



May 2, 2024

Thomas Boak, Chair
Kennebunkport Planning Board
26 Fox Run
Kennebunkport, ME 04046

Re: John and Jennifer Schaeffer
28 Wildwood Avenue (Tax Map 35, Block 1, Lot 12)
Site Plan Review Application
(Revision to previous approval)

Dear Mr. Boak and Planning Board Members,

On behalf of John and Jennifer Schaeffer, we are pleased to submit for your consideration the following revised application for Site Plan Review. The subject parcel is located at 28 Wildwood Avenue (Tax map 35, Block 1, Lot 12).

The subject property is in the GR zoning district and is completely within the Shoreland Zone, and partially within the 75-foot setback from wetland. Their single-family residence has been newly constructed on the property.

Erik Peterson of Peterson Design Group gained prior Planning Board authorization (December 2021) to construct their new house, and his plans included landscape conforming to the prior house footprint. This application is to seek approval to update the landscape plan that had been previously approved by the Planning Board. The clients no longer wish to have any patio space in the rear of their residence and would prefer to put their allotted hardscape amount towards a larger, permeable paver parking area (with gravel base) in the front of the residence.

The following material is included in this Application:

1. Site Plan Review Application;
2. Application fee of \$250.00;
3. Legal Notice fee of \$150.00;
4. Abutters notice/mailing fee of \$8.10 per abutter;
5. Agent Letter of Authority;
6. Article 10.6 Exceptions;
7. Cut tree explanation;
8. Property deed;
9. Assessors tax card for 28 Wildwood Avenue;

10. Tax map/flood zone information;
11. Current list of abutters within 200 feet;
12. L-000.0 Existing Conditions Survey;
13. L-101.1 Permit Plan (Site Layout);
14. P-100.2 Planting Plan;
15. Plant List;
16. Planning Board Findings from prior approval.

Thank you for your consideration of this application.

Sincerely,

Michael S. Corsie

Mr. Michael S. Corsie
Terrapin Landscapes

**APPLICATION FOR SITE PLAN REVIEW
KENNEBUNKPORT PLANNING BOARD**

Subject Property Location: 28 WILDWOOD AVENUE
Zone: GR Tax Assessor's Map: 35 Block: 1 Lot: 12

Shoreland: ☒ Resource Protection: ☒

Lot Size: 5,996 (PER SURVEY)

Existing Use of Property: RESIDENCE

Proposed Use of Property: RESIDENCE

Type of Sewage Disposal:

None: ☐ Private Septic: ☐ Public Sewer: ☒

Water Supplied by: KK+W WATER DISTRICT

None: ☐ Private Well: ☐ Public KKWD: ☒

Describe new structures, additions to existing structures and alterations proposed:

NEW PAVED DRIVEWAY + WALKWAY, LOW
BOULDER RETENTION WALL, FOUNDATION
AND PROPERTY LINE PLANTING BEDS

Percentage of lot occupied by buildings:

Existing: N/A Proposed: N/A

Percentage of lot occupied by other impervious (parking, walkways, etc):

Existing: 12.6% Proposed: 12.6%

Exterior footprint of existing or proposed structure:

Existing: N/A Proposed: N/A

Interior Square Footage:

Existing: N/A Proposed: N/A

If volume expansion, interior volume:

Existing: N/A Proposed: N/A

Details on easements or other restrictions on the property. *Attach deeds and/ or agreements.*

PARTIALLY WITHIN 75 FOOT SETBACK
FROM WETLAND

Applicant; Owner of Record:

Name: JOHN SCHAEFFER + JENNIFER GRAVES SCHAEFFER

Address: 23 MORTON STREET
(street)

NEEDHAM MA 02494
(city) (state) (Zip)

Phone: 617-721-8845 Email: JSCHAEFFER@GMAIL.COM

Authorized Agent, If Applicable:

Name: TERRAPIN LANDSCAPES - MICHAEL CORNIE

Address: 1544 PORTLAND ROAD
(street)

ARUNDEL ME 04046
(city) (state) (Zip)

Phone: 207-710-4161 Email: AMY@TERRAPINLANDSCAPES.COM

If applicant is a corporation, check if licensed in Maine: Yes ☐ No ☐ and attach a copy of State's "Certificate of Good Standing". N/A

Note: All applications must conform to the Code of the Town of Kennebunkport and all applicable local, State and Federal ordinances. Planning Board approval is required before any building permit can be issued by the Code Enforcement Officer.

All fees must accompany this application

To the best of my knowledge, all information submitted on this application is true and correct. All proposed uses will be in conformance with the application and the Code of the Town of Kennebunkport.

I understand that if my application is approved by the Planning Board, I MUST take out a permit within 180 days of the date of Planning Board Approval, per Chapter 240.11.7.B of the Code of the Town of Kennebunkport.

Signature Mike Corsie

Date: 4/11/24

For Office Use Only

Date Received: _____

Application Fee Paid: _____

Paid by (payment type/name): _____

Postage Fee Paid: _____

Legal Notice Posting Fee Paid: _____

Total Fee: _____

04/10/2024

Mr. Michael Corsie
Terrapin Landscapes
1544 Portland Road
Arundel, Maine 04046

Agent Authorization for Local, State, and Federal Permitting
Schaeffer Residence – 28 Wildwood Avenue, Kennebunkport ME 04046

Dear Mike:

As the owner of this property, I hereby authorize Terrapin Landscapes to act on our behalf as our agent in the processing of the required permit applications and to furnish, upon request, supplemental information in support of these applications.

Sincerely,

DocuSigned by:

0DB8C0429BD74F5...
John Schaeffer or Jennifer Graves Schaeffer



April 11, 2024

Re: John and Jennifer Schaeffer
28 Wildwood Avenue (Tax Map 35, Block 1, Lot 12)
Article 10.6 Exceptions

Certain portions of Article 10.6 are not applicable to the Site Plan Review:

B. Submission requirements for site plan review of a mobile home park – N/A

- C. (8) Topography – N/A
(9) Parking, loading, unloading areas – N/A
(10) Roads, curbs, bumpers – N/A
(11) Stormwater systems – N/A
(13) Lighting details – N/A
(14) Signs – N/A

D. Site is a residence, not business, commercial or industrial – N/A

Thank you for your consideration of this application.

Sincerely,

Michael S. Corsie

Mr. Michael S. Corsie
Terrapin Landscapes



May 2, 2024

Re: John and Jennifer Schaeffer
28 Wildwood Avenue (Tax Map 35, Block 1, Lot 12)
Re: Cut Tree Explanation

Dear Board Members,

Bowley Construction mistakenly removed two large shade trees from the southwestern property line during residence construction. Terrapin's plan is to replant with comparable large, deciduous native trees. Geoff Bowley corresponded with former CEO Werner Gilliam from 10/01/2023 – 10/02/2023. This correspondence can be seen below.

RE: 28 Wildwood - Message (HTML)

File Message Help Acrobat

Delete Archive Reply Reply All Forward Respond Teams Apps Quick Steps Move Assign Policy Tags Editing Immersive Translate Zoom Reply with Scheduling Poll Viva Insights

RE: 28 Wildwood

Werner Gilliam <wgilliam@kennebunkportme.gov>

To: Geoffrey Bowley

Cc: Jennifer Graves -Schaeffer; John Schaeffer; Amy Tobin; April Fortier; David Gilchrist; Mike Corsie; Greg Reid

Mon 10/2/2023 9:23 AM

Thanks for the update Geoff. We will work with Terrapin and the property owners regarding replanting requirements.

Werner

Werner Gilliam CFM
Director of Planning and Development
Town of Kennebunkport
(207)967-1604
wgilliam@kennebunkportme.gov

From: Geoffrey Bowley <geoff@bowleybuilders.com>

Sent: Sunday, October 1, 2023 6:43 PM

To: Werner Gilliam <wgilliam@kennebunkportme.gov>

Cc: Jennifer Graves -Schaeffer <jenschaef08@gmail.com>; John Schaeffer <jschaeffer@gmail.com>; Amy Tobin <amy@terrapinlandscapes.com>; April Fortier <afortier@kennebunkportme.gov>; David Gilchrist <dgilchrist@kennebunkportme.gov>; Mike Corsie <mike@terrapinlandscapes.com>

Subject: 28 Wildwood

Werner,

Good evening.

