

**Kennebunkport Planning Board
September 20th, 2017 ~ 7:00 PM
Kennebunkport Village Fire Station, 6 Elm Street**

A regular meeting of the Planning Board was held on Wednesday, September 20th, 2017. The meeting convened at 7:00 p.m. in the Kennebunkport Village Fire Station.

Members Present: Mr. Russ Grady (Chair), Tom Boak, Mark Messer, Nina Pearlmutter, Neil Higgins
Mr. Higgins will have voting privileges for this meeting.

Approval of Minutes: Mr. Boak made a motion to approve the minutes from the September 6th, 2017 Planning Board meeting. Ms. Messer seconded the motion and the vote was unanimous.

Items:

1. **170701 Edward Buttner/ Eco-Analysts, Inc., Authorized Agent–Site Plan Review – Findings of Fact** – for approval to construct a walkway, a 4' x 65' pier, a 3' x 20' seasonal ramp and a 4' x 16' float. [37LangsfordRoad, identified as Assessor's Tax Map 21, Block 011Lot 21 in the Cape Porpoise West, Shoreland and Resource Protection Zones.]

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

2. **170701 Town of Kennebunkport Recreation Department / Wright-Pierce, Authorized Agent–Site Plan Review – Public Hearing** – for approval to replace the current building on the adjacent property as well as a storage shed on this property with a new single-story structure [School Street, identified as Assessor's Tax Map 11, Block 005 Lot 02 in the Village Residential Zone.]

Mr. Grady introduced the Agenda item.

Ms. Carol Cook, Director of Kennebunkport Parks and Recreation Program addressed the Board stating the Application proposes to replace what is currently being used as a previous portable classroom on the school property with a 44'x66' structure to include office space, restrooms, kitchen facilities, and recreational space. The architecture of the new building will be similar to the newly remodeled Kennebunkport Consolidated School, Ms. Cook explained.

Mr. Grady asked if there were any changes since the last meeting. Ms. Cook replied there are no changes to the Application.

Mr. Grady asked the Applicant to discuss the deed restriction mentioned at the last meeting. Ms. Laurie Smith Town Manager addressed the Board explaining the town has applied to the court with an application signed by the local descendants of Henry Parsons and are currently awaiting the court's decision whether they can perform the notification process. After the public notice has been conducted the town will then go back to the court for final approval, Ms. Smith added.

Mr. Higgins asked how the Applicant decided on having 9 parking spaces. Mr. Travis Pryor addressed the Board and responded the ordinance requires 1 parking space per 600 sq. ft. so they are technically required to have 5 spaces for the size of the building. Mr. Pryor added many of their peak activities are outside of the school hours and on weekends so they will have access to the school parking lot as well.

Mr. Messer asked if there will be programming during the school day. Ms. Cook replied they have not decided what the activities will be but this will allow them to offer some additional programming during the school day.

Mr. Grady asked the Board members for a volunteer to be the Case Manager for this Application. Mr. Higgins was assigned as Case Manager.

Mr. Grady opened the Public Hearing.

Ms. Karen Bubar, Principal of Kennebunkport Consolidated School addressed the Board in strong support of the Application.

There were no further comments or questions from the public.

Mr. Grady closed the Public Hearing.

The Planning Board members had a brief discussion and agreed it was not necessary for their decision-making process to read aloud each item of Article 10.10 for this Application.

Mr. Messer suggested a note should be made in the Findings of Fact identifying what the activities would be in the new facility if they are different than what is already occurring. Ms. Pearlmutter commented it wouldn't be necessary to list the activities as they would all be public uses. The Board members agreed with Ms. Pearlmutter's assessment. Mr. Roy added that all of the activities conducted in the new facility would meet the Ordinance's definition of a public facility use.

Mr. Boak expressed concern that the Board members have not read the specific language change being proposed in the deed restriction. There was a brief discussion regarding the language change. Ms. Smith read the following statement to be added to the deed restriction: "No building or structure shall be erected or permitted thereon by the grantees and their successors, other than a building to house offices and functions of the Recreation Department of the Town of Kennebunkport and such other buildings or structure as to be strictly appropriate for..."

Mr. Higgins asked who is the personal representative of the estate. Ms. Smith responded it is Louise Spang.

Mr. Messer asked if the town has received any comments or letters from citizens regarding this Application. Ms. Smith replied they have gone through the budgetary process and found in general people are amazed how Ms. Cook has been working in the current structure for so long. Ms. Cook added she has heard nothing negative with regards to the project; adding it has been an amazing situation to feel like a priority and that she is very excited for the future.

Mr. Boak made a motion to re-open and continue the Public Hearing until the next meeting. Ms. Pearlmutter seconded the motion and the vote was unanimous

Other business:

Ms. Pearlmutter made the suggestion that when any new information, particularly a legal opinion, is received after the 10-day deadline, that the Planning Board delay any decisions on that new information until a subsequent meeting in order to allow ample time for each Board member as well as the public an opportunity to thoroughly review said new information. Each Planning Board member agreed with Ms. Pearlmutter's suggestion.

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

Submitted by: Patricia Saunders, Planning Board Recording Secretary