

**Kennebunkport Planning Board
February 16th, 2022 @ 6:00 PM
Virtual Meeting Via ZOOM**

A virtual meeting of the Planning Board was held on Wednesday, February 16th, 2022 via the ZOOM format. The meeting convened at 6:00 p.m.

Members Present: Mr. Tom Boak (Chair), Nina Pearlmutter, Ed Francis,
George Lichte
Mr. Lichte will have voting privileges for tonight's meeting.

Approval of Minutes: Mr. Lichte made a motion to approve the minutes from the February 2nd, 2022 Planning Board meeting. Mr. Francis seconded the motion, and the vote was unanimous.

Items:

1. **220101 28 Wildwood Avenue (Revision to Previous Approval)/Peterson Design Group, Authorized Agent – Site Plan Review – Public Hearing** – The Planning Board previously approved a proposal that did not take advantage of the available 30% expansion. This application seeks to gain additional approval for a full 30% expansion (28 Wildwood Avenue, Assessor's Tax Map 35, Block 1, Lot 12).

Mr. Boak introduced the agenda item and confirmed with the videographer there were 4 additional people signed in to view the meeting.

Mr. Erik Peterson representing the owners of 28 Wildwood Avenue addressed the Board stating this is an amendment to an existing proposal to construct a new house with the full 30% allowed expansion for area and slightly under 30% expansion in volume. Mr. Peterson added the expansion will be on the east and west corners of the house which differs from the original application request and approval.

There were no questions from the Board members.

Mr. Boak opened the Public Hearing.

Ms. Robin Phillips addressed the Board asking if the stipulation to not use pesticides or herbicides on the property is a new town requirement. Ms. Pearlmutter responded that it is something the Planning Board considers when a renovation is close to the water, a water table, a vernal pool, a river, or the shoreline to try to eliminate any more pollution going into the waterways. Ms. Phillips expressed her approval of the practice of banning pesticides and other kinds of harmful materials going into the water and asked if this was done often. Mr. Gilliam explained it is not something that he has been granted authority to regulate or is in the purview of the Code Enforcement Office as those types of

things have to be designated through the ordinance but in this particular case where the owner is going through a Site Plan Review with the Planning Board, the Planning Board has a broader discretion under their Article 10.10 standards that they have the authority to levy different types of restrictions on projects and this is one they've chosen to levy.

There were no further questions or comments from the audience members. Mr. Boak closed the Public Hearing.

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

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

2. 220102 K.J. Trudo Properties/Atlantic Resource Consultants, LLC Agent – Revised Sketch Plan Review – for review of a proposed 9-lot subdivision on a 43.54-acre lot. (Goose Rocks Road, Accessor's Tax Map 15, Block 1, Lot 1).

Mr. Boak introduced the agenda item and asked Mr. James Logan and Mr. Lucian Langlois to be promoted as panelists.

Mr. Langlois of Atlantic Resource Consultants along with Mr. Logan of Longview Partners addressed the Board stating they have been working with Jonathan Trudeau under his company K.J. Trudo Properties LLC on developing this parcel into 9 lots total: each with 3 acres of upland area. Mr. Langlois explained the main reason for this revision to the sketch plan application is the road design has changed and they will be requesting a waiver on the street design standards. Typically, dead end streets and cul-de-sacs are limited to a length of 1,000 linear feet, Mr. Langlois continued, and our design is proposing just under 1,200 linear feet of road; 1,160 linear feet lead to the back two lots and a second cul-de-sac that is measuring 590 feet goes off to the northeast. This design allows for a dramatically reduced impact to the protected natural resources, Mr. Langlois added. This new design has only 2 stream crossings and 1 wetland crossing with 2 shared driveways for access to the eastern lots #2 and #3 as well as the northwestern lots #7 and #8, Mr. Langlois concluded.

Mr. Boak asked if the new wetland crossings avoid the more significant wetlands on the property. Mr. Langlois responded yes, adding this design also lets them maintain a 75-foot setback from the streams and a 25-foot setback for the individual lot development as well.

At the request of the Board, Mr. Gilliam shared the site plans on the screen.

The Board members, Mr. Gilliam, and the Applicant had a detailed discussion regarding the proposed roads, driveways, wetland impacts, and techniques proposed for the wetland crossings.

Ms. Pearlmutter suggested the Applicant contact the Kennebunkport Fire Chief to ensure the proposed roads are acceptable for emergency access.

Ms. Pearlmutter also inquired about the different types of soils on the property and if they have performed any test pits. Mr. Logan replied the preliminary Site Plan Application will include a high intensity soil survey with much more details on the soil types along with test logs.

Mr. Francis suggested the Applicant have it clearly marked on the site plans how each of the individual lots will access the common area along with the building envelope to help determine where a house could be built on each lot in the proposed subdivision.

Mr. Boak commented the Board of Selectmen would like the Planning Board to point out this is never intended to be anything but a private road. Mr. Langlois and Mr. Logan agreed with Mr. Boak's statement.

Ms. Pearlmutter cautioned with the amount of wetlands in and around the property, the Board would look at restrictions on the use of pesticides and herbicides as well as the incorporation of bird friendly glass in the house construction to prevent bird strikes. Mr. Logan agreed to address those issues with their submission of a formal Site Plan.

Mr. Logan and Mr. Langlois thanked the Board members for their input.

Mr. Boak reminded the Board members to go to the town offices to sign the Findings of Fact previously read and approved.

Mr. Lichte reminded the viewing audience there is a vacancy on the Planning Board and encouraged anyone interested in joining to contact to the town offices.

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

Submitted By: Patricia Saunders, Planning Board Recording Secretary