

**Kennebunkport Planning Board**  
**October 18, 2017 ~ 7:00 PM**  
**Kennebunkport Village Fire Station, 6 Elm Street**

A regular meeting of the Planning Board was held on Wednesday, October 18th, 2017. The meeting convened at 7:00 p.m. in the Kennebunkport Village Fire Station.

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

Approval of Minutes: Mr. Messer asked to have the 5th paragraph under Item #1 of the October 4<sup>th</sup>, 2017 meeting minutes changed as he does not believe it accurately reflects what was stated at the meeting. Mr. Boak suggested there was an error in the 6<sup>th</sup> paragraph that incorrectly stated "Mr. Boak agreed with Mr. Grady's statement..." and should read: "Mr. Boak agreed with Mr. Messer's statement..." The Board members agreed with Mr. Boak's correction. Mr. Messer also commented that in the future the minutes should be more consistent in stating how the Board members make motions and vote. Mr. Messer made a motion to accept the minutes as amended changing the name Mr. Grady to Mr. Messer as noted above. Mr. Mahoney seconded the motion and the vote was unanimous.

Mr. Boak announced the Board members need to approve the minutes from the Planning Board Workshop held on September 13<sup>th</sup>, 2017. Ms. Pearlmutter noted the minutes correctly reflect what was stated at the workshop but the information regarding voting members and quorums was inaccurate and in conflict with the Administrative Code. Mr. Gilliam responded that there is not necessarily a conflict between the Planning Board Rules & Regulations and the Administrative Code as the wording is vague and should perhaps be changed and stated more clearly.

Ms. Pearlmutter made a motion to approve the minutes of the September 13<sup>th</sup>, 2017 Planning Board Workshop. Mr. Mahoney seconded the motion and the motion passed. Mr. Higgins abstained from voting as he did not attend the Workshop.

Ms. Pearlmutter volunteered to draft an amendment to the Planning Board Rules and Regulations to be discussed at a future Planning Board meeting.

Items:

1. **170701 Town of Kennebunkport Recreation Department / Wright-Pierce, Authorized Agent–Site Plan Review – Findings of Fact**  
– 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.] *Neil Higgins, Case Manager*

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

2. **170901 John F. Rinaldi, Site Plan Review – Initial Review** – for approval to do a maintenance dredge to remove approximately 1,500 cubic yards of sediment to restore adequate access depths at the dock. 107 Ocean Avenue, identified as Assessor's Tax Map 08, Block 001, Lot 12 in the riverfront, Shoreland and Resource Protection Zones.

Mr. Boak introduced the Agenda item.

Mr. John Rinaldi addressed the Board stating he is asking for approval to perform a maintenance dredge at the site. Mr. Rinaldi stated he has received the Maine Department of Environmental Protection approval and has received a verbal approval from the Army Corps of Engineers and is awaiting receipt of their final permit. Mr. Rinaldi explained the Army Corps is awaiting confirmation of approval from the National Marine Fisheries before granting their permit. Mr. Rinaldi also stated he had forwarded to the Planning Board prior to this meeting an email from Jay Clement of the Army Corps of Engineers.

This maintenance dredging will be done in conjunction with 3 other property owners in the area, Mr. Rinaldi explained, and they are all using the same contractor, Prock Marine.

Mr. Mahoney asked if this was an ongoing situation. Mr. Rinaldi replied yes, it is, as there is a big sandbar that is close to his property that keeps building up to the point he is now down to one foot of water at low tide. All of the removed material will go to the Arundel dump site off shore, Mr. Rinaldi added.

Mr. Boak asked if the Army Corps of Engineers has approved the dump site. Mr. Rinaldi replied yes.

Ms. Pearlmutter asked why the material is dumped off shore instead of bringing it on land. Mr. Rinaldi responded that taking the material over land is a messy proposition so it is preferable to dump it off shore where they feel it doesn't harm the environment.

Mr. Messer made a motion the Application is complete pending receipt of the final approval from the Army Corps of Engineers that includes the approval from the National Marine Fisheries. Mr. Mahoney seconded the motion and the vote was unanimous.

Ms. Pearlmuter volunteered to be the Case Manager for this Application.

Mr. Boak announced he will not be able to attend either Planning Board meeting in November.

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

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