This email is a follow-up to our conversation of 9.22 regarding the three trees that were cut at 28 Wildwood in Goose Rocks on that same day. I scheduled the cutting of these trees. I failed to realize that the Shoreland Zone extended from the marsh at the back of the property and that these trees were, in fact, within the 250 ft. Shoreland Zone setback and should not have been cut without approval from the Town.

I have attached photos of the trees and their subsequent stumps below. Please note that at least one of the trees was rotten, as evidenced by the rot in the stump. The cluster closest to the back property line was hanging over the house and posed a danger to the structure. I certainly understand this is difficult to argue after the fact.

Regardless, the Schaeffer's, copied above, are understanding of the error and are amicable to planting trees that meet the Town's requirements for replacement.

It's my understanding that Terrapin Landscaping (copied) has been in touch with you regarding plans for the property. Terrapin is not contracted by Bowley Builders. This email looks to memorialize our plan to resolve the issue.

Please let me know if you have any questions or concerns.

Geoff

We hope our replanting plan resolves the issue.

Thank you for your consideration of this application.

Sincerely,

Michael S. Corsie

Mr. Michael S. Corsie
Terrapin Landscapes

Maine R.E. Transfer Tax Paid

DEED OF SALE BY
PERSONAL REPRESENTATIVE

Maine Statutory Short Form

DLN: 1002140127443

Brenda Crelan of Litchfield, Litchfield County, Connecticut, duly appointed and acting Personal Representative of the estate of Josephine E. Crelan, deceased (intestate), and having given notice to each person succeeding to an interest in the real property described below at least ten (10) days prior to the sale, by the power conferred by the York County Probate Court, Docket No. 2020-1040, and every other power, for consideration paid, grants to John A. Schaeffer and Jennifer I. Graves, as JOINT TENANTS, of Needham, Norfolk County, Massachusetts, whose mailing address is 23 Morton, Needham, MA 02494, the real property in the Town of Kennebunkport, York County, Maine, described as follows:

See SCHEDULE A attached hereto and made a part hereof.

Witness my hand and seal this 30 day of December, 2020.

Signed, Sealed and Delivered
in the presence of

Witness:

[Signature]

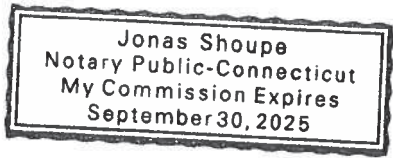
[Signature] *Poc Rep*
Brenda E. Crelan, Domiciliary Foreign
Personal Representative of Estate of
Josephine E. Crelan

STATE OF Connecticut
COUNTY OF Litchfield ss.

December 30, 2020.

Then personally appeared before me the above named Brenda Crelan in her said capacity and acknowledged the foregoing instrument to be her free act and deed.

[Signature]
Notary Public
Printed name: Jonas Shoupe
My commission expires: 9-30-2025



SCHEDULE A

A certain lot or parcel of land situated at Goose Rocks Beach, so-called, in Kennebunkport, in the County of York and State of Maine, lying on the northerly side of Wildwood Avenue, so-called, and being lot number Thirteen (13) as shown on "Plan of Land of Harry D. Jeffery, Beachwood, Kennebunkport, Me. Libby & Johnson, Eng'rs.". Said Plan is recorded in the York County Registry of Deeds in Plan Book 9, Page 73 and being more particularly described as follows: Commencing at said Wildwood Avenue at the southerly corner of other land formerly of John Medina and Evelyn A. Medina; thence running northwesterly by said land formerly of John Medina and Evelyn A. Medina, 100 feet to the northwesterly corner thereof; thence turning and running southwesterly corner thereof; thence turning and running southwesterly 50 feet to the northerly corner of land conveyed by Lena Jeffery to Thomas E. Hume, et al, by deed dated April 10, 1947, recorded in said Registry in Book 1085, Page 281; thence turning and running southeasterly by said Hume land 100 feet to said Wildwood Avenue; thence turning and running northeasterly by said Wildwood Avenue 50 feet to the point of beginning.

The Reserved Avenues bounded on the westerly side by lot number three (3) and on the easterly side of lots number one (1) and two (2) and the reserved avenue bounded on the westerly side by lot number fifteen (15) and on the easterly side by lot number fourteen (14) all as shown on said plan are deleted from said plan and the grantee herein shall acquire by this deed no rights in said Reserved Avenues.

ALSO, ANOTHER certain lot or parcel of land situated at Goose Rocks Beach in Town of Kennebunkport, County of York and State of Maine, and being a 10 feet strip of land from the southwesterly side of lot number 12 as shown on Plan of Land of Harry D. Jeffery, Beachwood, Kennebunkport, Me. made by Libby & Johnson, Eng'rs. Saco, Me. recorded in the York County Registry of Deeds in Plan Book 9, Page 73, said parcel being more particularly bounded and described as follows: Commencing on the northerly side of Wildwood Avenue, as shown on said Plan, at the southeasterly corner of lot number 13 as shown on said Plan; thence running northeasterly by said Wildwood Road, 10 feet to other land formerly of John Medina and Evelyn A. Medina; thence running northwesterly and parallel with the northeasterly sideline of said lot number 13, 100 feet to the rear line of said lot number 12 as shown on said Plan; thence running southwesterly by said rear line of lot number 12, 10 feet to the northeasterly corner of said lot number 13; thence running southeasterly by said lot number 13, 100 feet to the point of beginning.

Meaning and intending to convey the same premises as conveyed by warranty deed dated April 1, 1985 from Andrew M. Buehl and Shirley A. Buehl to Josephine Ellen Crehan and recorded in the York County Registry of Deeds in Book 3491, Page 254.

Property Card: 28 WILDWOOD AVENUE

Town of Kennebunkport, ME



Parcel Information

Parcel ID: 35-1-12 Vision ID: 2597 Owner: SCHAEFFER, JOHN A & JENNIFER Co-Owner: GRAVES Mailing Address: 23 MORTON STREET NEEDHAM, MA 02494	Map: 35-1 Lot: 12 Use Description: Single Family Zone: GR Land Area in Acres: 0.14
Sale History	Assessed Value
Book/Page: 18510/325 Sale Date: 1/4/2021 Sale Price: \$700000.00	Land: \$467,200 Buildings: \$103,500 Extra Bldg Features: \$0 Outbuildings: \$0 Total: \$570,700

