

**Kennebunkport Planning Board  
September 4th, 2013 ~ 7:00 PM  
Village Fire Station, 32 North Street**

A regular meeting of the Planning Board was held on Wednesday, September 4th, 2013. The meeting convened at 7:00 p.m. in the North Street Fire Station.

Members Present: Mr. David Kling (Chair), Greg Reid, John Hathaway, Gordon Ayer, Peter Fellenz

Approval of Minutes: Mr. Hathaway made a motion to approve the minutes from the August 21, 2013 Planning Board meeting. Mr. Ayer seconded the motion and the vote was unanimous.

Items:

**1) CDMK, LLC Properties/ Mitchell & Associates, Authorized Agent – Initial Review / Findings of Fact** - for re-approval of the conditional use for the proposed multiplex consisting of 2 multi family-unit lots. [49 & 51 North Street, Assessor's Map 12, Block 005, Lots 21, 21A & 22 in the Village Residential & Free Enterprise Zones] *David Kling, Case Manager*

Mr. Kling read the Findings of Fact into the record. Mr. Hathaway made a motion to approve said Findings. Mr. Ayer seconded the motion and the vote was unanimous.

**2) Cape Arundel North Subdivision – Hodsdon & Ayer, Authorized Agent – Findings of Fact** - Request to relocate lot lines between two abutting properties in previously approved subdivision. [2 & 8 Elizabethan Drive, Assessor's Map 20, Block 004, Lots 17 & 18 in the Cape Arundel Zone.]

Mr. Ayer is recused from this Application. Mr. Kling read the Findings of Fact into the record. Mr. Hathaway made a motion to approve said Findings. Mr. Reid seconded the motion and the vote was unanimous.

**3) The Ledges at Ocean Avenue, LLC - Continued Initial Review** – for approval to connect the lots to public sewer. [Washburn Drive, identified as Assessor's Tax Map 20, Block 004, Lots 03B – 03H and 03J – 03M in the Village Residential Zone.]

Mr. Kling introduced the Agenda item noting the Board has received several documents from Sebago Technics and the Town's Engineer. Mr. Kling also noted that Mr. Allan Moir, Superintendent of the Sewer Dept. is in attendance to answer any questions.

Mr. Steve Doe addressed the Board stating he has performed the requested research on the sewer line and has spoken with the Town Planner Werner Gilliam along with Leon Blood and M.B. Richardson. There was a Permit By Rule issued in 2 stages to connect the existing house and then another Permit By Rule to bring the line where it is today, Mr. Doe explained.

Mr. Kling stated the Board's main concern is that the Sewer Department is satisfied with the engineering specifics of the project.

Mr. Allan Moir addressed the Board stating they hydrostatically tested the line from Wildes District Road to The Ledges. Mr. Kling asked if the pipe caused any capacity issues. Mr. Moir responded "No, the line going across is an 18" line and it is not an issue with the treatment plant at this time."

Mr. Moir further explained that the line has to be offered to the town as a public line but it does not mean that it has to be accepted. Mr. Moir added it would be his recommendation to the Board of Selectmen not to accept it.

Mr. Patrick Hutchins addressed the Board to ask if there is a capacity limit to the pipe and if there is growth potential for this pipeline to possibly incorporate more people on the line. Mr. Moir responded the line can have a maximum of 12 houses on it.

Mr. Ayer offered his opinion that this was a missed opportunity for the town and suggested the municipality assess a considerable fine.

Mr. Moir recommended all houses involved in this project install a standby generator to make sure the water works when there is no electricity.

Mr. Moir also stated his recommendation is for the town to not accept responsibility for the pipeline so it would remain a privately owned line.

Mr. Ayer made a motion to find the Application complete. Mr. Hathaway seconded the motion and the vote was unanimous. Mr. Kling stated a Public Hearing would be held at the next meeting on September 18, 2013.

Mr. Doe offered the idea of granting an easement to the town for access to the pipeline. Mr. Moir and the Mr. Ayer both stated they agreed with that suggestion.

**4) 130801 Terrapin Landscaping, Inc.** – Site Plan Review – **Initial Review** – for approval to relocate an existing landscaping business and to change the use of the new location from “lobster and seafood processing plant” to “landscaping equipment warehouse”. [184 Beachwood Avenue, Assessor’s Map 24, Block 001, Lot 14A in the Farm and Forest Zone.]

Mr. Kling introduced the Agenda item. Mr. Michael Corsie addressed the Board stating they are proposing to buy Allan Daggett’s lobster pound and change the use to a storage place for his landscaping business. Mr. Corsie explained there is an office trailer currently on the property which he would like to remove.

Mr. Reid asked how many people are employed at Terrapin Landscaping. Mr. Corsie replied right now there are 4 full time employees with more seasonal employees added during the summer months.

Mr. Fellenz asked if there would be any retail activity. Mr. Corsie replied the property will be used as storage.

Mr. Fellenz made a motion to find the Application complete. Mr. Ayer seconded the motion and the vote was unanimous.

**5) 130802 Town of Kennebunkport / Silas Perkins Park** – Site Plan Review – **Initial Review** – for approval to make landscaping improvements to the property. [Ocean Avenue, Assessor’s Map 10, Block 001, Lot 04 in the Riverfront Zone.]

Mr. Kling introduced the Agenda item.

Mr. Larry Mead, Town Manager addressed the Board and gave a brief description of the proposed landscaping improvements along with a brief history of Silas Perkins. Mr. Mead also stated there are funds set aside in the town budget to make some improvements to the property.

Ms. Gina Leonard, Landscape Architect addressed the Board stating their biggest intention to make the property a recognizable public park. Ms. Leonard showed the Board a site plan on the proposed layout of the pathway and seating areas along with proposed plantings and a grass area for picnicking. Ms. Leonard explained the pathway and seating areas amount to a total of 11% impervious surface.

Mr. Kling expressed his concern that increasing the impervious surface within the 75 foot setback was in opposition to the ordinance. Mr. Gilliam explained there are provisions in the ordinance to provide pathways to the water to allow for access.

Mr. Kling asked that since this is a public space, would there be ADA requirements for stability or access to the seating area? Mr. Mead responded that this project is designed to be compliant with the ADA requirements.

Mr. Gilliam noted that this property also provides another public access point for launching watercraft.

Mr. Reid suggested using cobblestone for the pathway. Mr. Mead responded cobblestone wouldn’t be ideal for the pathway as it is difficult for wheelchairs to navigate on cobblestones.

Mr. Reid also asked if there will be trash facilities on the property. Mr. Mead replied there will be a trash bin which will be emptied daily by the town Maintenance Department.

Mr. Ayer made a motion the Application is complete. Mr. Reid seconded the motion and the vote was unanimous. A Public Hearing will be held on September 18<sup>th</sup>, 2013.

**Adjournment:** A motion was made to adjourn, it was seconded and the vote was unanimous.

**Submitted by:** Patricia Saunders, Planning Board Recording Secretary