

1 **CALL TO ORDER**

2

3 **ROLL CALL**

4

5 Present: Steve Bellantone, Member; Drew Fitch, Member; Ronald Ledgegett, Member;  
6 Dutch Dunkelberger, Member; Russell White, Member; Mark Alesse, Member; and  
7 Karen Kalmar, Vice Chair,

8

9 Absent: None

10

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

13

14 Advisory: Earledean Wells, Conservation Commission

15

16 **PLEDGE OF ALLEGIANCE**

17

18 **ELECTION OF OFFICERS**

19

20 The Board moved to elect officers from its membership:

21

22 Chair – Mr. White nominated Dutch Dunkelberger for Chair. Seconded by Ms. Kalmar.  
23 There were no other nominations. All were in favor.

24

25 Vice Chair – Mr. Ledgegett nominated Karen Kalmar for Vice Chair. Seconded by Mr.  
26 Dunkelberger. There were no other nominations. All were in favor.

27

28 Secretary – Mr. White nominated Mr. Ledgegett for Secretary. Seconded by Mr.  
29 Dunkelberger. There were no other nominations. All were in favor.

30

31 Chair Dunkelberger expressed his appreciation to former Chair Ann Grinnell for her  
32 strong leadership and said he hoped to continue her legacy.

33

34 Chair Dunkelberger introduced new member Steve Bellantone.

35

36 **APPROVAL OF MINUTES – November 8, 2018**

37

38 **Mr. Ledgegett moved to accept the minutes of November 8, 2018. Mr. Alesse**  
39 **seconded the motion.**

40

41 **The motion carried 6-0-1.**

42

43 **APPROVAL OF MINUTES – December 13, 2018**

44

45 Line 35 – the vote should be 4-0-1 since Mr. Dunkelberger was not at the site walk.

46

47 Line 182 – insert or Vice Chair in the line.

48

49 **Vice Chair Kalmar moved to accept the minutes of December 13, 2018 as  
50 amended. Mr. Ledgett seconded the motion.**

51

52 **The motion carried 5-0-2.**

53

54 The Chair opened the public comment section. There being none, the Chair closed the  
55 public comment section.

56

57 **PUBLIC HEARING**

58

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

60 Action: Approve or deny preliminary site plan Owner/Applicant Green Brook, LLC  
61 requests consideration to develop a food truck pod on a 1.04 acre lot located at 230  
62 U.S. Route 1 (Tax Map 22 Lot 14) in the Commercial (C-1) Zone. Agent is Barbara  
63 Jenny.

64

65 Barbara Jenny, owner/applicant, gave a brief overview of the proposal. Vice Chair  
66 Kalmar asked if there were any changes since the Board last saw it. Ms. Jenny  
67 discussed the conversation that she had with MaineDOT regional engineers regarding  
68 the planter troughs in the ROW. She explained that DOT would consider them as  
69 fixtures in the ROW which would not be permitted. She spoke to the alternative which  
70 was to paint a yellow line the ROW pavement to better direct traffic. She also spoke to  
71 the waiver request process which can come from Town public officials.

72

73 Chair Dunkelberger opened the public hearing.

74

75 Liam Hardy, Wells, ME and a member of the Portland food truck community, spoke in  
76 favor of the project.

77

78 Chair Dunkleberger mentioned that the Board has also received a number of emails in  
79 support of the project. Chair Dunkelberger then closed the public hearing.

80  
81 Vice Chair Kalmar commented about the need for more landscaping details. Mr.  
82 Steffen noted that it was typically required for final plan review which would be the next  
83 step. Ms. Jenny addressed the landscaping question and stated there were no plans to  
84 add additional plantings.

85  
86 There was discussion amongst the Board and the planner about the landscaping  
87 requirement. It was decided that the landscaping plan would need to be furnished for  
88 the final plan review.

