

1 **CALL TO ORDER**

2

3 **ROLL CALL**

4

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

7

8 Absent: Drew Fitch, Member; Russell White, Member

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10 Staff: Jamie Steffen, Planner; Adam Causey, Director of Planning and Development; Jessa  
11 Kellogg, Shoreland Resource Officer/Stormwater Coordinator

12

13 **PLEDGE OF ALLEGIANCE**

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15 **ITEM 1 – PUBLIC HEARING - Town Zoning Map Amendment**

16 This zoning map amendment is the second step to a two-part process replacing the Business  
17 Park (B-PK) zoning district. The first step proposes a text amendment changing the B-PK zone  
18 to the Neighborhood Mixed-Use (MU-N) zone and replace the zoning requirements. This step  
19 is currently under consideration by Town Council after going through a public hearing process  
20 with the Planning Board on June 14, 2018. This second step proposes a zoning map  
21 amendment which will expand the proposed boundary of the new Neighborhood Mixed-Use  
22 (MU-N) zone currently under consideration by Town Council.

23 Public Hearing Vote to Recommend. Take public comment. Review and discuss proposed  
24 expansion of the Neighborhood Mixed-Use (MU-N) Zone. Vote whether to recommend to  
25 Town Council.

26

27 Chair Grinnell announced that the special meeting of the Board was strictly have a public  
28 hearing on a zoning map change to expand proposed Neighborhood Mixed Use Zone (MU-N).  
29 She noted that text amendment changing the B-PK zone to the MU-N Zone was approved by  
30 the Planning Board at their July 14, 2018 meeting.

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32 Chair Grinnell opened the public hearing.

33

34 Barry Fitzpatrick, Rodgers Rd, stated that he is a lifelong resident of Kittery and had a couple  
35 of questions regarding the proposal.

36 Who is the actual property owner of the Business Park (B-PK) zoning district? Will the  
37 ownership change when and if it becomes a Neighborhood Mixed Used zone? Does the zone  
38 have town supplied amenities such as water, sewer, and roads? Is the newly proposed

39 building height increase solely for the Neighborhood Mixed Use zone”? He stated he was  
40 concerned about maintaining Kittery’s small-town character and attractiveness.

41

42 Chair Grinnell noted that the Board would continue to take public comment and then answer  
43 Mr. Fitzpatrick’s questions at the end.

44

45 Vern Gardner, 2 Tucker Cove, He stated that he was opposed to the expansion of Business  
46 Park (B-PK) zoning district. He discussed that the business park was governed by a TIF  
47 District to cover four (4) parcels oriented toward Dennett Rd. He further discussed that the  
48 proposed expansion would gather an additional twelve (12) more parcels with collected  
49 property tax revenue used to offset the sewer expansion project. He explained that the sewer  
50 expansion project has cost the Kittery residents twelve (12) million dollars in taxes and fees.  
51 He stated that if this was true the proposal is just a legislative backdoor to funding a  
52 boondoggle. He discussed looking instead at the north side of Route 236 for expansion. He  
53 noted that the standards for the Business Park (B-PK) zoning district would be changed and  
54 the prospect of a seventy 70-foot high building would be well beyond our lifespan and would  
55 add to our tax burden for new fire department equipment and training. Lastly, he discussed  
56 the intent of the business park zone was to act as a buffer between the commercial district of  
57 Route 236 and the residential district of Dennett Road and the absence of that buffer would  
58 create conflicts.

59

60 George Dow, 1 Bartlett Rd, Chair of the Economic Development Committee (EDC). He  
61 discussed the proposed zoning for the Neighborhood Mixed Use zone. He stated with the  
62 adjustments the EDC would like to offer an endorsement of the new zoning. He further stated  
63 the EDC is recommending the inclusion of the properties along Route 236 into the new zone  
64 but not to include the properties that abut Martin Road. The EDC recommended adjustments  
65 to the zoning to provide greater buffers from the residential properties along Martin Road. Mr.  
66 Dow discussed the EDC supports the height limitation but with adjustments. He explained that  
67 they would like to see a 55 foot height limitation to accommodate four (4) and roof top  
68 equipment. He discussed parking underneath the building and construction costs relative to  
69 available developable land. He stated the EDC hoped that community concerns about building  
70 height would not scuttle positive aspects of the proposed zoning. He noted that he would make  
71 the information available to the Board and that it had been passed on to Town Manager  
72 Amaral.

73

74 Judy Spiller, 3 Rosellen Dr, stated her concerns with consistency of the Comprehensive Plan  
75 and keeping the small-town character of Kittery. She also stated that she against raising the  
76 building height limit to seventy (70) feet. She noted the height of a nearby storage building and  
77 to consider a building height that was two stories higher was a concern to her.

