

**Kennebunkport Planning Board**  
**October 4th, 2023 @ 6:00 PM**  
**Hybrid Meeting Via ZOOM and In-Person**  
**32 North Street, Kennebunkport**

A meeting of the Planning Board was held on Wednesday, October 4th, 2023 in-person and via the ZOOM format. The meeting convened at 6:00 p.m.

Members Present: Mr. Tom Boak (Chair), George Lichte, Mike West  
Mr. Ed Francis will be participating via Zoom. Mr. Lichte and Mr. West will have voting privileges for tonight's meeting.

Approval of Minutes: Mr. Lichte made a motion to approve the amended minutes of the September 20th, 2023, Planning Board meeting. Mr. West seconded the motion, and the motion passed.

Items:

- 1. 230801 Seaside Hotel Associates dba: Nonantum Resort/Tina Gordon AP/Agent – Site Plan Review Application – Public Hearing –**  
The Applicant seeks to repair the back lawn of the resort by adding approximately 540 cubic yards of material in the shoreland (Assessor's Tax Map 8, Block 1, Lot 13 in Cape Arundel Zone). Case manager: Nina Pearlmutter

Mr. Boak introduced the agenda item.

Ms. Tina Gordon addressed the Board stating they are here to ask permission to make some modifications to their back lawn to increase safety and improve the drainage as well as repair the sea wall.

Mr. Boak commented there was an exchange with the Applicant and a neighbor which any issues have been resolved. Ms. Gordon agreed with Mr. Boak's statement.

There were no further questions from the Board members.

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

Mr. West made a motion to approve the Application. Mr. Lichte seconded the motion, and the vote was unanimous.

The Findings of Fact will be read at the next Planning Board meeting.

- 2. 230803 54 River Road – Thomas W. McClain 2009 Trust – James Logan/Longview Partners, LLC/Agent – Site Plan Review of a Minor**

Revision of Approved Subdivision – **Public Hearing** – The Applicant seeks to adjust an existing lot line dividing lots 2 and 3 with the intent to keep the existing gazebo structure on the lot with the existing dwelling unit. Located at 54 River Rd (Assessor's Tax Map 1, Block 1, Lots 2 & 3 in Village Residential). Case manager: Thomas Boak

Mr. Boak introduced the agenda item.

Mr. Jim Logan addressed the Board stating this is simple lot line adjustment to balance an additional amount of land in the front of the lot that was added to #54 River Road with a swap of land in the rear of the lot. Mr. Logan added he has confirmed and remapped the wetlands and confirmed the net density will still be met on both lots; adding the lot line adjustment does not affect the leach bed site. No other permits are required from any other agency in order to do this and no abutters are affected with this land swap, Mr. Logan concluded.

There were no questions from the Board members.

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

Mr. Boak made a motion to approve the Application. Mr. Lichte seconded the motion, and the vote was unanimous.

At the end of tonight's meeting Mr. Baok read the Findings of Fact into the record. Mr. West made a motion to approve said Findings. Mr. Lichte seconded the motion, and the vote was unanimous.

**3. 230802 Old Cape Road – Mezoian Development, LLC – Austin G. Fagan/BH2M/Agent** – Preliminary Subdivision Application – **Initial Review** – The Applicant seeks to split one additional lot off from 22-9-2 (Old Cape Rd). This would create a three-lot division within five years, triggering planning board approval for subdivision (Assessor's Tax Map 22, Block 9, Lots 2 in Free Enterprise Zone).

Mr. Boak introduced the agenda item.

Mr. Austin Fagan addressed the Board stating they are proposing to split the existing 2.9-acre lot at the corner of Old Cape Road and Roberts Lane which would result in a 3-lot subdivision. The existing parcel is wooded and has a single-family home on it and is in the Free Enterprise Zone, Mr. Fagan added. Mr. Fagan also explained the proposed lot will have a single-family home that will be served by a drilled well and private septic system.

An onsite vernal pool assessment and wetland delineation has been completed by Mark Hampton Associates, Mr. Fagan stated, and this project does not

propose any impact to any of the natural resources. As part of this project, Mr. Fagan explained they are requesting a few waivers which are:

1. High intensity soil survey
2. Hydrogeologic assessment
3. Stormwater management plan.

The Board members and the Applicant had a brief discussion on the proposed lot lines and the proposed open space requirement. Ms. Radley, the Town Planner, confirmed the proposed open space areas meet the requirements in the Subdivision Regulations.

Mr. West made a motion the Application is complete. Mr. Lichte seconded the motion, and the vote was unanimous.

A Public Hearing will be held at the next Planning Board meeting. Mr. West volunteered as Case Manager.

- 4. 230703 63 Pier Road – Flycatcher, LLC/Lisa Vickers/Agent – Site Plan Review Application – Findings of Fact** – Applicant seeks to reconstruct a new dock to replace the original dock destroyed in October of 2022 (Assessor’s Tax Map 29, Block 2, Lot 6 in Cape Porpoise East Zone). Case manager: George Litche

Mr. Lichte read the Findings of Fact into the record. Mr. Boak made a motion to approve said Findings. Mr. West seconded the motion, and the vote was unanimous.

- 5. 230704 22 Agamenticus Avenue – Atlantic Environmental/Lisa Vickers/Agent – Site Plan Review Application – Findings of Fact** – Applicant seeks to stabilize the existing stone retaining wall that is failing and in need of repair (Assessor’s Tax Map 30, Block 3, Lot 30 in Cape Porpoise East Zone). Case manager: Larry Simmons

Mr. Lichte read the Findings of Fact into the record. Mr. Boak made a motion to approve said Findings. Mr. Lichte seconded the motion, and the vote was unanimous.

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

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