

1 **CALL TO ORDER**

2

3 **ROLL CALL**

4

5 Present: Ronald Ledgett, Member; Drew Fitch, Member; Mark Alesse, Member; and
6 Karen Kalmar, Vice Chair

7

8 Absent: Dutch Dunkelberger, Russell White, Ann Grinnell, Chair

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 **APPROVAL OF MINUTES – October 11, 2018**

18

19 **Mr. Ledgett moved to accept the minutes of October 11, 2018. Mr. Alesse**
20 **seconded the motion.**

21

22 **The motion carried 4-0-0.**

23

24 **APPROVAL OF MINUTES – October 25, 2018**

25

26 **Mr. Alesse moved to accept the minutes of October 25, 2018. Mr. Ledgett**
27 **seconded the motion.**

28

29 **The motion carried 4-0-0.**

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31 **APPROVAL OF SITE WALK MINUTES – November 27, 2018**

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33 **Mr. Alesse moved to accept the site walk minutes of November 27, 2018. Mr.**
34 **Ledgett seconded the motion.**

35

36 **The motion carried 4-0-0.**

37

38 **APPROVAL OF SITE WALK MINUTES – January 3, 2019**

39

40 **Mr. Alesse moved to accept the site walk minutes of January 3, 2019. Mr. Ledgett**
41 **seconded the motion.**

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43 **The motion carried 4-0-0.**

44
45 **PUBLIC COMMENT**

46 Vice Chair Kalmar opened the public comment segment of the meeting. There
47 being no comments, Vice Chair Kalmar closed the public comment.

48
49 **NEW BUSINESS**

50
51 **ITEM 1 – Accessory Dwelling Units (ADU) Regulations – Kendra Amaral, Town**
52 **Manager**

53 Action: Review draft amendments and schedule a Public Hearing.

54
55 Ms. Amaral gave an overview of the proposed amendments to the Accessory Dwelling
56 Units (ADU) regulations. She spoke to the process of drafting the amendments and the
57 work of the Housing Working Group and KOSAC in developing the proposed changes.
58 She noted that the Planning Board initiated the process back in February of 2018 and
59 has two members as part of the working group. She discussed that the working groups
60 were trying to take a different approach with these amendments in that they are trying to
61 encourage ADUs and provide more flexibility with the regulation.

62
63 Mr. Causey highlighted the proposed changes and provided more detail and
64 background information on each change.

65
66 Mr. Alesse asked if we were limiting the size of ADUs. Mr. Causey responded by
67 explaining the changes to the allowed size of the ADUs. Mr. Alesse then asked how it
68 impacts the Airbnb possibility in town – would it limit residents to do Airbnb's. Ms.
69 Amaral spoke to the rental period for an ADU of no less than 30 days, which would
70 effectively ban Airbnb's as an ADU. Mr. Alesse responded with his displeasure with this
71 change and discussed his experience with Airbnb's.

72
73 Vice Chair Kalmar commented that she had asked staff to provide the Planning Board
74 with a copy of Chapter 8 of a book titled Backdoor Revolution – The Definitive Guide to
75 ADU Development which speaks to zoning barriers to development of ADUs.

76
77 Mr. Fitch commented that the goal of the Housing Working Group was to expand
78 affordable housing in town and Short Term Rentals (STR) do not address the issue of

79 expanding affordable housing. He explained that the Housing Working Group's intent
80 with the provision was to avoid having the new units going toward STR.

81
82 Mr. Ledgett discussed the main points of his questions for staff regarding the proposed
83 changes. They involved three (3) categories – the purpose of ADUs, Kittery resident
84 ADU benefits, and administration of ADUs. Mr. Causey and Ms. Amaral responded by
85 explaining the intent of the proposed changes and the thinking behind them by the
86 working groups.

87
88 Vice Chair Kalmar voiced her concern about nobody in town doing ADUs because of
89 too many restrictions. The Board discussed having another meeting on the proposal to
90 further discuss members concerns and to allow for full board input on the matter. Mr.
91 Fitch noted it might be helpful for the Board to have the table summary of how other
92 communities in Maine were regulating ADUs that was provided when the groups were
93 working on drafting the proposed changes. Ms. Wells shared her concern that the
94 proposed changes aren't directed at the goal of providing more affordable housing.

95
96 Vice Chair Kalmar ended the Board's discussion of the item by asking that staff provide
97 the Board with further information on the Board's concerns and questions and stating
98 that the Board would continue the review of the amendments at the 2nd meeting in
99 February.

100
101 **ITEM 2 – Kittery Conservation Commission – Earledean Wells**

102 Discussion: Protection of man-made wetlands.

103
104 Ms. Wells gave an overview of the issue and how it arose. She requested consideration
105 for ordinance language for manmade wetlands protection. The Board indicated that it
106 was favor of that and Vice Chair Kalmar stated it would be placed on the Board's Action
107 Items List and tackled under the re-codification effort.

108
109 **ITEM 3 – Board Member Items/Discussion**

110 A. Planning Board Action Item List

111
112 Vice Chair Kalmar brought up the MMA Local Planning Boards and Board of Appeals
113 training sessions that will be held in Portland the end of February. Mr. Steffen provided
114 updates to the Action Items List. He noted that he has the sidewalk / sandwich board
115 sign regulations ready for the Board's review. This could be an item for the 2nd meeting
116 in February. The Board stated that it would still like to get some direction from the Town
117 Council STR regulation.

118 Ms. Wells commented that it appeared that the Board missed taking action on site walk
119 minutes for the food truck pod at 230 U. S. Route 1 and 88 Pepperrell Road earlier in
120 the meeting.

121

122 **APPROVAL OF SITE WALK MINUTES – 230 U.S. Route 1 - November 27, 2018**

123

124 **Mr. Ledgett moved to accept the site walk minutes. Mr. Alesse seconded the**
125 **motion.**

126

127 **The motion carried 4-0-0.**

128

129 **The Board decided to postpone action on the site walk minutes for 88 Pepperrell**
130 **Road until the next meeting as hard copies were not in the packets.**

131

132 **ITEM 9 - Town Planner / Director of Planning & Development Items**

133 A. Title 16 Re-codification update

134

135 Mr. Causey gave an update and briefly discussed the advisory committee meetings to
136 date. The consultant will be presenting at the February 5th meeting of the committee the
137 draft framework and audit of the Code for review. Mr. Fitch asked whether zoning
138 changes would be considered in the effort. Mr. Causey responded that the intent is to
139 focus on improving the format and structure of the current Code and clean up some of
140 the conflicting language. He noted that the consultant will help with some language and
141 changes for some of the areas of zoning that are significant to the Town.

142

143 Vice Chair Kalmar it would be very helpful to have the materials placed online as soon
144 as possible in the process.

145

146 **Adjournment**

147

148 **Mr. Alesse moved to adjourn the meeting.**

149 **Mr. Ledgett seconded the motion.**

150

151 **The motion carried 4-0-0.**

152

153 The Kittery Planning Board meeting of January 24, 2019 adjourned at 7:15 p.m.

154

155 Submitted by Jamie Steffen, Town Planner, on March 6, 2019.

156

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