89  
90 **Vice Chair Kalmar moved to approve the preliminary site plan dated December 9,**  
91 **2018 from Owner/Applicant Green Brook, LLC for a food truck pod on a 1.04 acre**  
92 **lot located at 230 U.S. Route 1 (Tax Map 22 Lot 14) in the Commercial (C-1) Zone.**  
93 **Mr. Ledgett seconded the motion.**

94 **The motion carried 7-0-0.**

95  
96 Mr. Fitch needed to excuse himself from the rest of the meeting.

97  
98 **OLD BUSINESS**

99  
100 **ITEM 2 - 88 Pepperrell Road – The Bistro – Parking Plan Review for Business Use**  
101 **Change**

102 Action: Approve Findings of Fact. Owner, Chatham Street, LLC, and applicant, Ann  
103 Kendall are establishing a new business entity in an existing facility, where intensity of  
104 use is significantly different, located at 88 Pepperrell Cove (Tax Map 27 Lots 2A & 49) in  
105 the Business Local (B-L), Residential – Kittery Point Village (R-KPV) and Shoreland  
106 Overlay (OZ-SL-250') Zones.

107  
108 Mr. Steffen stated the Board was only acting on the approval of the Notice of Decision  
109 and Findings of Fact.

110  
111 Vice Chair Kalmar asked about the status of the reconsideration of the landscaping  
112 approval by the Board of Appeals. Mr. Causey explained that the BOA was scheduled  
113 to hear the request at their February 12 meeting but the meeting was cancelled due to  
114 the snowstorm. He discussed that the abutters have met with the applicants since the  
115 original decision by the BOA and the filing of the appeal for reconsideration and have

116 come to an agreement on the landscaping. He explained that the request for  
117 reconsideration was still out there until the BOA acts on it or it is rescinded.

118  
119 The Board discussed postponing action on this item until after the BOA reconsideration.

120  
121 **Mr. Ledgett moved to defer action on this item until after the BOA considers the**  
122 **appeal for reconsideration on the landscaping approval. Seconded by Vice Chair**  
123 **Kalmar.**

124  
125 **Motion carried 6-0-0.**

126  
127 **ITEM 4 - 459 U.S. Route One – Site and Subdivision Final Plan Review**

128 Action: Accept and deny application. Approve, approve with conditions, disapprove,  
129 postpone action or continue plan. Owner, DSS Land Holdings LLC, and applicant,  
130 Michael Brigham, request consideration of a mixed-use development consisting of a  
131 112-room hotel, and three residential buildings with 32 elderly housing units and 12  
132 residential units located at 459 U.S. Route 1 (Tax Map 60 Lot 24) in the Mixed Use  
133 (MU) Zone. Agent is Ken Wood, Attar Engineering.

134  
135 Brian Nielsen, Attar Engineering, gave a brief update on the plans before the Board.  
136 Chair Dunkleberger asked about the phasing of the project noting that the hotel plans  
137 were not finalized and they had changed the order of the phasing of the proposed  
138 development. Mr. Nielsen explained the proposal now was to build the entrance road  
139 and the driveway to the existing doctor's office first and then foundations for the  
140 residential buildings. Chair Dunkelberger asked if they were only proposing to put in the  
141 one entrance for now. Mr. Nielsen responded by stating once the details are finalized  
142 with the hotel the second entrance will be added.

143  
144 Mr. Ledgett stated that one of the questions will be what is the hotel going to look like.  
145 Michael Brigham, applicant, discussed the situation with the proposed building design  
146 for the hotel and the concern about the flat roof design. He noted that with the  
147 subdivision approval for the two lots he would like to go forward now with the residential  
148 development and then return at a later time with the building design plans for the hotel  
149 once those are finalized.

150  
151 The Board discussed the phasing element, and the approvals for the project. Mr.  
152 Steffen laid out the options for the Board to consider for the approval. Mr. Causey  
153 spoke to the design guidelines and discussed how to bring something back to the Board

154 if it isn't the ideal design. He felt that the guidelines weren't strongly worded and have  
155 not been strictly adhered with previous approvals.

