

Kennebunkport Planning Board
February 17, 2016 ~ 7:00 PM
Kennebunkport Village Fire Station, 6 Elm Street

A regular meeting of the Planning Board was held on Wednesday, February 17th 2016. The meeting convened at 7:00 p.m. in the Kennebunkport Village Fire Station.

Members Present: Mr. David Kling, (Chair), John Hathaway, Tom Boak

Mr. Kling formally acknowledged Mr. Greg Reid and thanked him for his many years of service on the Kennebunkport Planning Board. Mr. Kling also stated the Board of Selectmen has approved Mr. Boak as a permanent member of the Planning Board. Mr. Kling announced with Mr. Reid's departure and Mr. Boak's promotion there is a vacancy on the Board and asked any persons interested in serving on the Planning Board to contact Werner Gilliam or the Town Manager.

Approval of Minutes: Mr. Boak made a motion to approve the minutes from the February 3rd, 2016 Planning Board meeting. Mr. Hathaway seconded the motion and the vote was unanimous.

Items:

1. 150904 Fishing Pole Lane, LLC d/b/a Hidden Pond / Sebago Technics, Authorized Agent – Site Plan Review – Findings of Fact – for approval to and revision of a previously approved Plan as follows:

- Clarify permitted uses for the Event Barn, including after the fact approval of a patio area, to clearing an area for outside tented events, both adjacent thereto, after the fact approval to enclose a porch/storage room, and add a covered shed structure with wood floor to the west of the Event Barn.
- Eliminate outside events from the Farm Building area
- Add 78 seats to the Earth Restaurant
- Utilize 2 existing sheds near the restaurant for dining
- Add parking for employees on the secondary access road
- Add 2 additional sheds in the Service Yard
- Convert the Farm Building from a gym to retail sales; [356 Goose Rocks Road, identified as Assessor's Tax Maps 38, Block 001, Lot 08 (Phase II) and Map 37, Block 003, Lot 3 (Phase I) in the Free Enterprise Zone.]

Mr. Kling read the Findings of Fact into the record.

Mr. Boak made the following suggestions to the Findings as read:

1. Add Item I. to state: "The Applicant shall provide portable toilet facilities for all outside tented events."
2. Items 5B and C should include the word *shall* instead of *will*
3. Item #9 the first sentence shall include the word *will*.

Mr. Boak made a motion to approve said Findings with the changes noted above. Mr. Hathaway seconded the motion and the vote was unanimous.

2. 160101 Kennebunkport Consolidated School / Harriman, Authorized Agent – Site Plan Review – Public Hearing – for approval to remove two modular classroom structures and replace with two building wing additions housing classrooms as well as site improvements. [25 School Street, identified as Assessor's Tax Map 11, Block 005, Lot 03 in the Village Residential Zone.]

Mr. Kling introduced the Agenda item and acknowledged receipt of the results of a peer review performed by Ransom Engineering.

Mr. John Kuchinski of Harriman Architects addressed the Board and provided each Board member with updated site plans for the proposed project. Based on comments made at the last Planning Board meeting, Mr. Kuchinski stated a few minor changes were made to the proposed plan such as adding a crosswalk across the Access Road to the sports fields.

Mr. Kling asked if the Applicant has received approval from the Lighting Committee. Mr. Gilliam responded he hasn't received anything yet but he does not believe there is anything in the plan that would be a hindrance to getting approval from the Lighting Committee.

Mr. Kling asked the Board members if they had any questions for the Applicant.

Mr. Hathaway asked Mr. Gilliam if he had any concerns about the drainage on the property. Mr. Gilliam responded that as of today the existing drainage was being scoped to determine the conditions of the pipes presently and will have a better understanding of the next course of action after that work is completed.

Mr. Kuchinski added they are also evaluating the existing stormwater drains from the corner of School Street to the school and found some gravel in the pipes that will be cleaned out.

Mr. Kling asked if given the positive review from Ransom Engineering is there something else that needs to be done. Mr. Gilliam replied that he will not have an answer until they know fully what the condition of the stormwater structure is.

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

The Board members had a brief discussion on potential conditions if this Application is approved.

Those conditions of approval are:

1. Approval from Kennebunkport Lighting Committee
2. Adherence to recommendations from Ransom Engineering
3. Town and Applicant will notify Maine Department of Transportation of any issues with the culvert.

