

**Kennebunkport Planning Board**  
**June 4th, 2014 ~ 7:00 PM**  
**Village Fire Station, 32 North Street**

A regular meeting of the Planning Board was held on Wednesday, June 4th, 2014. 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, Peter Fellenz  
Mr. Fellenz will have voting privileges for this meeting.

Approval of Minutes: Mr. Reid made a motion to approve the minutes from the May 21<sup>st</sup>, 2014 Planning Board meeting. Mr. Famolare seconded the motion and the vote was unanimous.

Items:

**1) 140402 Deidre, Scott & Kailey Lewis** – Site Plan Review – **Findings of Fact** – for approval to turn a retail use space into a take-out food space. [4 Spring Street, identified as Assessor’s Tax Map 11, Block 002, Lot 25 in the Dock Square Zone.] *John Hathaway, Case Manager*

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

**2) 140401 Gerald Dworkin** – Site Plan Review – **Public Hearing** – for approval to re-surface the parking lot at his business, Lifesaving Resources. [3 Mills Road, identified as Assessor’s Tax Map 22, Block 007, Lot 31 in the Cape Porpoise Square Zone.]

Mr. Kling introduced the Agenda item and acknowledged receipt of an email sent by Mr. Dworkin. Mr. Dworkin addressed the Board stating he is asking for permission to resurface an existing gravel parking lot at 3 Mills Road. Mr. Dworkin explained the parking lot will be paved with asphalt and have a two foot grass buffer on the side of Cape Porpoise Kitchen and a one foot buffer between the driveway and the fence.

Mr. Kling opened the Public Hearing. There were no comments or questions from the audience. Mr. Kling closed the Public Hearing.

Mr. Ayer made a motion to approve the Application of Mr. Dworkin and his company to alter the parking area as presented to the Board. Mr. Fellenz seconded the motion and the vote was unanimous.

Mr. Famolare was assigned as Case Manager to prepare the Findings of Fact to be read at the next Planning Board meeting on June 18<sup>th</sup>, 2014.

**3) 140502 Robert Waskiewicz** – Site Plan Review - **Initial Review** – for approval to turn a residential/commercial use property into a residential two family property. [21 North Street, identified as Assessor’s Tax Map 9, Block 003, Lot 19 in the Village Residential Zone.]

Mr. Kling introduced the Agenda item.

Mr. Bob Waskiewicz addressed the Board stating he purchased the property approximately 2 years ago and explained the property prior to his purchase was used in part commercially by the W. Cushing Company.

Mr. Kling explained that this change of use would be converting from a conditional use to a permitted use in the Village Residential Zone which would make the property a little less non-conforming. Mr. Gilliam concurred with Mr. Kling’s statement adding this property is a non-conforming lot size and the structure itself is non-conforming due to the setbacks.

Mr. Ayer pointed out that if this Application is approved, once the building is converted to two residential units, it cannot return to a commercial property in the future. Mr. Gilliam also agreed with Mr. Ayer’s statement.

Mr. Famolare made a motion to find the Application complete. Mr. Reid seconded the motion and the vote was unanimous.

Mr. Kling announced a Public Hearing will be held at the next Planning Board meeting on June 18<sup>th</sup>, 2014.

**4) 140503 Raymond Shmalo** – Site Plan Review – **Initial Review** – for approval to change take-out and retail space into take-out with seating. [24 Ocean Avenue, identified as Assessor’s Tax Map 11, Block 009, Lot 10, Units B3 & B4 in the Dock Square Zone.]

Mr. Kling introduced the Agenda item. Mr. Ray Shmalo addressed the Board asking for approval to convert a retail unit in the Union Square building to a take-out restaurant with seating.

Mr. Kling asked Mr. Werner Gilliam if the town had any issues with this Application. Mr. Gilliam responded “No”, adding that the seating will be restructured in accordance to the building code for seating density.

Mr. Kling made a motion to find the Application complete. Mr. Ayer seconded the motion and the vote was unanimous.

Mr. Kling announced a Public Hearing will be held at the next Planning Board meeting on June 18<sup>th</sup>, 2014.

OTHER BUSINESS:

Mr. Gilliam asked the Planning Board members to consider providing some input as to possible changes to the Town's Flood Plain Ordinance after the new FEMA Flood Maps have been approved and adopted. Mr. Gilliam explained that once the new flood maps go into effect there will many more properties in the town that will be in the Resource Protection Zone that currently are not in that zone. Mr. Gilliam also suggested the possibility of adopting velocity standards within non-velocity zones.

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

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