Building Details: Building # 1



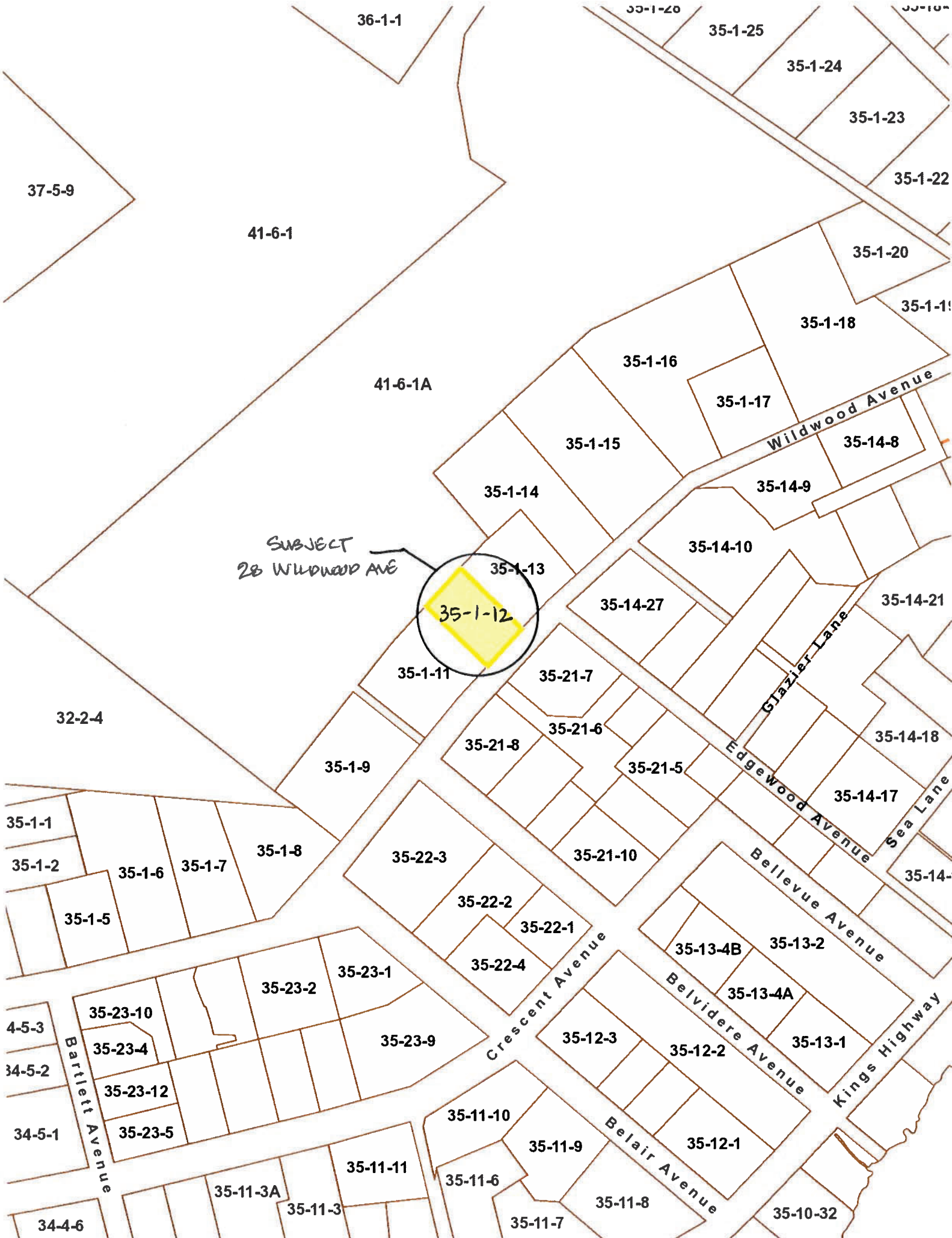
Model: Residential
Living Area: 1236
Appr. Year Built: 1950
Style: Ranch
Stories: 1
Occupancy: 1
No. Total Rooms: 7
No. Bedrooms: 3
No. Baths: 1
No. Half Baths: 0

Int Wall Desc 1: Drywall/Sheet
Int Wall Desc 2: K PINE/A WD
Ext Wall Desc 1: Wood Shingle
Ext Wall Desc 2:
Roof Cover: Asph/F Gls/Cmp
Roof Structure: Gable/Hip
Heat Type: Hot Air-no Duc
Heat Fuel: Gas
A/C Type: None



www.cai-tech.com

Data shown on this report is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this report.



SUBJECT
28 WILLOW AVE

35-1-12

36-1-1

35-1-20

35-1-25

35-1-24

35-1-23

35-1-22

37-5-9

41-6-1

35-1-20

35-1-19

35-1-18

41-6-1A

35-1-16

35-1-17

35-1-15

Wildwood Avenue

35-14-8

35-14-9

35-14-10

35-1-14

35-1-13

35-14-21

35-14-27

35-1-11

35-21-7

35-21-6

35-21-8

35-21-5

35-14-18

35-14-17

35-14-16

32-2-4

35-1-9

35-1-1

35-1-2

35-1-6

35-1-7

35-1-8

35-22-3

35-21-10

Edgewood Avenue

Bellevue Avenue

Sea Lane

35-13-4B

35-13-2

35-13-4A

35-13-1

35-23-10

35-23-4

35-23-12

35-23-5

35-23-2

35-23-1

35-23-9

35-22-2

35-22-4

35-22-1

35-12-3

35-12-2

35-12-1

35-11-10

35-11-9

35-11-8

35-11-6

35-11-11

35-11-3A

35-11-3

35-11-7

35-10-32

4-5-3

34-5-2

34-5-1

34-4-6

Bartlett Avenue

Crescent Avenue

Belair Avenue

Kings Highway

Program, at (800) 638-6620.



APPROXIMATE SCALE
0 400

NATIONAL FLOOD INSURANCE PROGRAM

FIRM
FLOOD INSURANCE RATE MAP

TOWN OF
KENNEBUNKPORT,
MAINE
YORK COUNTY

PANEL 8 OF 8

(SEE MAP INDEX FOR PANELS NOT PRINTED)

