

**Kennebunkport Planning Board
February 6th, 2013 ~ 7:00 PM
Village Fire Station, 32 North Street**

A regular meeting of the Planning Board was held on Wednesday, February 6, 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 January 16th, 2013 Planning Board meeting. Mr. Famolare seconded the motion and the vote was unanimous.

Items:

1) 121104 Christopher B. Asplundh, Jr. / Sandra Guay, Authorized Agent – Site Plan Review – **Findings of Fact** – for approval to construct a 4' x 48' fixed pier, a 3' x 25' ramp and a 200 square foot float. [25 Kings Lane, Assessor Tax Map 41, Block 002, Lot 40 in the Goose Rocks Zone.]

Mr. Famolare read the Findings of Fact into the record. Mr. Hathaway made a motion to approve said Findings. Mr. Reid seconded the motion and the vote was unanimous.

2) 121103 Christopher Finneral and Meghan Mahoney – Site Plan Review – **Findings of Fact** - for approval to add a 200 square foot deck and realign the existing driveway. [203 Kings Highway, Assessor's Tax Map 34, Block 001, Lot 21 in the Goose Rocks Zone.]

Mr. Reid read the Findings of Fact into the record. Mr. Famolare made a motion to approve said Findings. Mr. Hathaway seconded the motion and the vote was unanimous.

3) 130101 Jane and Glenn Oakley / Harvey Wells, Authorized Agent – Site Plan Review – **Initial Review** – for approval to remove an existing one story home and replace it with a new 1 ½ story home in a different location to make it more conforming to setbacks. [66 Langsford Road, Assessor's Tax Map 21, Block 11, Lot 8 in the Cape Porpoise West Zone.]

Mr. Kling introduced the Agenda item.

Mr. Harvey Wells, Architect, along with Attorney Ralph Austin addressed the Board stating the property is located on Langsford Road as shown on a survey prepared by Lower Village Survey. The existing house is a single family, one-story ranch of approximately 1800 sq. ft. sitting on land with wetlands area and a turnaround that was part of the original subdivision plan, Mr. Wells said. Mr. Wells explained the Oakleys are proposing to remove the existing house and replace it with a new single family residence exercising the 30% expansion rule to add bedroom space on the second floor. Mr. Wells identified all of the building and lot calculations are included on the submitted plans for the Board to review. Unless it is found to have a significant amount of ledge on the property, Mr. Wells said they are proposing to put in a new 8' concrete frost wall foundation to the new house to allow a crawlspace. The building height at its highest roof pitch would measure 23 ½ ft. so it will be well under the 30 foot height limit, Mr. Wells concluded.

Mr. Reid asked what the existing foundation is made of. Mr. Wells replied he has not personally inspected it but would guess it is concrete blocks as is typical in the area for that time. Mr. Reid then asked what the elevation of the first floor would be. Mr. Wells responded it would be 11 ½ ft. maximum.

Mr. Ayer asked how the 30% expansion was calculated. Mr. Wells replied he used the measurements of the inside walls of the existing structure for the area and volume calculations. Mr. Kling asked Mr. Brian Shaw if he has verified those calculations. Mr. Shaw responded he has not yet verified the numbers submitted.

Mr. Wells added that the proposed house location is as far back from the water as possible while still meeting the setback requirements; adding the 2 parking spaces proposed will be constructed of grass pavers.

Mr. Reid asked if the turnaround mentioned is actually on the property or just designed on the subdivision plans. Mr. Austin stated the turnaround was never built and only exists on paper.

Mr. Reid made a motion to find the Application complete. Mr. Ayer seconded the motion and the vote was unanimous. Mr. Kling stated a Public Hearing will be held at the next Planning Board meeting on February 20, 2013.

4) 130102 Seaside Hotel Associates, d/b/a Nonantum Resort – Site Plan Review – **Initial Review** – for approval to expand seating in Heckman's Pub, by relocating a wall between the pub and an adjacent gifts shop, and relocating the gift shop into an unused guest room. [95 Ocean Avenue, Assessor's Tax Map 08, Block 001, Lot 13 in the Riverfront Zone.]

Mr. Kling introduced the Agenda item. Ms. Tina Hewitt-Gordon addressed the Board stating the pub is adjacent to the outdoor bathroom that will be retrofitted to the new bathroom and are asking to move an existing wall to expand the pub seating by 10-12 seats. Ms. Hewitt-Gordon added the gift shop would be relocated to a little-used guest room.

Mr. Kling stated these changes are all internal and that the footprint of the building will not be expanded. Ms. Hewitt-Gordon agreed with Mr. Kling's statement.

Mr. Reid questioned the adequacy of the Applicant's available parking since they are adding seating to the pub. Ms. Hewitt-Gordon responded the resort recognizes that 80% of the pub's guests are already guests of the resort so there would be minimal additional cars for parking.

Mr. Ayer made a motion to find the Application complete. Mr. Famolare seconded the motion and the vote was unanimous. A Public Hearing will be held at the February 20th, 2013 meeting.

Other business:

1. Ordinance Change Proposed

Mr. Kling stated he met with Mr. Gilliam and followed up with the Growth Planning Committee, the results of which are they endorse the proposed language change to the Land Use Ordinance regarding the preservation of the streetscape of specific areas in the town. Mr. Fellenz attended the last Growth Planning Committee meeting adding there was one modest change so the wording in the first paragraph would read: "Structures shall be designed to conform with existing structural style."

Mr. Hathaway asked the Board's opinions if the words "shall generally be applied" are too vague. Mr. Ayer offered his opinion that it leaves unnecessary flexibility and should be tightened up if possible. Mr. Reid suggested eliminating the word "generally" from the proposal.

Mr. Kling asked the Board if they would permit him to communicate to the Town Manager that the Planning Board endorses this language with the word "generally" being stricken and ask for this to be put on the Town Warrant for June. All Planning Board members agreed.

2. Subdivision Regulation revision review.

Mr. Kling asked the Board members to review the proposed revisions submitted prior to this meeting. Mr. Kling noted one of the revisions was to remove items that were immeasurable in the regulations and revise the process of net residential area calculations as stated on page 43. Mr. Kling asked the Board if they agree to move forward with changes and hold a Public Hearing at the next meeting. The Board members agreed and a Public Hearing will be held at the next Planning Board meeting.

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

Submitted by: Patricia Saunders, Planning Board Recording Secretary