156  
157 The consensus of the Board was to condition the approval on having the developer  
158 come back to the Board for approval of the final building design for the hotel once those  
159 are finalized. Chair Dunkelberger and the Board came to a consensus on the  
160 conditions of approval.

161  
162 Ms. Wells asked about the location of stormwater pond #5. Mr. Nielsen responded that  
163 the sequential numbering got thrown off during the analysis for the State permitting. He  
164 indicated he would fix that. Ms. Wells then asked about the walking trail right in the  
165 middle of the wetlands. Mr. Nielsen clarified that it was the existing walking path edge  
166 of the passive recreation area. Ms. Wells expressed her concern about lack of snow  
167 storage area in the hotel parking area. Mr. Nielsen responded that they would relook at  
168 it.

169  
170 **Mr. White moved to approve the 50-foot extension of the MU zone as allowed by**  
171 **Section 16.7.2.5 of the LUDC. Seconded by Mr. Ledgett.**

172  
173 **The motion carried 6-0-0.**

174  
175 **Vice Chair Kalmar moved to approve the waiver request from Section 16.8.4.2.F of**  
176 **the LUDC to allow two entrances closer than 1,000 feet apart. Seconded by Mr.**  
177 **White.**

178  
179 **The motion carried 6-0-0.**

180  
181 **Mr. White moved to approve the mixed use development final plan application**  
182 **dated 1/24/2019 as prepared by Attar Engineering, Inc. for owner DSS Land**  
183 **Holdings LLC, and presented by applicant Michael Brigham, Landmark Hill, LLC,**  
184 **for 459 U.S. Route 1 (Tax Map 60 Lot 24) in the Mixed-Use Zone with the following**  
185 **conditions: 1) sidewalk to be furnished and installed to the satisfaction of the**  
186 **Public Works Commissioner and at the developer's expense along the entire**  
187 **property frontage on Route 1; 2) design plans for the hotel that comply with**  
188 **Kittery's building design standards for the MU zone be approved prior to**  
189 **issuance of a building permit for the hotel building; 3) more detail be provided**  
190 **and shown on the plan to the satisfaction of the Town Planner for the landscape**  
191 **plantings within the parking areas; the maintenance plan and agreement for the**  
192 **common areas shall be reviewed and found satisfactory by CMA Engineers and**

193 the Town Attorney, and 4) all of CMA Engineers review comments are addressed  
194 to their satisfaction. Seconded by Mr. Ledgett.

195  
196 The motion carried 6-0-0.

197  
198 **FINDINGS OF FACT**

199  
200 The Planning Board made the following factual findings and conclusions:  
201

202 **A. Development Conforms to Local Ordinances**

203 **Finding:** The proposed development conforms to the primary objective of the  
204 comprehensive plan for economic development as it seeks to redevelop an abandoned  
205 commercial property with mixed use. The site plan and subdivision plans comply with  
206 the provisions of Title 16.

207  
208 **Conclusion:** This standard appears to be met.

209  
210 **Vote of 6 in favor 0 against 0 abstaining**

211  
212 **B. Freshwater Wetlands Identified.**

213 **Finding:** Wetlands have been delineated and are depicted on the overall site plan.

214  
215 **Conclusion:** This standard appears to be met.

216  
217 **Vote of 6 in favor 0 against 0 abstaining**

218  
219 **C. River, Stream or Brook Identified.**

220 **Finding:** A small portion of Stream Protection District (Shoreland Overlay) is identified  
221 and depicted on the overall site plan.

222  
223 **Conclusion:** This standard appears to be met.

224  
225 **Vote of 6 in favor 0 against 0 abstaining**

226  
227 **D. Water Supply Sufficient.**

228 **E. Municipal Water Supply Available**

229 **Finding:** The Kittery Water District has the capacity to supply municipal water service  
230 for both domestic and fire protection purposes to the proposed development.