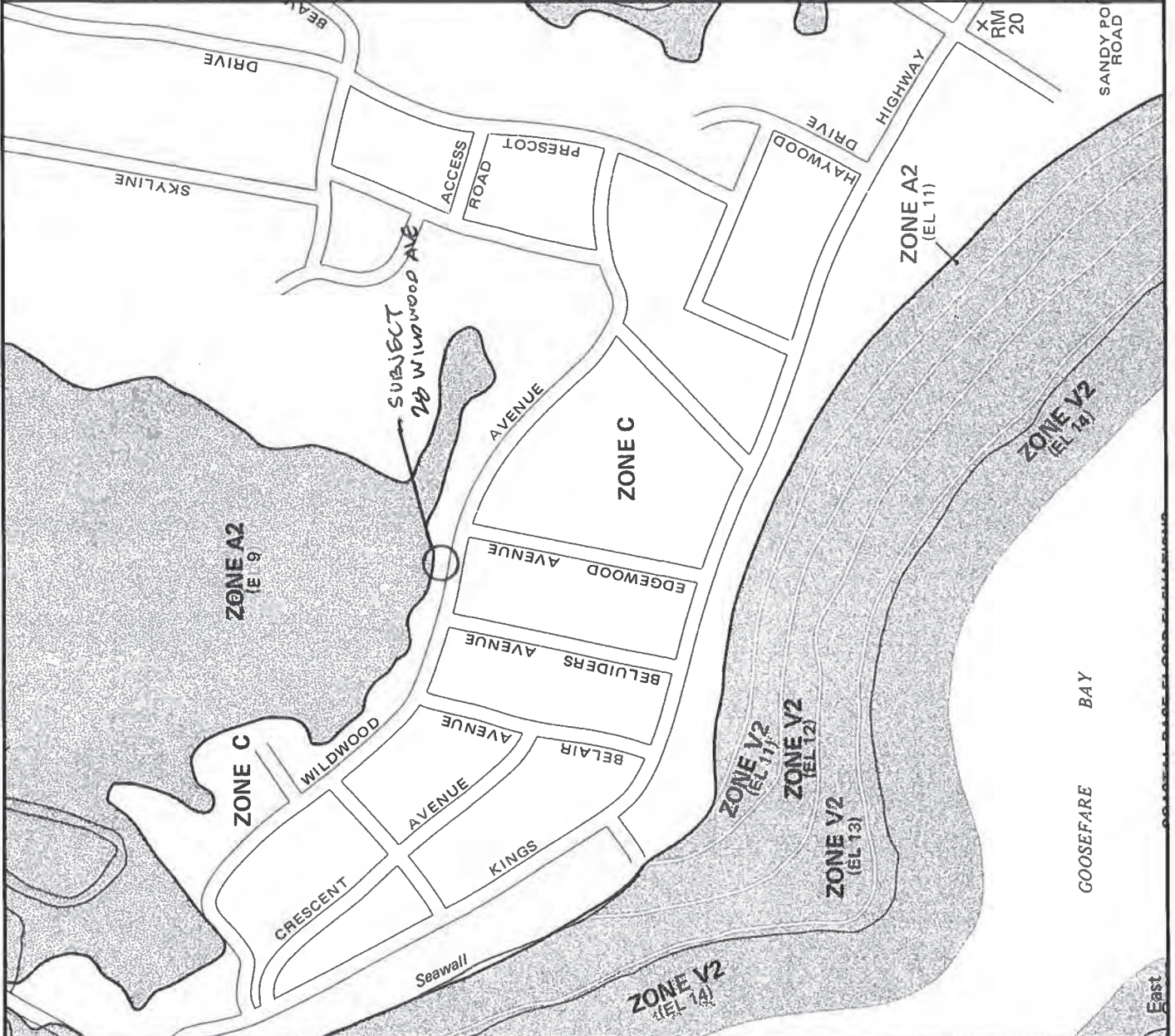
COMMUNITY-PANEL NUMBER
230170 0008 B

EFFECTIVE DATE:
APRIL 18, 1983



Federal Emergency Management Agency

This is an official FIRMette showing a portion of the above-referenced flood map created from the MSC FIRMette Web tool. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For additional information about how to make sure the map is current, please see the Flood Hazard Mapping Updates Overview Fact Sheet available on the FEMA Flood Map Service Center home page at <https://msc.fema.gov>.





Maine Geological Survey

Address: 22 State House Station
Augusta, Maine 04333

Telephone: 207-287-2801

E-mail: mgs@maine.gov

Home page: <http://www.maine.gov/doc/nrimc/nrimc.htm>

See back for description of map units.

Coastal Sand Dune Geology Goose Rocks Beach, Kennebunkport, Maine

by Peter A. Slovinsky and Stephen M. Dickson

Open-File No. 11-97

2011

ABUTTERS 2024

34 WILDWOOD AVE REVOC REA
135 COX HEAD ROAD
PHIPPSBURG, ME 04562

INNISS, MELISSA H
50 LASKEY ROAD
WINDHAM, ME 04062

BOWLEY, GEOFFREY D & AJA
PO BOX 261
KENNEBUNK, ME 04046

JAMES D & NANCY W PAROLIN
11 EDGEWOOD AVENUE
KENNEBUNKPORT, ME 04046

CALLEY, LLC
C/O KIRSTEN ORZECOWSKI
360 FITCH HILL ROAD
UNCASVILLE, CT 06382

MARIANA VORCE FAMILTY REA
C/O KATHLEEN VORCE
PO BOX 554
WEST ACTON, MA 01720

CORINNE C LONGO IRREVOCAB
289 GERALDINE DRIVE
COVENTRY, CT 06238

MILLARD FAMILY TRUST
6 HUCKLEBERRY HILL
LINCOLN, MA 01773

CWU PROPERTIES, LLC
624 W ORMSBY AVENUE
LOUISVILLE, KY 40203

QUEEN, GRACE EST
C/O HILARY QUEEN MACGRATH
20 BALDWIN ROAD
MILFORD, NH 03055

EDGEWOOD 16 REALTY TRUST
PO BOX 6324
HAVERHILL, MA 01831

RICHARD F GREENE TRUST
45 BELLAMY STREET
BRIGHTON, MA 02135

EDGEWOOD AVENUE NOMINEE T
11 EDGEWOOD AVENUE
KENNEBUNKPORT, ME 04046

RUSSELL, ROBERT P
700 SOUTH STREET
PORTSMOUTH, NH 03801

FITZULA, ELIZABETH C
14 VELMA ROAD
WAKEFIELD, MA 01880

RUSSOTTO, ALINE
45 LONGWOOD AVE #102
BROOKLINE, MA 02446

FREUD, CYNTHIA P
15021 BLUE JAY COURT
BROOMFIELD, CO 80023

GIFFEN, GARY D
29 TOPSFIELD ROAD
BOXFORD, MA 01921

N/F RICHARD F. GREENE TRUST
YCRD BOOK: 15323 PAGE: 231
TM: 4/16/1/A

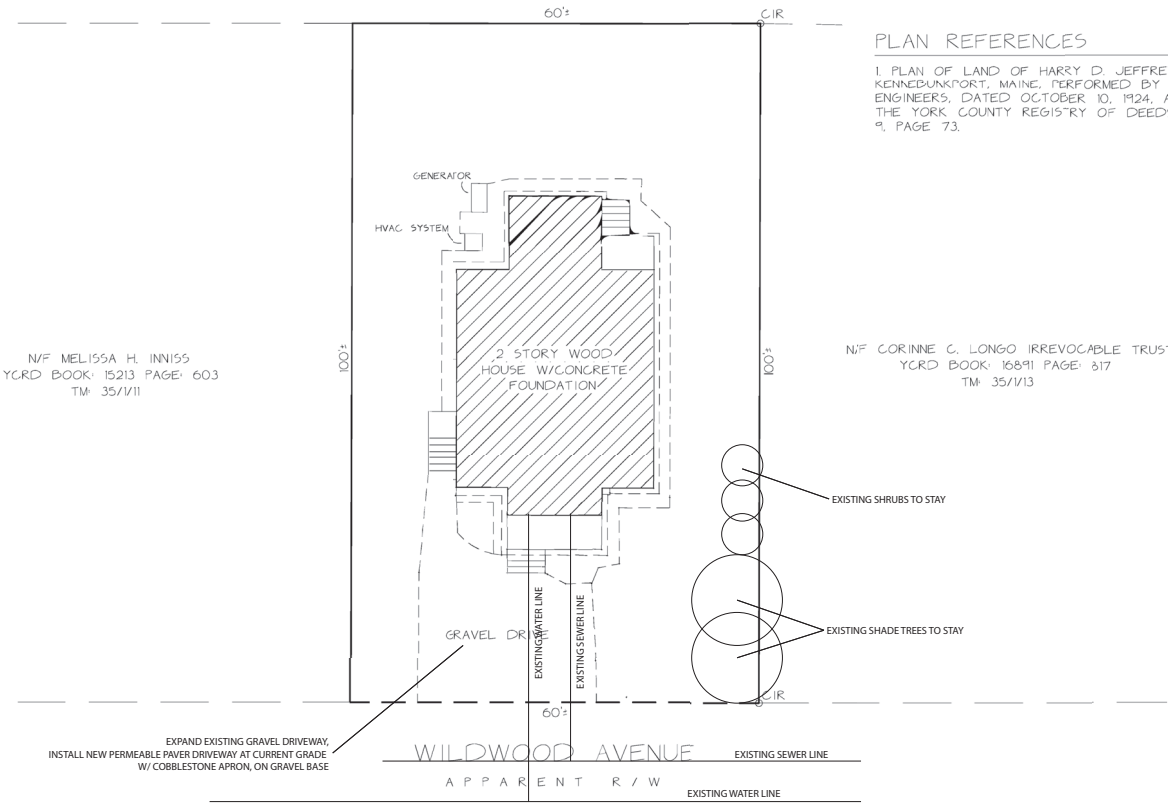
LOCUS DEED REFERENCE

YORK COUNTY REGISTRY OF DEEDS (YCRD)
BOOK: 18510 PAGE: 325

PLAN REFERENCES

1. PLAN OF LAND OF HARRY D. JEFFREY, BEACHWOOD, KENNEBUNKPORT, MAINE, PERFORMED BY LIBBY + JOHNSON, ENGINEERS, DATED OCTOBER 10, 1924, AND RECORDED IN THE YORK COUNTY REGISTRY OF DEEDS PLAN BOOK 9, PAGE 73.

