

1 **CALL TO ORDER**

2

3 **ROLL CALL**

4

5 Present: Drew Fitch, Karen Kalmar, Ann Grinnell, Mark Alesse

6

7 Staff: Kathy Connor, Interim Planner; Adam Causey, Director of Planning and Development;
8 Jessa Kellogg, Shoreland Resource Officer/Stormwater Coordinator

9

10 Advisory: Earldean Wells, Conservation Commission

11

12 **PLEDGE OF ALLEGIANCE**

13

14 **APPROVAL OF MINUTES – June 14, 2018**

15

16 **Vice Chair Kalmar moved to accept the Minutes of June 14, 2018 as presented.**

17 **Mr. Alesse seconded the motion.**

18

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

20

21 Ms. Connor stated that the Board needs to amend the Findings of Fact for the right of way plan
22 approval for Sami Yassa (3.04 +/- acre parcel on Bond Road, Tax Map 25 Lot 12) given at the
23 June 14, 2018 meeting because a waiver was not voted on during the meeting and needs to
24 be done.

25

26 **Vice Chair Kalmar moved to rescind the acceptance of the Minutes of June 14, 2018.**

27 **Mr. Alesse seconded the motion.**

28

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

30

31 **Vice Chair Kalmar moved to accept the waiver to 16.8.4.6 for the travel way not centered**
32 **within the ROW and to amend the Findings of Fact similarly. Mr. Alesse seconded the**
33 **motion.**

34

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

36

37 Ms. Kellogg requested the minutes be amended to correct the spelling of Mr. Alesse's last
38 name on Line 5 and correct her title on Line 11.

39

40 **Mr. Alesse moved to accept the minutes of June 14, 2018 as amended. Vice Chair**
41 **Kalmar seconded the motion.**

42

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

44

45 **PUBLIC COMMENT**

46

47 Chair Grinnell opened the public comment segment of the meeting. There being no
48 comments, Chair Grinnell closed the public comment.

49

50 **NEW BUSINESS**

51

52 **ITEM 1 – Potential expansion of the Neighborhood Mixed-Use Zone (formerly Business**
53 **Park Zone).** Discussion: Follow-up to letter sent to property owners in March, map of zone for
54 review.

55

56 Chair Grinnell expressed interest in continuing this discussion to the second meeting in August
57 when a full board is expected to be present.

58

59 Ms. Connor asked if the Board would like to see the entire land use study conducted in the fall
60 of 2017 which helped inform the changes to the MU-N zone, formerly Business Park zone.
61 Board members present were in favor and asked to have the document emailed to them for
62 review prior to the workshop with Town Council in July.

63

64 Chair Grinnell requested that the Town Council receive the entire land use study as well and
65 informed the audience that there will be a joint workshop with the Planning Board and Town
66 Council from 5pm to 6pm on July 23, 2018 to discuss the Planning Board's recommendation
67 for rezoning the Business Park to the Mixed-Used Neighborhood zone. The Town Council will
68 also schedule a public hearing on this topic.

69

70 The discussion on the expansion of the MU-N (formerly Business Park) zone will continue at
71 the August 23, 2018 meeting.

72

73 **ITEM 2 – Draft amendments to Shoreland Zoning.** Discussion: Changes proposed to 16.9
74 (Wetland Setback Table) and 16.7.3.3.2 (Nonconforming Structure Repair and/or Expansion).

75

76 Chair Grinnell requested that the Shoreland Resource Officer provide background on this item.

77

78 Ms. Kellogg explained that there have consistent challenges in interpreting the code in areas of
79 shoreland zoning, so are attempting to rectify some of the low hanging fruit prior to a full look
80 at the whole code. Staff is proposing changes to the wetland table, including defining what a
81 drainage structure is. Maine DEP identifies a drainage structure in the shoreland overlay zone
82 as a structure required to meet setbacks and if it is not within the shoreland overlay zone it
83 does not need to meet setbacks like a building would. The wetland table was amended to
84 provide the setback requirements related to the shoreland overlay zone, resource protection
85 overlay zone, wetland of special significance or the stream protection overlay zone and size of
86 wetland.

87

88 Ms. Kellogg explained that the other piece to be amended is for non-conforming structure
89 repair/expansion in Title 16.7.3.3.2. Staff realized some inconsistencies in the code when

90 compared with Chapter 1000 recommendations from Maine DEP. Since this was provided to
91 the Board staff identified areas where the code numbering was not accurate, particularly at
92 Lines 14, 24, 28 and will also change lines 59-60 in section b as it relates to the resource
93 protection overlay zone. Ms. Kellogg stated that she has another idea on how to make that
94 section more clear and will amend this further and will bring it back to the Board.

95
96 Chair Grinnell requested discussion on these amendments to continue at the second meeting
97 in July and a public hearing will likely be set for the second meeting in August. Ms. Connor
98 stated that any board member not in attendance is welcome to send comments to staff.

99

100 **OLD BUSINESS**

101

102 **ITEM 3 – Update on Foreside Study. Discussion:** Director of Planning and Development will
103 update the Board on the Study and parking changes.