231

232  
233  
234  
235  
236  
237  
238  
239  
240  
241  
242  
243  
244  
245  
246  
247  
248  
249  
250  
251  
252  
253  
254  
255  
256  
257  
258  
259  
260  
261  
262  
263  
264  
265  
266  
267  
268  
269  
270

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

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

**F. Sewage Disposal Adequate.**

**Finding:** By letter from the Town’s Superintendent of Wastewater Services, the Town sanitary sewer service is available for the proposed development and the sewer system will have the capacity and ability to handle the discharge flow estimates.

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

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

**G. Municipal Solid Waste Disposal Available**

**Finding:** Solid waste disposal will either be by contracted curb-side pick-up or residents may elect to utilize the Town Resource Recovery Facility. The proposed development will not burden the facility.

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

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

**H. Water Body Quality and Shoreline Protected.**

**Finding:** A 100’ setback from the northern wetland will become a no cut, no disturb area and will remain undeveloped and undisturbed in perpetuity, including no mowing or removal of any vegetation without a permit from the Code Enforcement Officer.

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

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

**I. Groundwater Protected.**

**Finding:** The proposed development will be serviced by Town sewer. The runoff from developed areas on site will receive treatment in USF ponds prior to being discharged into on-site wetlands.

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

271 **Vote of 6 in favor 0 against 0 abstaining**

272

273 **J. Flood Areas Identified and Development Conditioned.**

274 **Finding:** There is no proposed development located within a flood prone area.

275

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

277

278 **Vote of 6 in favor 0 against 0 abstaining**

279

280 **K. Stormwater Managed.**

281 **Finding:** The use of Underdrained Soil Filter (USF) ponds to attenuate peak flows will  
282 result in no increases in peak runoff quantity from the proposed development. No  
283 adverse effects are anticipated on any downstream properties or drainage structures for  
284 the analyzed storm events. Runoff quality is addressed by use of USF ponds.

285

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

287

288 **Vote of 6 in favor 0 against 0 abstaining**

289 **L. Erosion Controlled.**

290 **Finding:** Best management practices will be employed as required by the Erosion &  
291 Sedimentation Control Plan.

292

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

294

295 **Vote of 6 in favor 0 against 0 abstaining**

296

297 **M. Traffic Managed.**

298 **Finding:** The applicant has provided a traffic analysis.

299 1. A traffic movement permit was previously issued by Maine Department of  
300 Transportation (MDOT) for 619 peak hour trips. The proposed mixed use  
301 development will have a significantly lower number of peak hour trips at 115 AM  
302 and 133 PM. There are two proposed entrances within 1000' of each other. The  
303 applicant has received a waiver from this requirement. Site distance from both  
304 site drives was measured by Attar Engineering, Inc. and was found to exceed  
305 800' in both directions.

306 2. The project roadways and drives are designed to accommodate the projected  
307 traffic numbers and provide adequate traffic circulation.

308

309



310  
311  
312  
313  
314  
315  
316  
317  
318  
319  
320  
321  
322  
323  
324  
325  
326  
327  
328  
329  
330  
331  
332  
333  
334  
335  
336  
337  
338  
339  
340  
341  
342  
343  
344  
345  
346  
347  
348  
349

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

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

**N. Water and Air Pollution Minimized.**

**Finding:**

1. The proposed development is located outside of a floodplain.
- 2-4. The proposed development will be serviced by Town sewer.
5. The proposed development will adhere to all applicable State regulations.
6. Not applicable to the proposed development.

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

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

**O. Aesthetic, Cultural and Natural Values Protected.**

**Finding:** The property does not include any significant aesthetic, cultural or natural values that require protection.

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

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

**P. Developer Financially and Technically Capable.**

**Finding:** The developer has been involved with large scale construction projects through completion. The developer will provide an inspection escrow in an amount suitable to cover the costs of on-site inspection by the Peer Review Engineer to ensure the proposed development is constructed according to the approved plan.