78

79 Kathy Hardy, Armour Drive, stated her concern about a 70 foot height increase and the  
80 expense required for new firefighting apparatus. She had questions about sustaining the  
81 Town's infrastructure along with fire and police service for the area. She asked about  
82 proposed traffic calming measures for Dennett Road. She discussed affordable housing in  
83 relation to the project

84

85 Susan Emery, 5 School Lane, discussed Kittery changing to become more affordable. She  
86 discussed the tax and services impacts on the Town of the different land use types. She asked  
87 about the purpose of the zone and discussed her concerns about the proposed uses and the  
88 burden on Town services. She stated her concern about placing seventy (70) high buildings  
89 next to residential.

90

91 Debbie Driscoll, Pepperrell Terrace stated that she is opposed to the seventy (70) foot height  
92 allowance and echoed what others stated.

93

94 Jen Thayer, Martin Rd discussed her concern that her neighbors don't know the specifics of  
95 the proposal. She discussed her concern about the deterioration of Parson's Ponds and algae  
96 growth. She was also concerned about the impact of development on Legion Pond. She also  
97 discussed her concerns with the filling in wetlands on the property.

98

99 Ken Linscott, Dennett Rd discussed traffic and speeding concerns along Dennett Rd. He  
100 discussed his concerns about sight lines for traffic coming out onto Dennett Road.

101

102 David Gerison stated that he owns the majority of the property involved with business park  
103 zone. He stated he is in favor of the entire zone going Neighborhood Mixed-Use for a variety  
104 of reasons. He further stated he is working on a thoughtfully designed mixed use project that  
105 would include workforce housing, market rate housing, retail, light industrial and possibly a  
106 hotel. He noted that he lives and works in Kittery and pointed to his office the zoning map. He  
107 further discussed potential development plans for a mixed use project and stated his goal is to  
108 create a development that all could be proud in Kittery. He referred to the seventy (70) foot  
109 building height and concerns with that. He stated his intent would be to not do anything higher  
110 than fifty (50) feet. He explained that it would be a lifestyle type development with recreation,  
111 sidewalks, dining establishments, etc.

112

113 Jen Thayer spoke further about her concerns about filling wetlands for development.

114

115 Adam Causey, Director of Planning and Development, responded by stating that the hearing  
116 wasn't for a specific development proposal but was for a zoning boundary line expansion. He

117 discussed how happy he was to hear all the input the Board received and remarked that is  
118 what planning is all about. He further stated that he understood the ultimate end goal was to  
119 protect environment and create a quality development but he felt it was premature to talk now  
120 about the filling of wetlands. He discussed notification for the meeting and stated that the  
121 department went over and above what is required. He noted that the Town noticed property  
122 owners 500 feet from the proposed zoning boundary expansion where normally it would be  
123 150 feet. He stressed that the goal was to make property owners aware of the proposal and to  
124 come to the meeting and have their voices heard.

125  
126 He noted the time constraints of the meeting and discussed whether it was on the agenda for  
127 the next meeting. He discussed compiling the list of questions from the public and continuing  
128 the hearing to get further input and allow staff to answer some of the questions raised. He  
129 discussed the next steps in the process and noted that the text amendment still needed to go  
130 through the Town Council adoption process and that there would be further opportunity for  
131 public input.

132

133 The Board discussed the continuing the public hearing and consideration of the proposed  
134 zoning to their regularly scheduled meeting on August 23<sup>rd</sup>. Chair Grinnell noted that the  
135 Board could amend their agenda to that meeting to add this item.

136

137 **Vice Chair Kalmar moved to continue the Public Hearing on the proposed zoning**  
138 **boundary expansion and consideration of the recommendation for the proposed zoning**  
139 **map amendment.**

140 **Seconded by Mr. Ledgett**

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142 **Motion carried 5-0-0**

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144 **Adjournment**

145

146 **Moved by Mr. Dunkelberger, seconded by Mr. Ledgett.**

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148 **Motion carried 5-0-0**

149

150 Board meeting of Aug 21, 2018 adjourned at 6:19 p.m.

151

152 Submitted by Jordan Williams, Minute Recorder, on September 11<sup>th</sup>, 2018.

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 minutes are

156 not intended as a verbatim transcript of comments at the meeting, but a summary of the  
157 discussion and actions that took place. For complete details, please refer to the video of the  
158 meeting on the Town of Kittery website at <http://www.townhallstreams.com/locations/kittery->  
159 [maine](http://www.townhallstreams.com/locations/kittery-maine).