N/F CORINNE C. LONGO IRREVOCABLE TRUST
YCRD BOOK: 16891 PAGE: 317
TM: 35/1/13



EXPAND EXISTING GRAVEL DRIVEWAY,
INSTALL NEW PERMEABLE PAVEMENT DRIVEWAY AT CURRENT GRADE
W/ COBBLESTONE APRON, ON GRAVEL BASE

EXISTING SHRUBS TO STAY

EXISTING SHADE TREES TO STAY

WILDWOOD AVENUE

APPARENT R/W

EXISTING SEWER LINE

EXISTING WATER LINE

LEGEND

N/F - NOW OR FORMERLY
TM - TAX MAP
C/IR - CAPPED IRON ROD



PROJECT TITLE

WILDWOOD
GARDEN

LOCATION MAP



PROJECT LOCATION

28 WILDWOOD AVENUE
KENNEBUNKPORT ME

REVISION LIST

DATE	UPDATE

NOTES

SURVEY CREATED BY LIVINGSTON-
HUGHES PROFESSIONAL LAND
SURVEYING CORPORATION,
88 GUINEA ROAD
KENNEBUNKPORT, ME 04046

CLIENT NAME

JOHN + JENNIFER SCHAEFFER

DRAWING NAME

EXISTING CONDITIONS SURVEY

DRAWING NUMBER

L-000.0

SCALE

1" = 10'-0"

DRAWN BY

AT

ORIGINAL DATE

04/24/2024

CHECKED BY

JF

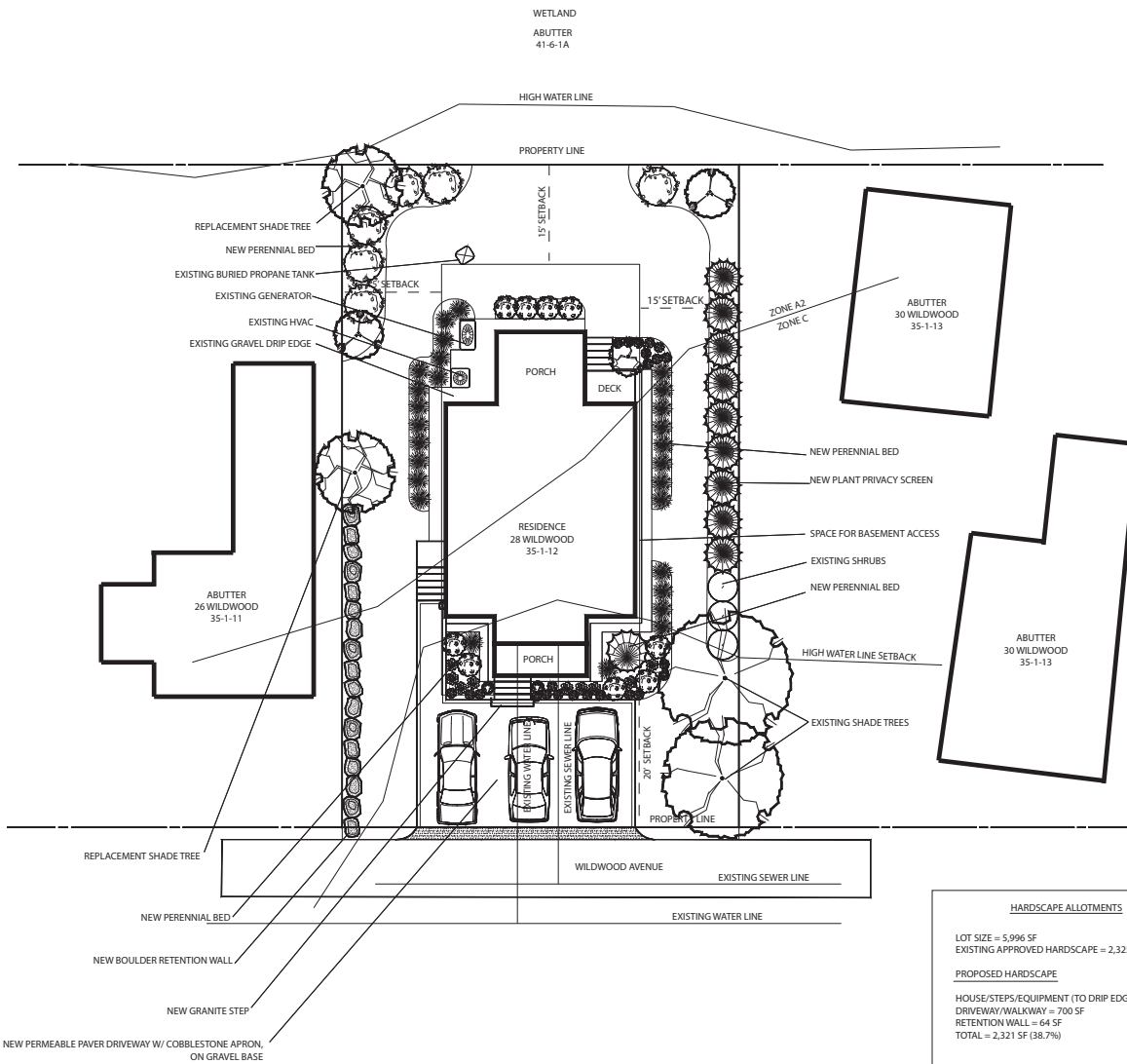
PAGE

1 OF 3



04/24/24	UPDATED PERMIT PLAN
04/22/24	PERMIT PLAN
03/19/24	FINALIZED PLANTS
03/07/24	UPDATED PLAN

1. GRADING NOT NECESSARY.
2. SITE HAS ALREADY BEEN GRUBBED FOR RESIDENCE CONSTRUCTION.



HARDSCAPE ALLOTMENTS

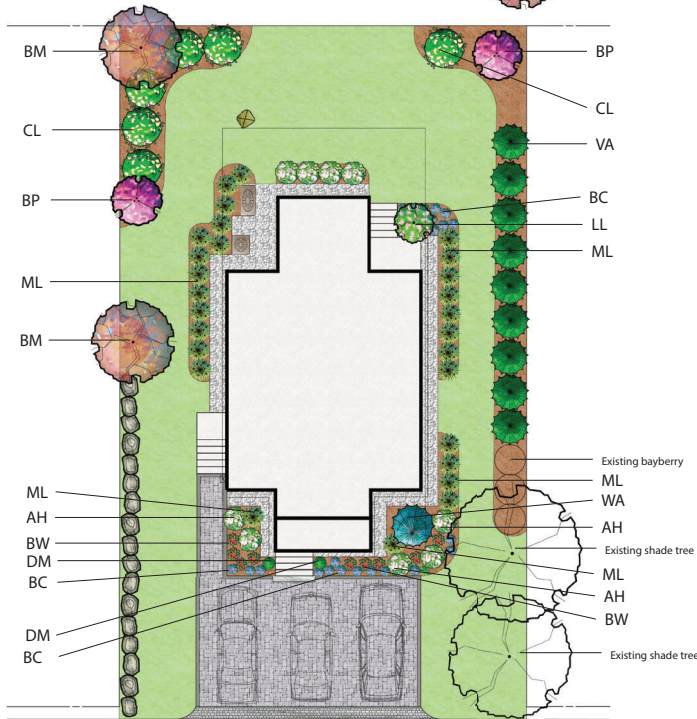
LOT SIZE = 5,996 SF
EXISTING APPROVED HARDSCAPE = 2,325 SF (38.8%)

PROPOSED HARDSCAPE

HOUSE/STEPS/EQUIPMENT (TO DRIP EDGES) = 1,557 SF
DRIVEWAY/WALKWAY = 700 SF
RETENTION WALL = 64 SF
TOTAL = 2,321 SF (38.7%)



BM
'BRANDYWINE' RED MAPLE



VA
'VIRGINIAN' ARBORVITAE



WA
WEeping ALASKAN CEDAR



CL
'CHICAGO LUSTRE' VIBURNUM



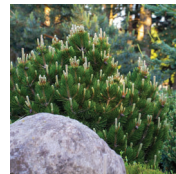
BP
BEACH PLUM



LL
'LIMELIGHT' HYDRANGEA TREE



ML
'MORNING LIGHT' MAIDEN GRASS



DM
DWARF MUGO PINE



AH
'ANNABELLE' HYDRANGEA

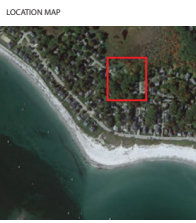


BW
BUTTERFLY WEED



BC
'BLUE WONDER' CATMINT

PROJECT TITLE
WILDWOOD GARDEN



SCALE
1" = 8'-0"
0 4 8 16

PROJECT LOCATION
**28 WILDWOOD AVENUE
KENNEBUNKPORT ME**

REVISION LIST	
04/29/24	PLAN FINALIZATION
03/19/24	PLAN FINALIZATION
03/14/24	UPDATED PLAN
DATE	UPDATE

NOTES
1. NO PESTICIDES OR FERTILIZERS WILL BE USED.