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

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

Based on the foregoing Findings, the Planning Board finds the applicant has satisfied each of the review standards for approval and, therefore, the Planning Board hereby grants final approval, including approval for a special exception use request for the development at the above referenced property, including any waivers granted or conditions as noted.

350 **Waivers:**

351

- 352 1) Section 16.8.4.2.F of the Land use and Development Code (LUDC) to allow two  
353 entrances closer than 1,000 feet apart.

354

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

356

- 357 1. A revised phasing plan must be submitted and approved by the town planning  
358 staff.
- 359 2. Sidewalk must be installed to the satisfaction of the Public Works Commissioner  
360 along the property's Route 1 frontage.
- 361 3. Design plans for the hotel that comply with Kittery's building design standards for  
362 the MU zone must be approved by the Planning Board prior to issuance of a  
363 building permit for the hotel building.
- 364 4. More detail must be provided to the satisfaction of the Town Planner for the  
365 landscape plantings within the parking areas.
- 366 5. The maintenance plan and agreement for the common areas shall be reviewed  
367 and must be found satisfactory by CMA Engineers and the Town Attorney.
- 368 6. All of CMA Engineers' review comments are addressed to their satisfaction.
- 369 7. No changes, erasures, modifications, or revisions may be made to the approved  
370 plan, and no further land division or additional dwelling units may be established  
371 without Planning Board-approval.
- 372 8. Applicant/contractor will follow Maine DEP *Best Management Practices* for all  
373 work associated with site and building construction to ensure adequate erosion  
374 control and slope stabilization.
- 375 9. Prior to the commencement of grading and/or construction within a building  
376 envelope, as shown on the Plan, the owner and/or developer must stake all  
377 corners of the envelope. These markers must remain in place until the Code  
378 Enforcement Officer determines construction is complete and there is no danger  
379 of damage to areas that are, per Planning Board approval, to remain  
380 undisturbed.
- 381 10. All Notices to Applicant contained in the Findings of Fact (dated: February 14,  
382 2019).

383

384 Conditions of Approval (NOT to be depicted on the final plan):

385

- 386 11. Incorporate any plan revisions on the final plan as recommended by Staff,  
387 Planning Board, or Peer Review Engineer, and submit for Staff review prior to  
388 presentation of final Mylar. The amended subdivision plan must be submitted to

389 Staff for review prior to recording with the York County Registry of Deeds within  
390 90-days of approval.

391 12. Prior to any earthwork and clearing, all required Maine Department of  
392 Environmental Protection permits must be approved and submitted to the Town  
393 for recording.

394  
395 The Planning Board authorizes the Planning Board Chair or Vice Chair to sign the Final  
396 Plan and the Findings of Fact upon confirmation of compliance with any conditions of  
397 approval.

398  
399 **Vote of 6 in favor 0 against 0 abstaining**

400  
401 Per Title 16.6.2.A – An aggrieved party with legal standing may appeal a final decision  
402 of the Planning Board to the York County Superior Court in accordance with Maine  
403 Rules of Civil Procedures Section 80B, within forty-five (45) days from the date the  
404 decision by the Planning Board was rendered.

405  
406 **ITEM 4 - 50 Chauncey Creek Road – Shoreland Development Plan Review.**  
407 Action: Accept or deny application. Approve or deny plan. Owners and applicants,  
408 Thomas and Michele Jordan request consideration to reconstruct and expand a  
409 nonconforming single family dwelling on a 7,800 +/- square foot parcel located at 50  
410 Chauncey Creek Road (Tax Map 44 Lot 59) in the Residential Kittery Point Village (R-  
411 KPV), Shoreland Overlay (OZ-SL-250') and Resource Protection (OZ-RP) zones. Agent  
412 Tom Emerson, studioB-E.