Mr. Hathaway made a motion to approve the Application with the conditions as noted above. Mr. Boak seconded the motion and the vote was unanimous. Mr. Boak was assigned as Case Manager to prepare the Findings of Fact to be read at the next meeting.

Mr. Kling asked the Applicant when the project is expected to be completed. Mr. Kuchinski replied they hope to break ground by early April with all site work to be completed before the start of school in September.

3. 160103 Marysue Emhiser, d/b/a Maine Seaside Rentals – Site Plan Review – Initial Review, for approval to turn a former ice cream shop space into a vacation rental office in the front of the building and a floral design business in the back. [166 Main Street, identified as Assessor's Tax Map 22, Block 009, Lot 41 in the Cape Porpoise West Zone.]

Mr. Kling introduced the Agenda item noting the location of the Applicant's property is directly across from Bradbury's Market in Cape Porpoise.

Ms. Marysue Emhiser addressed the Board stating she is seeking approval to use the front part of the building for her real estate rental business and her daughter will utilize the back part of the building for a floral design business.

Mr. Kling asked Mr. Gilliam if the Code Enforcement Office had any issues with this Application. Mr. Gilliam responded he had no issues with this Application as presented.

Mr. Kling explained the reason this Application is before the Planning Board is because it is a change of use for a commercial property and is required to obtain Planning Board approval since it is in the Cape Porpoise West Zone.

Mr. Kling asked if there were to be any changes in the building structure. Ms. Emhiser replied there are no changes except to insulate the building.

Mr. Hathaway made a motion the Application is complete. Mr. Boak seconded the motion and the vote was unanimous.

A Public Hearing will be held at the next Planning Board meeting on March 2nd, 2016.

4. EBS COVE – Sketch Plan – for review of a proposed 7 lot single family residential subdivision [Turbat's Creek Road, being a portion of Map 21, Block 9, Lot 52 in the Village Residential East Zone.

Mr. Kling introduced the Agenda item.

Mr. Steve Doe of Sebago Technics addressed the Board on behalf of the EBS Cove Development stating he is here to get feedback from the Board members on this potential subdivision. Mr. Doe explained this property is off of Turbat's Creek Road consisting of an 8.5 acre parcel of land with a gated entrance to the property. Mr. Doe continued his presentation by stating the following items:

- The road was constructed in 1998
- The existing road was approved for 1,200 linear feet
- The existing road terminates in a wide cul-de-sac
- Proposing to subdivide the 8.5 acres into 7 lots
- Because the road is in a growth zone it is required to be paved with a curb and a sidewalk
- Applicant is asking for a waiver to not install sidewalks since there are no sidewalks in that area now.

Mr. Kling asked if the road is currently paved. Mr. Doe replied the road now is gravel and is 20 feet wide but it is not a thru road.

Mr. Doe noted the other item the Applicant would be requesting a waiver for is on the length of the road. The road was originally approved and built to be 1,200 feet and are requesting to make it 1,035 feet, Mr. Doe explained.

Mr. Kling asked if there will be a fire hydrant somewhere along the road. Mr. Doe responded there will be public water extended all the way into the site and the Fire Chief has asked there be a hydrant at the end of the road. Mr. Doe also stated all of the homes will use injector pumps to pump into the common main and power service will be underground.

All of the lots will have a deeded pedestrian access to the water, Mr. Doe added and there will be a rack to store kayaks there as well. Mr. Kling cautioned the Applicant to be careful not to violate the 75ft. setback.

Mr. Kling also informed the Applicant that if this subdivision is approved the gate at the entrance would need to be removed. Mr. Doe responded they are aware of that and added they would like to keep the stone pillars on each side of the entrance with the gate remaining in a locked open position.

Mr. Hathaway asked for clarification on the Right of Way. Mr. Doe replied it is a 20 foot wide road and the Fire Chief did not have any concerns about the width and the cul-de-sac meets his required turning radius.

Mr. Kling made the following suggestions of items to include in the formal Application:

- Calculations of net residential area
- Indication on the plan of the 15% open space requirement
- Financial and technical verification information on the developer
- Indication on the site plan of buffering along the property lines.

Mr. Doe asked if the Board members would consider doing a site walk on the property. The Board agreed it would be beneficial and tentatively scheduled a Site Walk for February 27th at 11:00a.m. Mr. Kling stated he would confirm that date and the Town Office will send out a public notice.

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

Submitted by: Patricia Saunders, Planning Board Recording Secretary