property, she believed it is placed
407 wrong on the plan and asked them to consider placing it over by the post office
408 and not in front of people's private homes.

409

410 **End of Public Comment**

411

412 Vice Chair Kalmar asked a question of staff regarding the Planning Board having the
413 authority to change a Board of Appeals decision which specifically called out arborvitae
414 in a certain location. Mr. Causey stated, no, the Planning Board cannot preempt the
415 Board of Appeals. He clarified that the Board of Appeals condition was only of location
416 and not of the specificity of the number or density. Mr. Causey stated that it was only
417 the intent of the Board of Appeals to protect the abutters with plantings that would offer
418 some buffering. He asked the Planning Board to permit him to reach out to April Timko
419 on the Board of Appeals to discuss what actions might be available to change the
420 condition of the arborvitae. The Planning Board agreed and asked Mr. Causey to
421 contact Ms. Timko to discuss options.

422

423 Chair Grinnell asked if the Board of Appeals conditions were going to be added to the
424 plan. Mr. Causey answered that it was not stipulated at the meeting but he thought it
425 was a good idea to place all conditions on the plan.

426

427 Chair Grinnell stated that there are things she would like to see included on the plan. On
428 the parking lot by the post office she would like to see the plan read “wooden split rail
429 fence”. On the staircase coming down from second story of bistro she would like
430 signage at the top and bottom that it is only egress. She would like to add on the plan
431 that no portable lighting will be allowed on the site, ever.

432
433 Chair Grinnell requested discussion and a vote on the waiver request for the sidewalks.
434 She suggested to move forward with casting a vote for having the plan, set forth by the
435 DPW, and be put into the final plan for the applicant. Mr. Wood said that he would as
436 submit a plan to the Public Works Commissioner for approval.

437
438 Vice Chair Kalmar moved to deny the applicants waiver request for sidewalks.
439 Seconded by Mr. Ledgegett. : 6 in favor 0 opposed. The waiver request was denied.

440
441 Curb stops were agreed to be placed on all parking spots except the parallel spaces in
442 the paved portion.

443
444 It was requested that the applicants submit a landscape design for consideration by the
445 Board of Appeals.

446
447 The Planning Board moved forward with voting on the conditions on page 6.

448
449 #4 was replaced with. The applicant shall design and construct pedestrian
450 improvements subject to DPW review and approval. Vice Chair Kalmar moved to
451 approve condition #4 as modified by the Director of Planning and Development.
452 Seconded by Mr. White. 6 in favor 0 opposed.

453
454 #1 was approved as shown on the plan

455
456 #2 The Board voted that curb stops be placed and anchored in all parking spots except
457 for the spaces in the paved portion of the lot located at 87 Pepperrell. Chair Grinnell
458 moved and Mr. Ledgegett seconded. 6 ayes. Condition was approved.

459
460 #3 was approved as shown on the plan.

461
462 #5 any parking signs place on the interior parking lot must be affixed on a wooden post,
463 no metal posts were allowed. Moved by Chair Grinnell seconded by Mr. Ledgegett. 6 ayes.
464 Condition was approved.

465

466 #6 was moved to remove LED from the condition. Moved by Ann Grinnell. Seconded by
467 Mr. Ledgett. 6 ayes. Condition was approved.

468
469 #7 was amended to read, food and beverage service for the Wharf is restricted to the
470 area designated in the approved liquor license. Moved by Mr. White, seconded by Vice
471 Chair Kalmar. 5 ayes 1 no (Chair Grinnell)

472
473 #8 approved on the plan.

474
475 #9 motion was made to amend it to include, a parking management plan shall be
476 developed in conjunction with staff which will be reviewed annually, and certified as to
477 compliance, by April 1st of every year.

478
479 Mr. Ledgett moved to extend the meeting by 10 minutes. Seconded by Russell White.
480 All in favor. 6 ayes.

481
482 #10 was approved as shown on the plan.

483
484 Vice Chair Kalmar, proposed a motion that the land owner and applicant shall employ
485 qualified professionals, using minimally disruptive techniques to determine whether
486 unmarked grave sites exist in close proximity to the gravel portion of the parking area,
487 tax map 27-2A. Seconded by Chair Grinnell.

488
489 Applicants agreed and stated they are willing to commit to a phase-1 archeological
490 survey within the next year.

491
492 Mr. White motioned to approve the parking plan with a revision date of January 10,
493 2019 as it abides by the conditions discussed and voted on by the Planning Board.
494 Seconded by Mr. Ledgett.

495
496 **Vote of 5 in favor 1 (Chair Grinnell) against 0 abstaining**

497
498 **ITEM 8 – Board Member Items/Discussion**

499 A. Election of Officers postponed until the January 10, 2019 meeting.

500
501 **ITEM 9 - Town Planner Items**

502 None.

503
504 **Adjournment**

505

506 **Chair Grinnell moved to adjourn the meeting.**

507 **Mr. Ledgett seconded the motion.**

508

509 **The motion carried 6-0-0.**

510

511 The Kittery Planning Board meeting of January 10, 2019 adjourned at 10:29 p.m.

512

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

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

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

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

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

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

519

520