413  
414 Tom Emerson, architect, studioB-E, gave an overview of the project. He stated that  
415 there was a change in the plans since the December meeting presentation. They have  
416 deleted the building portion that jutted out over the 1<sup>st</sup> floor sitting room. It will now be a  
417 roof deck with the face of the wall back to where it currently is.

418  
419 He discussed the proposed storage shed and noted that DEP and their legal team was  
420 looking at it. He stated his contention that the existing boathouse is below the high  
421 water mark and therefore are not part of the lot area and would not be considered the  
422 accessory structure on the main portion of the property. After question from Mr.  
423 Ledgett, Mr. Emerson described the use of the existing boathouse. It is not a water  
424 dependent structure. Mr. Emerson discussed the intent of the State law on the  
425 accessory structure for lawn tools was to keep hazardous materials off of the resource.  
426 Mr. Ledgett expressed his opinion that if the boathouse was not a water dependent  
427 structure than it would be considered the accessory structure. The Board determined

428 that they were not going to be able to make a determination on this issue until it gets a  
429 legal opinion.

430

431 Mr. Ledgett then asked about the railings for the roof deck and whether they would be  
432 considered an expansion within the 25 foot setback.

433

434 The Board set a date for a site walk to inspect the property for February 28<sup>th</sup> at 10:30  
435 am. The Board also decided to hold a public hearing and scheduled that for the March  
436 14<sup>th</sup> meeting.

437

438 **Vice Chair Kalmar moved to schedule a site walk for Thursday, February 28<sup>th</sup> at**  
439 **10:30 am. Seconded by Mr. Bellantone.**

440

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

442

443 **Vice Chair Kalmar moved to schedule a public hearing for March 14<sup>th</sup>. Seconded**  
444 **by Mr. Bellantone.**

445

446 **The motion passed 6-0-0.**

447

448 **ITEM 5 - Huntington Run - Cluster Subdivision Final Plan Review**

449 Action: Accept and deny application. Approve, approve with conditions, disapprove,  
450 postpone action or continue plan. Owner, Landmark Properties, LTD and Kingsbury and  
451 Veronica Bragdon, and applicant, Chinburg Builders, Inc., request consideration of a 20-  
452 lot cluster subdivision on 86.6 +/- acres located on Betty Welch Road (Tax Map 66 Lots  
453 2A, 8 & 8A) in the Residential Rural Zone (R-RL) and a portion located in the Shoreland  
454 Overlay (SH-250'-OZ) Zone. Agent is Jeff Clifford, P.E., Altus Engineering.

455

456 Jeff Clifford, Altus Engineering, gave an update on where the project was in the review  
457 process. He discussed the MDEP permit approval under the Site Location of  
458 Development Law and the Maine Department of Health and Human Services (DHHS)  
459 approval for the proposed engineered wastewater system.

460

461 Vice Chair Kalmar discussed her concerns with the waiver language in the code. Mr.  
462 Clifford responded that the reduced pavement width would force slower driving speeds.  
463 He discussed other cluster subdivisions which had 20' wide pavements and 2' wide  
464 gravel shoulders which had been approved by the Planning Board. Mr. White stated he  
465 agreed that the wider pavement did encourage greater speeds. He discussed putting in  
466 sidewalks of paths so people had the option of getting off the road.

467 There was more discussion amongst the Board and Mr. Clifford regarding road widths  
468 and the applicant making a case for the Board granting the waivers. Mr. Clifford  
469 commented on CMA Engineer's input on the roadway design and highlighted their  
470 suggestion for 1' of paved shoulder on both sides.

471  
472 Mr. Clifford discussed the other waiver requests. He spoke to the Impact Analysis that  
473 they had provided. There was some discussion amongst the Board and Mr. Clifford  
474 relative to the impacts on Town services. Mr. Clifford also discussed the wetlands  
475 alteration. Total impacts are 6,478 sf which translates into a mitigation fee of over  
476 \$25,000. He discussed CMA Engineer's review comments and how they have  
477 addressed them, in particular the concerns about the wastewater systems. There was  
478 discussion about the maintenance responsibilities and the system requirements.