CLIENT NAME
JOHN + JENNIFER SCHAEFFER

DRAWING NAME
PLANTING PLAN

DRAWING NUMBER
P-100.2

SCALE
1" = 8'-0"

ORIGINAL DATE
09/18/2023

CHECKED BY
JF

PAGE
3 OF 3

Plant List for: **SCHAEFFER RESIDENCE - 28 WILDWOOD AVE KPT**

Intended install: **FALL 2024**

4/12/2024

QTY	PLANT NAME	COMMON	SIZE REQUESTED	PLANTING TIME
2	Acer rubrum 'Brandywine'	'Brandywine' red maple	3-3.5" B+B	Fall 2024
1	Chamaecyparis nootkanensis 'Glauc Pendula'	Weeping Alaskan cedar	8-10' B+B	Fall 2024
9	Thuja plicata 'Virginian'	'Virginian' arborvitae	5-6' B+B	Spring 2024
2	Prunus maritima	Beach plum	5-6' B+B	Fall 2024
6	Viburnum dentatum 'Chicago Lustre'	Chicago Lustre' arrowwood viburnum	#10	Fall 2024
1	Hydrangea paniculata 'Limelight'	'Limelight' panicle hydrangea tree	4-5' B+B TF	Fall 2024
9	Hydrangea arborescens 'Annabelle'	'Annabelle' smooth hydrangea	#5	Fall 2024
27	Miscanthus sinensis 'Morning Light'	'Morning Light' maiden grass	#5	Fall 2024
2	Pinus mugo 'Pumilio'	Dwarf mugo pine	#3	Fall 2024
9	Asclepias tuberosa	Butterfly weed	#1	Fall 2024
23	Nepeta racemosa 'Blue Wonder'	'Blue Wonder' catmint	#1	Fall 2024



THE SPACE ABOVE IS RESERVED FOR PURPOSES OF RECORDATION

**KENNEBUNKPORT PLANNING BOARD
SITE PLAN APPLICATION
OF**

John and Jennifer Schaeffer

28 Wildwood, Avenue, Kennebunkport, ME

Application dated: December 24, 2021 for revised site application to remove the existing building and replace it with a new residence.

Following a Site Plan Review pursuant to the Kennebunkport Land Use Ordinance held on January 2, 2022, and a Public Hearing held on January 16, 2022, the Kennebunkport Planning Board makes the following Findings and Conclusions, and renders the following Decision:

FINDINGS OF FACT:

1. The owners of the property and Applicants are John and Jennifer Schaeffer, who have an address at 23 Morton Street, Needham, MA 02494.
2. The property has a street address of 28 Wildwood Avenue, Kennebunkport, ME 04046, identified as Assessor's Tax Map 35, Block 1, Lot 12 on the Municipal Assessor's Tax Maps.
3. The property is located in the Goose Rocks, Shoreland and Resource Protection Zones.
4. The property consists of approximately 5996 sq.ft., is legally non-conforming, and does not meet the setback requirements of LUO Article 4.17A as it is completely in the Shoreland Zone and partially within the 75' setback from wetland.
5. The Applicants are represented by the Peterson Design Group with an office at 5 Nasons Ct., Suite 5, Kennebunk, ME 04043 (hereinafter the "Applicant"), have demonstrated a legal interest in the property by providing a copy of a Deed of Sale by Personal Representative dated December 30, 2020, recorded in the York County Registry of Deeds, Book 18510, Pages 325-326.
6. In an earlier-approved application (Findings of Fact, 8/4/21), the Applicants proposed to replace an existing residence having an interior square footage of 1514.36 sq.ft. with a new residence having an interior square footage of 1894.0 sq.ft. In the present application, the Applicants will replace the

Erik Peterson 5 Nason Ct, Ste 5 Kennebunk ME 04043
← 7p

existing residence with a new residence having an interior square footage of 1968.5 sq.ft., a 29.9% expansion. The lot coverage will remain the same at 35.59%.

7. The new residence will now have an interior volume increase of 25.6%, the existing volume being 17,177.24 cu.ft. to 21,568 cu.ft. of the proposed new residence.
8. The new residence does not change the intrusion into the 75' setback and maintains the setbacks from the abutting properties and the street.
9. The Applicants have received approval from the Maine Department of Environmental Protection (MDEP) Permit by Rule.
10. The proposed finished floor elevation of the new structure will be no lower than an elevation of 15.75', which meets the requirement of being two feet higher than the (proposed) FEMA flood elevation of 13.0. Any corresponding increase in roof height should be allowable as long as it falls under the town's description of maximum building height from the original 30 feet.
11. The Applicant has requested no submission waivers from the requirements of the Kennebunkport Land Use Ordinance.
12. The Applicant has requested no performance standard waivers from the requirements of the Kennebunkport Land Use Ordinance.
13. Pursuant to the requirements of Article 10.10.A of the Land Use Ordinance ("Guidelines for Decisions") the Planning Board shall approve a Site Plan application unless it makes a negative ruling on one or more of the following identified findings which would otherwise compel denial:
 - a. The proposed use meets the definition or specific requirements set forth in the Land Use Ordinance and will be in compliance with applicable state or federal laws.

Finding: Yes ☒ No ☐

- b. The proposed use will not create fire safety hazards and will provide adequate access to the site, or to the buildings on the site, for emergency vehicles.

Finding: Yes ☒ No ☐

- c. The proposed exterior lighting will not create hazards to motorists traveling on adjacent public streets and is adequate for the safety of occupants or users of the site and will not damage the value and diminish the usability of adjacent properties.

Finding: Yes ☒ No ☐

- d. The provisions for buffers and on-site landscaping provide for adequate protection to neighboring properties from detrimental features of the development.

Finding: Yes X No

- e. The proposed use will not have a significant detrimental effect on the use and peaceful enjoyment of abutting property as a result of noise, vibrations, fumes, odor, dust, glare or other cause.

Finding: Yes X No

- f. The provisions for vehicular loading and unloading and parking and for vehicular and pedestrian circulation on the site and onto adjacent public streets will not create hazards to safety.

Finding: Yes X No

Note: A new crushed stone driveway for parking will replace old driveway.

- g. The proposed use will not have a significant detrimental effect on the value of adjacent properties (nor has a significant detrimental effect, which could be avoided by reasonable modification of the plan).

Finding: Yes X No

- h. The design of the site will not result in significant flood hazards or flood damage and is in conformance with applicable flood hazard protection requirements.

Finding: Yes X No

Note: The proposed structure will have a poured concrete foundation with flood gates, and the lowest floor is in compliance with FEMA base flood elevation for its area.

- i. Adequate provision has been made for disposal of wastewater or solid waste and for the prevention of ground or surface water contamination.

Finding: Yes X No

- j. Adequate provision has been made to control erosion or sedimentation.

Finding: Yes X No

- k. Adequate provision has been made to handle storm water run-off or other drainage problems on the site.

Finding: Yes X No

- l. The proposed water supply will meet the demands of the proposed use or for fire protection purposes.

Finding: Yes X No

- m. Adequate provision has been made for the transportation, storage and disposal of hazardous substances and materials as defined by state law.

