

**Kennebunkport Planning Board**  
**January 15, 2020 ~ 7:00 PM**  
**Kennebunkport Village Fire Station, 32 North Street**

A regular meeting of the Planning Board was held on Wednesday, January 15th, 2020. The meeting convened at 7:00 p.m. in the Kennebunkport Village Fire Station.

Members Present: Mr. Tom Boak (Chair), Nina Pearlmutter, D. Scott Mahoney, Ed Francis, Larry Simmons, George Lichte

Approval of Minutes: Mr. Simmons read through his corrections to be made to the minutes from the December 18<sup>th</sup>, 2019 Planning Board meeting. Ms. Pearlmutter made a motion to approve the amended minutes with Mr. Simmons' corrections. Mr. Simmons seconded the motion and the vote was unanimous.

Items:

1. **191101 5 Grier Road Trust / Walsh Engineering, Authorized Agent** Site Plan Review - **Finding of Facts** – for approval to expand a portion of the existing house within the existing structure footprint. (5 Grier Road, identified as Assessor's Tax Map 29, Block 1, Lot 17 in the Cape Porpoise West, Shoreland and Resource Protection Zones.)

Mr. Boak introduced the Agenda item noting the Board voted at the last meeting to continue the Public Hearing.

Mr. Bill Walsh of Walsh Engineering addressed the Board members stating he has submitted prior to this meeting to the Board clarification on the property deeds and an agent authorization letter.

Mr. Boak also acknowledged receipt of a Permit-By-Rule submitted by the Applicant as well.

Mr. Boak opened the Public Hearing. There were no comments or questions from the audience in attendance. Mr. Boak closed the Public Hearing.

Mr. Simmons made a motion to approve the Application. Mr. Mahoney seconded the motion and the vote was unanimous.

Mr. Simmons read the Finding of Facts into the record. Ms. Pearlmutter made a motion to approve said Findings. Mr. Boak seconded the motion and the vote was unanimous.

2. **191201 Lord & Harrington, LLC / Sebago Technics, Authorized Agent** - Site Plan Review - **Public Hearing** – for approval to add a new 6 foot wide porch along the south side of the main structure to replace two small porches at existing doorways. (15 Langsford Road, identified as Assessor's Tax Map 22, Block 6, Lot 14 in the Cape Porpoise South Zone.)

Mr. Boak introduced the Agenda item.

Mr. Steve Doe of Sebago Technics along with Attorney Ralph Austin and Kevin Lord addressed the Board. Using enlarged maps and site plans, Mr. Doe gave a brief overview of the Application noting that the new porch will have a roof over it to deflect water from running off the house directly onto the porch floor.

In reference to a letter received from an abutter, Ms. Pearlmutter asked if the 9 units in the building are going to be year round rentals. Mr. Doe replied they are full season units with town sewer and water. Mr. Austin added the units are being sold as condominiums. Mr. Gilliam explained if the unit owners wished to rent out individual rooms they would have to receive approval for Residential Rental Accommodations from the Zoning Board of Appeals. As far as short term rentals of the entire unit, Mr. Gilliam continued, there is no restriction on that unless condominium documents speak directly to that.

Mr. Francis asked if there will be condominium documents for these units. Mr. Austin responded the property will be established as condominiums and the units will be sold by the developer. Mr. Francis asked if the units will all be individually owned. Mr. Austin confirmed Mr. Francis' statement was correct.

Again, in reference to the letter received from an abutter, Ms. Pearlmutter asked the Applicant what measures they would take to avoid lighting and drainage issues on Susan Bassett's property. Mr. Doe responded there isn't going to be more impervious surfaces than are currently on the property and as for drainage, everything drains towards the stream. Ms. Pearlmutter then asked if there will be a barrier between Ms. Bassett's property and the Applicant's to avoid headlight glare. Mr. Doe replied there is a wooded area between the two properties along with a ravine and they will be saving the trees along the property line as well. Mr. Doe added they have not developed a landscaping plan for that area.

Mr. Francis noted Ms. Bassett expressed concern over her property becoming a mosquito magnet as has happened with her neighbor's property. Ms. Pearlmutter suggested the Applicant could perhaps install a drainpipe to direct the water to go to the stream rather than pooling somewhere and becoming stagnant. Mr. Doe stated he hasn't seen any standing water on the property or pools of water anywhere either. As for lighting, Mr. Doe stated there are no lights planned for the parking lot and the lighting would be indicative of a typical residential property.

Mr. Francis asked which structures were being removed and where the new structures would be located. Mr. Doe indicated on the enlarged site plans where each of the two existing cottages are currently located and showed where the new cottages will be reconstructed.