479  
480 Mr. Clifford discussed CMA's concern about auxiliary power for the systems and stated  
481 that each homeowner would get portable generator for the wastewater treatment  
482 systems and would have the opportunity to purchase permanent ones if they so chose.

483  
484 Ms. Wells expressed concern about failure in the pumping system and the length of  
485 time she had heard for repair. Mr. Clifford addressed her concern in detail explaining  
486 the functioning and operation of the pumping systems.

487  
488 Mr. Clifford noted that they had received a letter from the Kittery Water District giving  
489 their final approval of the design of the water infrastructure and proposed materials.

490  
491 Chair Dunkelberger discussed his concerns about the road shoulders. He mentioned  
492 the suggestion about installing walking and riding signs on one side of the street. He  
493 suggested paving one side of the street at 4' and the other side having 2' gravel  
494 shoulder. Mr. White stated he would support CMA Engineer's recommendation. Chair  
495 Dunkelberger polled the rest of the Board. Mr. Alesse, Mr. Ledgett and Vice Chair  
496 Kalmar were not in support of the waiver request. Mr. Bellantone stated he could  
497 support CMA Engineer's recommendation. The Board and Mr. Clifford again discussed  
498 the roadway design and not meeting the Town's standard. Mr. Causey stated the  
499 department's position on staff reviews was to adhere to what is required in the  
500 ordinance but he did acknowledge the waiver provision and the input from CMA  
501 Engineers and the department heads on these matters.

502  
503 The Board and Mr. Steffen discussed the wetlands alteration permit approval. Mr.  
504 Clifford responded that they have addressed the impacts through their wetlands  
505 mitigation offering.

506 **Mr. Ledgett moved to continue the application to resolve the waiver requirements**  
507 **of the proposed roadway design not to exceed 90 days. Seconded by Mr. Alesse.**

508  
509 **The motion carried 6-0-0.**

510  
511 Ms. Wells questioned the common open space area including wetlands. Mr. Clifford  
512 explained that they had demonstrated that the open space area of 76 acres had the  
513 required upland and no future ballfields could be built in wetlands.

514  
515 **ITEM 8 – Board Member Items/Discussion**

516 A. Chair Dunkelberger noted that the Election of Officers was done earlier in the  
517 meeting and he then discussed his approach to Board member questions  
518 through the Chair.

519  
520 **ITEM 9 - Town Planner Items**

521 A. Title 16 Recodification update  
522 Mr. Causey informed the Board that the effort was moving forward. He noted  
523 that KOSAC has been renamed to the Kittery Land Issues Committee (KLIC).  
524 He reminded the Board about the upcoming Elected & Appointed Officials  
525 Meeting on March 4<sup>th</sup> and discussed the format.  
526 B. Mr. Causey informed the Board about the MMA workshop for Board training in  
527 Portland on March 20<sup>th</sup>. The Board discussed attending and logistics.

528  
529 **Adjournment**

530  
531 **Mr. Alesse moved to adjourn the meeting.**  
532 **Mr. Ledgett seconded the motion.**

533  
534 **The motion carried 6-0-0.**

535  
536 The Kittery Planning Board meeting of February 14, 2019 adjourned at 8:50 p.m.

537  
538 Submitted by Jamie Steffen, Town Planner, on March 25, 2019.

539  
540 Disclaimer: The following minutes constitute the author's understanding of the meeting.  
541 Whilst every effort has been made to ensure the accuracy of the information, the  
542 minutes are not intended as a verbatim transcript of comments at the meeting, but a  
543 summary of the discussion and actions that took place. For complete details, please

544 refer to the video of the meeting on the Town of Kittery website at  
545 <http://www.townhallstreams.com/locations/kittery-maine>.  
546  
547