Finding: Yes X No

- n. The proposed use will not have an adverse impact on significant scenic vistas or on significant wildlife habitat (nor will have such an impact that could be avoided by reasonable modification of the plan).

Finding: Yes X No

Note: Applicant will not use fertilizers or pesticides on this lot. Window screens and other design modifications are present to protect against bird collisions with windows and doors.

- o. The proposed use will not cause unreasonable highway or public road congestion.

Finding: Yes X No

- p. Existing off-site ways and traffic facilities can safely and conveniently accommodate the increased traffic generated by the development as far away from the development as the effects of the development can be traced with reasonable accuracy.

Finding: N/A

14. When a proposed development will be located within the Shoreland and Resource Protection Zones, in addition to the requirements of the Kennebunkport Land Use Ordinance Article 10, the Town-wide Regulations in Article 6, the Performance Standards for Specific Activities and Land Uses in Article 7, approval of the development will also require that Board makes positive finding(s), based on the information presented, that the proposed use:

- a. Will maintain safe and healthful conditions.

Finding: Yes X No

- b. Will not result in water pollution, erosion, or sedimentation to surface waters:

Finding: Yes X No

- c. Will adequately provide for the disposal of all wastewater.

Finding: Yes X No

- d. Will not have an adverse impact on spawning grounds, fish, aquatic life, bird or other wildlife habitat.

Finding: Yes X No

- e. Will conserve shore cover and visual as well as actual points of access to inland and coastal waters.

Finding: Yes X No

- f. Will protect archaeological and historic resources as designated in the Comprehensive Plan.

Finding: N/A

- g. Will avoid problems associated with flood plain development and use.

Finding: Yes X No

- h. Is in conformance with the performance Standards set forth in Section 5.6 of The Kennebunkport Land Use Ordinance.

Finding: Yes X No

Any negative finding by the Board means that the Application has been denied.
15. The application is otherwise complete.

CONCLUSIONS:

Articles 10.10.A of the Land Use Ordinance mandates that the Planning Board shall approve a Site Plan application unless it makes one or more identified findings that would otherwise compel denial, and as noted above, the Board makes no such findings.

DECISION:

The Site Plan Application identified above is hereby: **APPROVED**.


CONDITIONS OF APPROVAL, IF ANY, PURSUANT TO ARTICLE 10.11 AND 10.12.E:

1. The Applicants, pursuant to 10.12.E, shall notify the Planning Board prior to the transfer of rights to construct an approved project. No assignment or transfer of rights to construct an approved project is valid without prior review and approval by the Planning Board.
2. The Applicants must record a copy of this decision and provide proof of such recordation, in the form of a copy thereof attested by the Register of Deeds, before any permit(s) may issue or before any construction activity may commence.
3. Applicants will not use fertilizers or pesticides on this lot. Window screens and other design modifications will be present to protect against bird collisions with windows and doors.
4. The Applicant will comply with all terms and conditions of The Town of Kennebunkport Ordinances as well as the MDEP approvals.

Dated: 2-23-22

KENNEBUNKPORT PLANNING BOARD



By: Thomas Boak, Chair


By: Nina Pearlmutter, Vice Chair


By: D. Scott Mahoney


By: Edward Francis

By: Charles (Larry) Simmons

By: 
George Lichte

By: John P. Harcourt

STATE OF MAINE
County of York, ss.

Date: 2-23-22

Personally appeared before me the above-named Board Members of the Kennebunkport Planning Board and acknowledged the foregoing to be their free act and deed.

Before me,


Print Name: April C. Fortier
Notary Public

April C. Fortier, Notary Public
State of Maine
My Commission Expires 10/27/27

SEAL



TOWN OF KENNEBUNKPORT, MAINE

– INCORPORATED 1653 –

Kennebunkport Planning Board

Legal Notice

**February 16, 2022 @ 6:00 PM
VIRTUAL MEETING VIA ZOOM**

The Kennebunkport Planning Board will be holding a public hearing for the following application on Wednesday, January 19, 2022:

- 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). Nina Pearlmutter, Case Manager.

During a Public Hearing segment of an agenda item, public comment is allowed, and all residents are encouraged to ask questions pertaining to a project.

Dated at Kennebunkport – 2/3/22
April Fortier, Assistant Town Clerk

KENNEBUNKPORT PLANNING BOARD ZOOM MEETING/WEBINAR INSTRUCTIONS

Please click the link below to join the webinar:

<https://us06web.zoom.us/j/88365196254>

Join by Telephone:

US: +1 301 715 8592 or +1 312 626 6799 or +1 929 205 6099 or +1 253 215 8782 or +1 346
248 7799 or +1 669 900 6833

Webinar ID: 883 6519 6254

International numbers available: <https://us06web.zoom.us/j/88365196254>

NOTE: During the meeting, only the Planning Board members and Town Planner will be on screen with audio connected. All other participants will be blacked out and audio muted except when the Board solicits public input.

PUBLIC COMMENTS: If you wish to speak on an agenda item and you are:

Joining via your computer or cell phone

Please use the “raise your hand” feature by clicking “participants” (computer). The host will be notified and will identify you when it is your turn to comment.

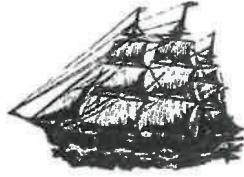
Joining via landline phone:

The following commands can be entered using your phone’s dial pad while in a Zoom meeting. The host will be notified and will identify you when it is your turn to comment.

- *6 - Toggle mute/unmute
- *9 - Raise Hand

Written Public Comments: With the shift to remote meetings, we are encouraging written public comments in place of in-person participation. Written public comments can be e-mailed to afortier@kennebunkportme.gov or mailed to Planning Board, P.O. Box 566, Kennebunkport, Maine 04046, or dropped in the Town Office “drop box” 7 days prior to the day of the meeting. These comments will become a part of the permanent record of the meetings. If e-mailing, please note “Planning Board / Applicant Name and the meeting date in the Subject field.

*This method is subject to change.



TOWN OF KENNEBUNKPORT

Planning Board Agenda

February 16, 2022 @ 6:00 PM

VIRTUAL MEETING VIA ZOOM

Please click the link below to join the webinar:

<https://us06web.zoom.us/j/88365196254>

Or One tap mobile :

US: +13017158592,,88365196254# or +13126266799,,88365196254#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 301 715 8592 or +1 312 626 6799 or +1 929 205 6099 or +1 253 215 8782 or +1
346 248 7799 or +1 669 900 6833

Webinar ID: 883 6519 6254

International numbers available: <https://us06web.zoom.us/j/keDd37GvEy>

Attendance

Approval of Minutes

AGENDA

- ✓ **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). Nina Pearlmutter, Case Manager.
- 2. 220101 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).

3. Adjourn

All Applications and associated documents are available for your review on the Kennebunkport Website under the Planning Board page and can be reached here: <https://www.kennebunkportme.gov/planningboard/pages/active-planning-boardapplications>.



TOWN OF KENNEBUNKPORT

Planning Board Agenda

February 2, 2022 @ 6:00 PM

VIRTUAL MEETING VIA ZOOM

Please click the link below to join the webinar:

<https://us06web.zoom.us/j/84779058621>

Or One tap mobile :

By Telephone: US: +1 301 715 8592 or +1 312 626 6799 or +1 929 205 6099 or +1 253 215 8782 or
+1 346 248 7799 or +1 669 900 6833

Webinar ID: 847 7905 8621

International numbers available: <https://us06web.zoom.us/j/84779058621>

Attendance

Approval of Minutes

AGENDA

- 1. 220101 28 Wildwood Avenue (Revision to Previous Approval)/Peterson Design Group, Authorized Agent – Site Plan Review – Initial Review –** 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)..

2. Adjourn

All Applications and associated documents are available for your review on the Kennebunkport Website under the Planning Board page and can be reached here: <https://www.kennebunkportme.gov/planningboard/pages/active-planning-boardapplications>.



