

Meeting called to order at 6:02 p.m.

Board Members Present: Tom Emerson, Karen Kalmar, Susan Tuveson, Mark Alesse, Ann Grinnell

Members absent: Deborah Driscoll Davis, Bob Melanson (6:40 p.m.)

Staff: Chris DiMatteo, Assistant Planner

Pledge of Allegiance

Minutes: June 26, 2014

Ms. Kalmar moved to accept the minutes of June 26, 2014 as submitted

Ms. Grinnell seconded

Motion carried by all members present

Public Comment: No public comment.

### OLD BUSINESS

ITEM 1 - Board Member Items/Discussion:

Mr. Emerson: Regarding signage amendments, the Board needs to determine:

1. level of community interest;
2. what is actually wanted, if there is a high interest;
3. can those interests be codified;
4. can it be administered by the CEO;
5. can applicants understand and work with it?

Before this is undertaken, it needs to be determined whether the whole code language needs changing or whether a few items need to be addressed. After the workshop it should be added to the Action List to see how it falls out with other items.

Ms. Tuveson: Board members are already extremely busy, and is concerned as to the level of interest and need for proposed changes.

Ms. Kalmar: Agrees. Asked Ms. Tuveson to review the constitutionality section in the New York sign guidelines.

Mr. DiMatteo: Asked if the Board would consider attempting to fix the LED piece in the sign ordinance.

Mr. Emerson: LEDs and message boards

Ms. Grinnell: Commended the Chairman for following the process for discussion and consideration.

Mr. Melanson:

1. The BIG project is almost complete, on time and \$15,000 under budget;
2. Harbormaster Blake has resigned, effective July 19;

Mr. Emerson: Submittal of comments on the Shore & Harbor Plan are due July 14. Comments have been received from Ann Grinnell and the Conservation Commission.

Mr. Melanson:

- The Port Authority noted the Plan's inclusion for a water taxi at Government Street facility is not feasible, and a draft of other concerns will be submitted to staff.

Mr. DiMatteo: Summarized the proposed, draft agenda for July 24.

Ms. Grinnell: Can boat registration be better enforced?

Mr. Melanson: The Port Authority has two boats patrolling, mostly for safety, but for registration, as well.

Ms. Grinnell:

- The EDC did not meet;
- The Foreside Parking Committee will meet on Wednesday, July 16, and she will bring up the library parking issue.

A. Bylaws

Following were amended/corrected:

- Line 160: change to Section 20.
- Line 53: add no [... no other(s) shall be considered...].
- Line 81: add extent [to an extent determined by the Chair,...].
- Line 39: end sentence at '...Thursdays of each calendar month.' and remove remainder of sentence.
- Line 118: remove Section 14 entirely (and re-number sections, accordingly).
- Line 44: correct uppercase 'T' to lowercase 't' (...taken at any regular meeting of the Board,...)
- Line 45: Include missing citation.
- Line 101: add who [...shall be the responsibility of the Planner, or Planner's designee, who is...].

B. Other

ITEM 2 - Town Planner Items:

- A. Sign standards clarifications and update; Public Workshop, Thursday, July 17, 2014
- B. Other

### NEW BUSINESS

ITEM 3: Brave Boat Conservation at Sawyer Lane - Cluster Subdivision - Preliminary Plan Completeness Review. Action: Accept or deny plan application and schedule site walk and/or public hearing. Owner and applicant Jonathan and Kathleen Watts is requesting consideration of their plans for a 4-lot cluster subdivision at 143 Brave Boat Harbor Road, Map 63, Lot 19 in the Residential Rural Zone and Shoreland Overlay Zone. Agent is Ken Markley, Easterly Surveying, Inc.

Ken Markley: Summarized recent submittal information, including:

1. Addressing approval criteria standards;
2. Letter from Kittery Water District stating there is sufficient water available for the project;
3. Letter from Joe Noel addressing soil issues;
4. Road opening permit from DPW, addressing site lines;
5. List of notified abutters;
6. Cluster Subdivision plan
7. High Intensity Soil Survey;
8. Road construction and drainage plan by Pinkham & Greer Civil Engineers.

Regarding a request from an abutter, the applicant agreed to place a few trees as buffer between the properties; noted location of wetlands behind abutters property and stated the proposed development would not by itself flood the property due to its small size in relation to the very large wetland area behind the property; erosion control measures have been installed;

Mr. DiMatteo: Right, title and interest documents have been received; Board should consider the waiver requests submitted; some abutters are not represented in the assessor's information, but will be notified accordingly.

Ms. Kalmar: Requested a stormwater plan and aerial photo, and disturbed areas calculations.

Mr. Markley: All the disturbed areas, including the ROW, total approximately 39,000 sf, less than one acre. It is difficult to show location of houses and garages, as the final location cannot be determined at this stage. The buildable envelope is illustrated, however.

Ms. Grinnell: Asked about requested waivers.

Mr. Markley: Regarding waivers, the front yard setback reduction for lots 2, 3 and 4 is to allow for location of septic systems in the rear, with the lot size reduced to 20,000 sf, meeting the objective of the cluster ordinance; the reduction for Lot 1 is for the existing home which is located 9 feet from the proposed ROW; an increase in non-vegetated surface area per lot from 20% to 30% due to the smaller, less than 1 acre, lots proposed. Discussion followed regarding average house sizes.

Mr. Emerson: In cluster design, reducing the lots to allow for open space creates a tighter area to work with.

Ms. Wells: Was told there was diseased hemlock on the site, and asked how much wooded area on the site would remain if these diseased trees were removed.

Mr. Watts: Without physically counting or marking the trees, cannot fairly answer how many diseased trees would be removed. The intent is to retain trees outside of the areas identified for clearing.

Mr. DiMatteo: A plan should be submitted outlining the methodology for removal of trees.

Mr. Markley: The maximum amount of clearing would be 39,000 sf, or approximately 30% of the total area being developed.

Ms. Kalmar moved to accept the application as complete pending illustration of the disturbed areas and building envelopes, receipt of a stormwater plan by a certified engineer, receipt of an aerial photo, and to schedule a public hearing

Ms. Grinnell seconded

Motion carried unanimously by members present

Mr. DiMatteo: The information requested needs to be submitted by July 24 in order to make the public hearing of August 14.

#### ITEM 4 – Eventide Drive Right-Of-Way — Street Naming Application Review

Action: Review application and grant or deny approval. Owner and Applicant Nathan and Michelle Zamarripa are requesting consideration of their Street Naming Application for an approved Right-Of-Way located between 116 and 118 Brave Boat Harbor Road, Tax Map 63, Lot 64-A, Residential Rural Zone, with a portion in the Shoreland Overlay Zone.

Mr. DiMatteo: This is a standard review by the Board, as all municipal departments, and the CEO, have signed off on the name.

Ms. Kalmar moved to accept the name of Eventide Drive, located between 116 and 118 Brave Boat Harbor Road

Ms. Tuveson seconded

Motion carried unanimously by members present

Mr. Emerson moved to adjourn

Ms. Tuveson seconded

Motion carried unanimously by members present

The Kittery Planning Board meeting of July 10, 2014 adjourned at 7:18 p.m.

Submitted by Jan Fisk, Recorder, July 14, 2014