

Kennebunkport Planning Board
February 17th, 2021 ~ 6:00 PM
Virtual Meeting (Via Zoom)

A meeting of the Planning Board was held on Wednesday, February 17th, 2021. The virtual meeting convened at 6:00 p.m. via Zoom.

Members Present: Mr. Tom Boak (Chair), Nina Pearlmutter, D. Scott Mahoney, Ed Francis, Larry Simmons, John Harcourt

Approval of Minutes: Mr. Mahoney made a motion to approve the minutes from the January 6th, 2021 Planning Board meeting. Ms. Pearlmutter seconded the motion, and the vote was unanimous.

Items:

1. ~~201001 Boughton Hotel Corporation d/b/a The Colony Hotel / Windward Development, Authorized Agent~~ North Campus Site Plan Review ~~Public Hearing~~ for approval to demolish all existing buildings and parking areas and construct two new building with multiple parking areas. (128 Ocean Avenue / 12 & 14 Colony Avenue, identified as Assessor's Tax Map 8, Block 8, Lots 14, 15 & 16 in the Riverfront and Shoreland Zones.) ~~Nina Pearlmutter, Case Manager~~ **Continued to a future date at request of Applicant.**
 2. ~~201002 Boughton Hotel Corporation d/b/a The Colony Hotel / Windward Development, Authorized Agent~~ South Campus Site Plan Review ~~Public Hearing~~ for approval to demolish 4 existing buildings and construct one new building, to include building expansion, and the reconstruction of circular parking area. (140 Ocean Avenue, identified as Assessor's Tax Map 8, Block 6, Lot 4 in the Riverfront and Shoreland Zones.) ~~Nina Pearlmutter, Case Manager~~ **Continued to future date at request of Applicant.**
 3. ~~201004 Ivy Subdivision / Sebago Technics, Authorized Agent~~ ~~Public Hearing~~ for approval of major changes to previously approved subdivision to subdivide a 7.8 acre lot (previously known as Lot #2 of Ivy Subdivision approved in 2012), to create 2 lots; one lot will be accessed by Colony Avenue and the other will be accessed by Endcliffe Road. (Endcliffe Road / Colony Avenue known as Assessor's Tax Map 7, Block 13, Lot 1B in the Cape Arundel Zone.) ~~Continued to future date at request of Applicant.~~
1. **210101 Nathan St. Onge / Mitchell & Associates, Authorized Agent** – Sketch Plan – discussion of subdivision of a 5.01-acre lot to create two lots. (Hillside Drive, Assessor's Tax Map 41, Block 2, Lot 9C in the Goose Rocks Zone.)

Mr. Bob Metcalf of Mitchell & Associates addressed the Board on behalf of Nathan St. Onge who has purchased a 5.01-acre parcel of land from the Henchey family. Mr. Metcalf shared the site plans on the screen for the Board and the viewing public and outlined the two proposed lots. Mr. Metcalf also explained the Hencheys received a private road permit and the road known as Hillside Drive was constructed in 2016 that will serve the two proposed lots ending in a cul-de-sac. The two proposed lots will be one 2-acre parcel which Mr. St. Onge will use to build his home and the second lot will be 3.1 acres that will have a single-family residence to be built for Mr. St. Onge's in-laws.

Mr. Metcalf continued his presentation stating that by dividing the second lot off within a 5-year timeframe it requires Planning Board approval for a change to an approved subdivision with the remaining parcel of land containing the Henchey homestead as the third lot in the proposed subdivision.

Mr. Metcalf indicated on the site plans each proposed lot has a been tested for a passing septic system to serve up to a 5-bedroom residence on the 2-acre parcel and there are 2 test pits identified that can support up to a 4-bedroom home on the 3-acre parcel. Each lot will also have private wells where the 100-foot setback will be identified for submittal of the Preliminary Subdivision Application.

To meet the 20% open space requirement, Mr. Metcalf identified on the site plans there is an 18,645 square foot area on the 2-acre lot designated as open space and an approximately 35,000 square foot area on the 3.1-acre lot to be preserved as open space.

Mr. Metcalf added they included in their packet of information waivers for the public water and sewer requirements as it is cost prohibitive to run both of those lines to the proposed lots.

Mr. Metcalf concluded his presentation by stating the balance of the Henchey property leaves 22.1+/- acres remaining for the Henchey homestead.

Mr. Gilliam shared the Applicant's photographs of the improved Hillside Drive that were included in the Application on the screen for the Board. Mr. Metcalf gave a brief description of each photo that can be found on the town website.

Mr. Boak commented the road was approved even though it is over 1,000 feet in length. Mr. Metcalf stated the road was approved in 2016. Mr. Gilliam explained that in 2016 the road was reviewed primarily because it was a wetland crossing which prompted the Site Plan Review of the project by the Planning Board but there is no length limitation in the private road standards but there is a length limitation in the Subdivision Regulations so the Applicant may want to review those Subdivision Regulations in preparation for their Preliminary Subdivision Application.

Since the maintenance of the road is built into the restrictions in the deeds, Ms. Pearlmutter asked if the Hencheys will assume control of Hillside Drive. Mr. Metcalf replied he believes it is a joint agreement. Ms. Pearlmutter advised Mr. Metcalf to review the road standards in the Subdivision Regulations to make sure all the standards fit that road and will also obtain approval from the Fire Chief. Mr. Gilliam added certainly as part of the review process other town departments will weigh in on this project before approval can be granted.

Mr. Boak advised the Applicant to include in the site plans the percentage of upland within the open space area calculations for each of the proposed lots.

Mr. Francis asked what the name of this subdivision would be. Mr. Metcalf replied he does not think a name has been given.

Mr. Francis also asked if there will be a Homeowner's Association to manage the common land among the three lots. Mr. Metcalf responded the open space dedicated on the 2 proposed lots would be maintained by those lot owners and would not be common open space: adding it would be the Hencheys to preserve whatever acreage of the remaining land. Mr. Francis then asked if that would be achieved with a deed restriction. Mr. Metcalf replied that would require a conversation with the Hencheys.

Mr. Francis also questioned the sufficiency of fire fighting water with the parcels having wells instead of public water. Mr. Gilliam described in the Subdivision Regulations there are a few choices relating to fire protection such as a hydrant, construction of a fire pond which becomes a maintenance issue, and typically for these types of divisions, it would be a requirement that the homes install a 13D sprinkler system. The sprinkler system in this situation, Mr. Gilliam explained, would be the preferred method of fire protection.

About potable water supply, Mr. Simmons asked about the potential of saltwater intrusion and suggested the Applicant conduct a geological examination and drill a shallow test well to ensure there will be sufficient water to support the houses. Mr. Metcalf agreed to have a conversation with local well drillers to get their opinion; adding there is almost a 50-foot change in elevation from where the homes will be located so it is a reasonable expectation there is little risk for saltwater intrusion.

Mr. Metcalf asked the Board members if they wanted to have a Site Walk of the property.

The Board members agreed a Site Walk would be sensible and preferred to wait for the Preliminary Site Plan Application was filed.

Mr. Simmons volunteered as Case Manager for this Application.

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

Submitted by: Patricia Saunders, Planning Board Recording Secretary