

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

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

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

Approval of Minutes: Mr. Reid made a motion to approve the minutes from the November 20th, 2013 Planning Board meeting. Mr. Famolare seconded the motion and the vote was unanimous.

Items:

**1) 131001 John Spottiswoode – Site Plan Review – Public Hearing** – for approval to widen his private road to bring it up to new town private road standards. [1 Lynnsey Hollow Road, identified as Assessor's Tax Map 21, Block 001, Lot 08 in the Village Residential Zone.]

The applicant was not present for the meeting. Mr. Kling opened the Public Hearing. The Board agreed to continue the Public Hearing until the next Board meeting due to the absence of the Applicant. Mr. Ayer made a motion to that affect. Mr. Reid seconded the motion and the motion was passed. Mr. Hathaway voted against the motion to continue the Public Hearing.

**2) 131001 Paul Hogan / Sebago Technics – Site Plan Review – Public Hearing** - for approval to lift a residential building to meet floodplain requirements by installing a new pier foundation and by changing existing patio areas to raised decks. [9 New Biddeford Road, identified as Assessor's Tax Map 35, Block 006, Lot 02 in the Goose Rocks Zone.]

Mr. Kling introduced the Agenda item. Mr. Paul Hogan addressed the Board and gave a brief summary of the Application citing the new proposed elevation on the revised site plans. Mr. Hogan explained after talking with the neighbors they have decided to lower the rear deck to allow them to have some view of the creek.

Mr. Kling asked if the Board had any questions for the Applicant.

Mr. Fellenz cited a discrepancy in the Application as to identity of the Applicant and their Authorized Agent. Mr. Hogan explained that his children are the title owner, Mr. Hogan is the mortgagee for the property and they had asked Steve Doe of Sebago Technics to sign as the Authorized Agent.

Mr. Famolare asked what the overall height of the house is now and what will it be after it is raised out of the flood plain. Mr. Gilliam explained the structure currently is 20.5 ft. off grade and after the building is lifted it will be 24 ft. above grade.

Mr. Kling opened the Public Hearing.

Attorney Philip Saucier, representing Joan Rozolis and Arthur Levin addressed the Board and provided copies of several pictures of the property. Mr. Saucier explained his clients have no issue with the house being raised or the existing porch but is concerned about the part of the deck in the rear of the property they feel is encroaching on the setback line.

Mr. Kling asked if there is anything in this Application that increases the non-conformity of the property by increasing the violation of the setbacks. Mr. Gilliam responded stating this Application is a reconstruction of a non-conforming structure without any increase in volume. Mr. Kling added in reviewing the Application there does not seem to be any greater violation of the current setback with this proposal.

There were no further questions or comments. Mr. Kling closed the Public Hearing. Mr. Reid made a motion to approve the Application as amended with the new drawings received by the Board. Mr. Famolare seconded the motion and the vote was unanimous. Mr. Fellenz was assigned as Case Manager to prepare the Findings of Fact to be read at the next Planning Board meeting.

**3) 130803 Cape Arundel Golf Club / Pinkham & Greer, Authorized Agent – Site Plan Review – Public Hearing** – for approval to do shoreline stabilization due to extensive erosion issues in various locations on the property. [19 River Road, identified as Assessor's Tax Map 12, Block 001, Lot 13 in the Village Residential Zone.]

Mr. Kling introduced the Agenda item. Mr. Reid acknowledged he is a member of the Golf Club and offered to recuse himself if anyone felt this constituted a conflict of interest. The Board unanimously agreed there was no conflict of interest.

Mr. Tom Greer addressed the Board and gave a brief description of the four areas that need stabilization work done due to erosion. Mr. Greer stated they did receive a permit from the Maine DEP and have resolved the issue of timing with the Department of Inland Fisheries and Wildlife and the Department of Marine Resources. All work will be done in the winter by Hissong Construction which will probably start in February 2014.

Mr. Kling opened the Public Hearing. There were no comments or questions from the public. Mr. Kling closed the Public Hearing. Mr. Ayer made a motion to approve the Application of Cape Arundel Golf Club as presented. Mr. Famolare seconded the motion and the vote was unanimous. Mr. Ayer was assigned as Case Manager to prepare the Findings of Fact to be read at the next Planning Board meeting on December 18, 2013.

**OTHER BUSINESS:**

Mr. Kling announced the first Planning Board meeting in 2014 will be on January 15<sup>th</sup>. There will be no meeting held on January 1<sup>st</sup>.

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

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