

Kennebunkport Planning Board
January 7th, 2015 ~ 7:00 PM
Village Fire Station, 32 North Street

A regular meeting of the Planning Board was held on Wednesday, January 7th, 2015. The meeting convened at 7:00 p.m. in the Kennebunkport Village Fire Station.

Members Present: Mr. David Kling (Chair), Greg Reid, John Hathaway, Thomas Boak, Ray Hilwig
Others Present: Werner Gilliam - Town Planner, Dan Saunders – Chairman, Growth Planning Committee
Mr. Boak and Mr. Hilwig will have voting privileges for this meeting.

Approval of Minutes: Mr. Reid made a motion to approve the minutes from the December 3rd 2014 and December 17th, 2014 Planning Board meeting. Mr. Hilwig seconded the motion and the vote was unanimous.

Items:

1. **141001 Raymond Shmalo/Shmalo Family LLC**, Site Plan Review – **Finding of Facts** – for approval to turn vacant retail space located in Units 7 & 8 into two bathrooms to become part of and for the exclusive use of Units 5 & 6, Salt & Honey Restaurant. [24 Ocean Avenue, identified as Assessor’s Tax Map 11, Block 009, Lot 10, Units 7 & 8 in the Dock Square Zone.] **Helen Conaty, Case Manager**

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

2. **The Chicadee Trust, Cape Arundel Woods Subdivision / Sebago Technics, Authorized Agent** - Final Application –**Findings of Fact** - for approval to amend the Plan of Lot 2A [2 Poets Lane, identified as Assessor’s Tax Map 07, Block 013, Lot 1D in the Cape Arundel Zone.] **David Kling, Case Manager**

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

3. **141002 Adam Winstanley / Bruce Read, Authorized Agent** – Site Plan Review - **Findings of Fact** - for approval to remove an existing house and garage at 68 Ocean Avenue with the plan to replant and beautify both properties as one. [68 & 70 Ocean Avenue, identified as Assessor’s Tax Map 10, Block 005, Lots 14 & 15 in the Village Residential Zone.] **Thomas Boak, Case Manager**

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

4. ~~**141201 Lora McGrath / Walsh Engineering, Authorized Agent** – Site Plan Review – **Public Hearing** – for approval to construct a riprap revetment to stabilize the shoreline of the property in two areas of erosion. [2 Oak Street, identified as Assessor’s Tax Map 9, Block 001 Lot 8 in the Village Residential Zone.]~~ **CONTINUED AT THE REQUEST OF THE APPLICANT.**

5. **Oak Ridge Estates / Albert Frick Associates, Inc.** – Final Plan Application – **Public Hearing** – for approval to create a six lot subdivision off Oak Ridge Road [Oak Ridge Road, identified as Assessor’s Tax Map 39, Block 001, Lot 03 in the Free Enterprise Zone.]

Mr. Kling introduced the Agenda item. Mr. James Logan of Albert Frick Associates addressed the Board and gave a brief summary of the Application utilizing enlarged site plans.

Mr. Kling complimented Mr. Logan on the thoroughness of the Application. Mr. Kling asked Mr. Logan to provide a memo stating the road would be kept clear year round for emergency access.

Mr. Kling asked the Town Planner, Mr. Werner Gilliam if the town had any issues with the performance bond amount. Mr. Gilliam replied the town was comfortable with the amount of the performance bond.

Mr. Kling opened the Public Hearing. There were no comments or question from the public. Mr. Kling closed the Public Hearing.

Mr. Reid made a motion to approve the Application with the condition the road be kept open and cleared year round. Mr. Boak seconded the motion and the vote was unanimous. Mr. Reid was assigned as Case Manager to prepare the Findings of Fact to be read at the next Planning Board meeting.

6. **141202 Wilson Goodwin & Elizabeth Winn-Goodwin / Cynthia Howard, Authorized Agent** – Site Plan Review – **Initial Review** – for approval to expand the existing house by building a connector to the garage with a ramp and a new elevator for handicap accessibility. Additionally, the owners would like to install a generator to the north side of the house. [26 Langsford Road, identified as Assessor’s Tax Map 30, Block 001, Lot 37 in the Cape Porpoise West Zone.]

Mr. Kling introduced the Agenda item.

Ms. Cynthia Howard representing the Applicant addressed the Board. Ms. Howard stated the owners of the dwelling would like to expand the house to incorporate a residential elevator and ramp while maintaining the existing architectural style. Ms. Howard added they are proposing to build a small portion of the addition within the setback but the net result would be a decrease in the amount of the violation. Mr. Kling clarified that the non-conformity of the structure is not increasing in square footage or volume.

Mr. Kling asked Mr. Gilliam if there were any issues from a Code Enforcement perspective. Mr. Gilliam responded this Application is within the guidelines of Article 8.3 of the Land Use Ordinance.

Mr. Gilliam commented the notice sent out to abutters contained a typo incorrectly listing the property address as 29 Langsford Road instead of 26 Langsford Road. Mr. Gilliam confirmed the typo would be corrected before the Public Hearing.

Mr. Reid made a motion the Application is complete. Mr. Hilwig seconded the motion and the vote was unanimous. Mr. Kling announced a Public Hearing would be held at the next Planning Board meeting on January 21st, 2015.

Other Business: Joint Meeting with Growth Planning Committee to discuss proposed residential mixed use standards.

Mr. Gilliam began the discussion by explaining the Growth Planning Committee has been working on developing standards for mixed use structures to allow for a mix of residential and commercial use within the same structure without triggering doubling of the lot size requirements. Mr. Gilliam explained this would only apply to the Riverfront, Cape Porpoise East, Cape Porpoise West, Cape Porpoise Square and Free Enterprise zones. A list of uses considered compatible for mixed use houses was also provided in the draft given to the Planning Board members. Mr. Gilliam explained that this proposal is not changing any of the uses that are not already permissible in the Land Use Ordinance.

Mr. Reid expressed his concern that this proposal would be confusing for people when it came to a town vote.

Mr. Kling asked what the Board of Selectmen's opinion of this proposal was. Mr. Gilliam responded the Board of Selectmen is supportive of more affordable housing in the town.

Mr. Kling suggested it may be helpful if the Growth Planning Committee explains how this is different from accessory apartments.

Mr. Saunders cautioned that the GPC's intent with this proposal is not to encourage more commercial activity in these zones or to allow more short term vacation rentals.

The Planning Board members, Mr. Gilliam and Mr. Saunders had a lengthy conversation on the details of this proposal and the need for more affordable housing in the town. Mr. Gilliam and Mr. Saunders explained with the rise in housing prices and the median age of the town's residents, there is a need for affordable residences for new young families.

Several Planning Board members expressed their concerns about potential unintended consequences of such a proposal.

Mr. Saunders thanked the Board members for their input and stated he would take their suggestions and concerns to the Growth Planning Committee for consideration.

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

Submitted by: Patricia Saunders, Planning Board Recording Secretary