104

105 Mr. Causey said that he is still waiting for the electronic copy of the Foreside Study from the
106 consultant. The memo draws out a few recommendations that could be part of a separate
107 action plan or the Board could get started on items with general support, like parking efforts.

108

109 Discussion on a draft survey included some specific uses that may not be in play anymore in
110 the Foreside so certain questions may be amended or removed, and the survey will expand on
111 parking questions and aiming for more opinions on the correct mix of commercial, residential
112 and other uses. The Board will discuss a revised survey at the second meeting in July.

113

114 Mr. Causey highlighted street parking changes which would require an ordinance amendment
115 by Town Council. He met with members of the Foreside business group who expressed
116 concern with perception of parking issues in the Foreside, mostly employee parking in 2-hour
117 parking areas. This may be addressed with better striping, new signage and having a broader
118 category of parking with areas on Walker/State and Wentworth potentially having 4-hour
119 parking and possibly at least one 15-minute parking space for a quick visit in the downtown
120 area. An existing parking map will need to be updated with current parking counts, but it shows
121 both public parking and private parking with on and off-street parking.

122

123 Chair Grinnell asked if there is enforcement of parking in the foreside? Mr. Causey stated that
124 for the 2-hour parking on Walker Street away from the downtown Foreside they are trying to be
125 more lenient, but they are enforcing parking in the downtown area.

126

127 Vice Chair Kalmar stated that the Foreside Study identified a great number of on-street parking
128 spaces that are not painted, so people do not recognize that they are available. She asked if
129 having a 4-hour parking area needed to be in place before we change striping? Mr. Causey
130 replied that this does not correlate with current Code so that would need to be addressed first
131 before striping changes. He will work with the Public Works Commissioner to identify areas
132 listed as 2-hour parking that are not striped and get those painted now.

133

134 Mr. Alesse asked if there will be different color painting for the different areas? Mr. Causey
135 explained that they will use new signage to explain it.

136

137 Mr. Fitch asked if any other areas have been identified that could be remote lots for employees
138 or explored sharing parking with the library lot? Mr. Causey explained that there is a committee
139 being formed for the library, so parking will be part of that discussion. He also said that there
140 are private landowners who may be able to have parking lots on their properties and that the
141 Town encourages that. With this proposal employees would still have to go out and move their
142 car with 4-hour parking, but it's better than 2-hour parking now. Mr. Fitch stated he would
143 prefer to see remote parking and Mr. Causey replied that after he gets more input he will go
144 back to the Foreside businesses and continue this discussion.

145

146 Mr. Alesse shared that there is a triangle of striping in the foreside meant to preserve the
147 corner for turning which he feels wastes at least one parking spot at the corner. Mr. Causey
148 said he will work with staff and will look at what operationally will work based on traffic speeds
149 and reasonable safety concerns.

150

151 **ITEM 4 – Board Member Items / Discussion**

152

153 Chair Grinnell asked for an update on the sign ordinance. Mr. Causey shared that he is
154 working with staff on amending the sign ordinance and will be reaching out to business owners
155 to share what is allowed. He explained that code enforcement staff have been directed to
156 remove unpermitted small signs in the ground that are in the public right of way, but that the
157 larger sale signs and feather signs are generally on private property more difficult to remove.
158 Staff will work with businesses to ensure compliance with the sign ordinance.

159

160 Chair Grinnell asked the Board if they should table a discussion on short term rentals until a
161 full Board was present or let the inclusionary housing working group take a look at this issue.
162 She also requested that an email to staff from an HOA on short-term rentals be added to the
163 minutes and will discuss this further at the second meeting in July.

164

165 Mr. Fitch cautioned the board to be careful not to conflate two issues, that short term rentals
166 may impact inclusionary housing but it is not part of the focus of the inclusionary housing
167 working group.

168

169 No discussion occurred on the Planning Board Action Items list.

170

171 **ITEM 5 – Town Planner/Director of Planning and Development Items**

172

173 Mr. Causey shared that a Request for Proposals is out for the recodification of Title 16 and
174 proposals are due by July 12th. A tentative schedule would include a review of responses
175 received by a review committee, from there the Town will move forward with selection. Work
176 would likely begin in September at the earliest and will be a 15-18 month process.

177

178 Chair Grinnell said that the RFP does not mention any costs. Mr. Causey stated that this is a
179 sealed bid process so the consultants who submit will tell the town what their costs will be.

180

181 **ADJOURNMENT**

182

183 **Mr. Alesse moved to adjourn.**

184 **Vice Chair Kalmar seconded the motion.**

185

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

187

188 The Kittery Planning Board meeting of June 28, 2018 adjourned at 6:43 p.m.

189

190 Submitted by Jessa Kellogg, Minutes Recorder, on, July 05, 2018.

191

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

193 Whilst every effort has been made to ensure the accuracy of the information, the minutes are

194 not intended as a verbatim transcript of comments at the meeting, but a summary of the

195 discussion and actions that took place. For complete details, please refer to the video of the

196 meeting on the Town of Kittery website at <http://www.townhallstreams.com/locations/kittery->

197 [maine](http://www.townhallstreams.com/locations/kittery-maine).