TOWN OF KENNEBUNKPORT, MAINE

~ INCORPORATED 1653 ~

NOTICE TO ABUTTERS OF RECEIPT OF AN APPLICATION FOR SITE PLAN REVIEW

January 20, 2022

The Kennebunkport Planning Board has received an application for Site Plan Review from **28 Wildwood Avenue/Peterson Design Group, Authorized Agent**, for property at 28 Wildwood Avenue, identified as Assessor's Tax Map 35, Block 1, Lot 12 in the Goose Rocks Zone. Our records indicate that you own property within 200 feet of the proposed site.

The Applicant is requesting revision to a previously approval Planning Board Decision. 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.

The Initial Review for this application is scheduled for February 2, 2020 at 6:00 p.m. and will be conducted through the electronic platform [Zoom](#). MEETING/WEBINAR INSTRUCTIONS ARE ATTACHED.

A Public Hearing is also part of the Site Plan Review process; during formal public hearings, public comment is allowed and all residents are encouraged to ask questions pertaining to a development project. Notice of the public hearing will be mailed to you within seven days of the public hearing. Notice of the public hearing will also be posted at the Town Office, on the Town website and advertised in the Portland Press Herald newspaper. During all other Site Plan Review sessions, public comment is usually not allowed.

The Planning Board "meets through the Zoom Platform" the first and third Wednesdays of the month. Agendas for each meeting are available in the Town Office the Friday preceding the meeting and on the Town's website.

You may also refer to our website to review the full application submitted:

<https://www.kennebunkportme.gov/planning-board/pages/active-planning-board-applications>

During formal Public Hearings, public comment is allowed, and all residents are encouraged to ask questions pertaining to a development project. During all other Site Plan Review sessions, public comment is usually not allowed.



TOWN OF KENNEBUNKPORT, MAINE

~ INCORPORATED 1653 ~

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<https://us06web.zoom.us/j/84779058621>

Or One tap mobile :

By Telephone: US: +1 301 715 8592 or +1 312 626 6799 or +1 929 205 6099 or +1 253 215 8782 or +1 346 248 7799 or +1 669 900 6833

Webinar ID: 847 7905 8621

International numbers available: <https://us06web.zoom.us/j/kdvSnHcP7A>

NOTE: During the meeting, only the Planning Board members and Town Planner will be on screen with audio connected. All other participants will be blacked out and audio muted except when the Board solicits public input.

PUBLIC COMMENTS: If you wish to speak on an agenda item and you are:

- **Joining via your computer or cell phone**

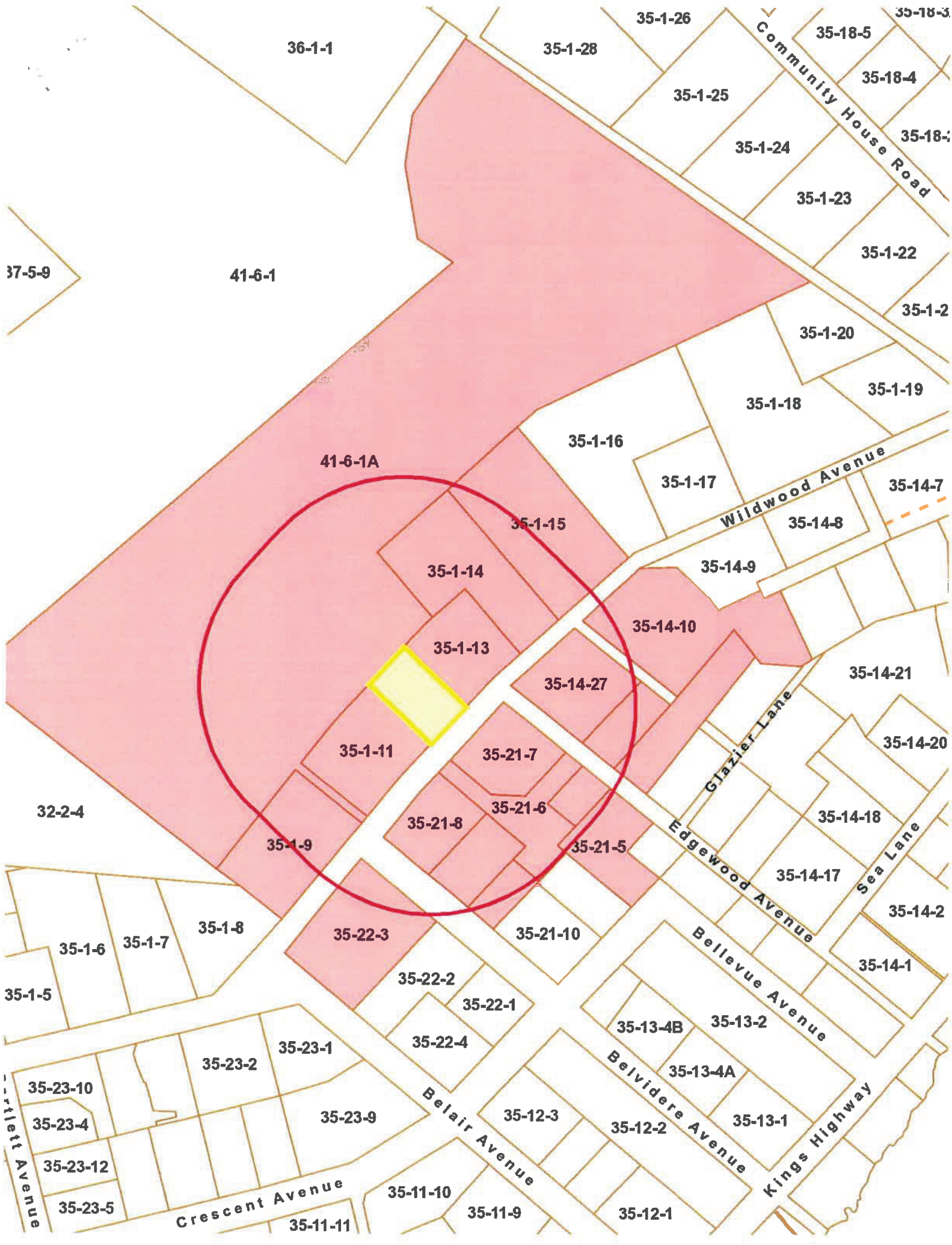
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32 WILDWOOD AVE REVOC REA
135 COX HEAD ROAD
PHIPPSBURG, ME 04562-4636

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C/O KATHLEEN VORCE
PO BOX 554
WEST ACTON, MA 01720

CONNOR, THOMAS J. & MAZEI
201 HINCKLEY ROAD
MILTON, MA 02186

MILLARD FAMILY TRUST
6 HUCKLEBERRY HILL
LINCOLN, MA 01773

CORINNE C LONGO IRREVOCAB
289 GERALDINE DRIVE
COVENTRY, CT 06238

PAROLIN, JAMES & NANCY TR
15 ATHERTON LANE
AMHERST, NH 03031

EDGEWOOD 16 REALTY TRUST
PO BOX 6324
HAVERHILL, MA 01831

PINCKNEY FAMILY TRUST & E
C/O KIRSTEN ORZECOWSKI
360 FITCHHILL ROAD
UNCASVILLE, CT 06382

EDGEWOOD AVENUE NOMINEE T
15 ATHERTON LANE
AMHERST, NH 03031

QUEEN, GRACE EST
C/O HILARY QUEEN MACGRATH
20 BALDWIN ROAD
MILFORD, NH 03055

ELIZABETH S RUSSELL REV.
1 HUNTINGTON COMMON DR APT
104
KENNEBUNK, ME 04043

RICHARD F GREENE TRUST
45 BELLAMY STREET
BRIGHTON, MA 02135

FRENCH, RONALD G & JODI B
18 EDGEWOOD AVENUE
KENNEBUNKPORT, ME 04046

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BOXFORD, MA 01921

INNISS, MELISSA H
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WINDHAM, ME 04062