For clarification, Mr. Francis asked what the existing non-conformities are on the property. Again using the enlarged site plans, Mr. Doe indicated where the 50 foot setbacks are for the multiplex building.

Mr. Gilliam explained there are three uses on this particular lot; two single family dwellings and a multiplex. One of the legal non-conformities is the multitude of uses without meeting the lot size requirements per use.

In reviewing the Application materials, Mr. Francis noted several typos to be corrected. Mr. Francis outlined those typos and Mr. Doe agreed to correct the errors.

In reference to the Ms. Bassett's letter, Mr. Francis asked how many parking spaces are there on the property. Mr. Doe responded there are nine 2-bedroom units and two 1-bedroom unit which would equate to a total of 20 spaces with 2 extra spaces for a total of 22 parking spaces.

Mr. Francis noted the letter from the abutter Ms. Bassett did raise a number of issues that are outside the scope of the Planning Board.

Mr. Boak opened the Public Hearing.

Ms. Pearlmuter suggested the Applicant set up a meeting with Ms. Bassett to address her concerns in person, and perhaps offer to add some additional plantings along the mutual property line to aid drainage and keep down the mosquito population.

There were no further comments. Mr. Boak closed the Public Hearing.

Mr. Francis made a motion to approve the Application. Mr. Simmons seconded the motion and the vote was unanimous. Mr. Francis volunteered as Case Manager and will prepare the Finding of Facts to be read at the next Planning Board meeting on February 5<sup>th</sup>, 2020.

3. **Boughton Hotel Corporation / Windward Development, Inc., Authorized Agent** – Sketch Plan - workshop discussion or redevelopment of the Colony Hotel properties. (140 Ocean Ave, 8-6-4; 128 Ocean Ave, 8-8-14; 12 Colony Ave, 8-8-15; 8 Colony Ave, 8-8-16; and Ocean Ave (Colony Beach) 8-1-1 in the Riverfront Zone.)

Mr. Boak introduced the Agenda item explaining this is a Sketch Plan in order to provide input from the Board to the Applicant in preparation for filing a Site Plan Application.

Mr. John Martin representing the Colony Hotel addressed the Board and gave a brief history of the hotel and its ownership since the property was first built in 1913-1914, noting the property has only been owned by two families: The Norton family from 1913-1938 and the Boughton Family from 1938 to the present. As a managing partner of the Colony Hotel, Mr. Martin gave a brief presentation on the renovation project that has been ongoing for the past 11 years. Mr. Martin stressed in his presentation that the plan is to bring the local townspeople to the hotel and become a more integral part of the community rather than a resort destination.

Mr. Eliot Siderides, President of Winward Development addressed the Board members and narrated a graphic presentation which included 21 pages of images along with other information provided to the Board in the booklet materials. Mr. Siderides' presentation began with a history of each of the properties encompassed as part of the Colony Hotel campus which included photos of The Oceanic Motel, the Galley House, The Foundry, Arlington Arms, and the car rental building which was called Ocean Bluff Garage.

Mr. Siderides continued his lengthy presentation describing their proposal to create a north campus and a south campus. Some of the improvements mentioned in the presentation is an improved parking area, a new dormitory for employees with a green roof and glass façade facing the parking lot, public access to a nature walk along the creek, an underground service corridor, road improvements for Crescent Avenue, and a small store for coffee & baked goods.

Ms. Pearlmuter suggested the Applicant consider installing bird safe windows and reduce the amount of outside lighting so as not to harm any insects. Mr. Siderides agreed with Ms. Pearlmuter's suggestions noting they have put screens on all of the ocean side windows in the hotel. Mr. Siderides also noted that any shade tree that is closer to the building will stay and they intend to have covers on any street lights to create ambient low level lighting. Ms. Pearlmuter also suggested adding low lights along the ground to light the nature path.

At the end of his presentation, Mr. Siderides explained he plans to bring this extensive project to the Planning Board in three phases. The first phase would be the development of the north campus. The second phase is the road improvements, and the third phase is to re-organize some of the pieces on the north campus in the off season.

The Applicant, the Board members and Mr. Gilliam had a brief discussion on the timing of the phases, possibly submitting this project as 2 Site Plans, and the issuance of permits and expirations of permits and approvals.

Mr. Francis commented it is helpful for the Board to see the symmetry in the proposal and know what the end goal is the Applicant is trying to achieve.

This Sketch Plan presentation was recorded along with the regular Planning Board recording and can be viewed in its entirety on the Town of Kennebunkport's website.

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

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