

Kennebunkport Planning Board
December 4, 2019 ~ 7:00 PM
Kennebunkport Village Fire Station, 32 North Street

A regular meeting of the Planning Board was held on Wednesday, December 4th, 2019. The meeting convened at 7:00 p.m. in the Kennebunkport Village Fire Station.

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

Approval of Minutes: Mr. Francis made a motion to approve the minutes from the November 20, 2019 Planning Board meeting. Mr. Simmons seconded the motion and the vote was unanimous.

Items:

1. **190903 Kennebunkport Conservation Trust** – Site Plan Review – **Findings of Fact** – for approval to create a parking area as an accessory structure to the preserved land it will allow access to and will be available for use by Edwin L. Smith Preserve. (Guinea Road, identified as Assessor's Tax Map 16, Block 2, Lot 1E in the Farm & Forest Zone.) *Ed Francis, Case Manager*

Mr. Francis read the Findings of Fact into the record and noted there was a duplicate item included in the section referring to Article 10.10.A.1. of the Kennebunkport Land Use Ordinance. Mr. Francis corrected the error, initialed the correction, and circulated both corrected copies of said Findings to the other Planning Board members for their signature.

2. **191101 5 Grier Road Trust / Walsh Engineering, Authorized Agent** Site Plan Review - **Initial Review** – for approval to expand a portion of the existing house within the existing structure footprint. (5 Grier Road, identified as Assessor's Tax Map 29, Block 1, Lot 17 in the Cape Porpoise West, Shoreland and Resource Protection Zones.)

Mr. Boak introduced the Agenda item.

Mr. Bill Walsh, representing Celeste Maher of 5 Grier Road Trust, addressed the Board stating this proposal is for a volume expansion as well as some changes to be made to the stairs at the entrance to the house. Using enlarged photographs of the property and site plans, Mr. Walsh explained the parcel is 0.2 acres with 8,800 square feet of the existing single family residence located in the A2 Flood Zone. Mr. Walsh added the house is served by public sewer and water with a lot coverage of 41.2%. Mr. Walsh also explained the proposal is to build up vertically on top of the existing storage space and add a dormer to the expansion. This would not increase the footprint of the building but would increase the volume by 4.3% which is well below the 30% allowed, Mr. Walsh stated.

As for the proposed changes to the entrance stairs, Mr. Walsh explained the stairs would be brought back to their original design that includes a landing and again does not increase the footprint of the building.

Mr. Walsh also noted they are required to file a Permit-By-Rule with the Maine Department of Environmental Protection for the ground disturbance in replacing the foundation piers underneath the section of the house for the proposed addition.

Referring to the Warranty Deed provided with the Application, Mr. Boak asked about an easement granting access for 2 parties to use a dock that is not shown on the drawings. Mr. Walsh replied Ms. Maher owns this home and her daughter owns the home on the adjacent lot where they have share a dock. Mr. Gilliam explained this situation is one of those instances where two lot owners used their combined water frontage in order to build a dock.

Mr. Walsh clarified there is a typographical error on the Application for the lot size as it is 0.2 acres not 0.1 acres.

Mr. Simmons asked when the stairs are reconstructed will that have an impact on the handrails or guardrails. Mr. Walsh replied they have been reconfigured so the landing will go into the deck space which was constructed when the house was first built. Mr. Gilliam added the porch where the stairs end will function as the landing.

Ms. Pearlmutter made a motion the Application is complete. Mr. Simmons seconded the motion and the vote was unanimous.

Mr. Boak announced a Public Hearing will be held at the next Planning Board meeting on Wednesday, December 18th, 2019.

Mr. Simmons was assigned as Case Manager for this Application.

Other Business

Due to the fact that there is only 1 scheduled Planning Board meeting for the month of January, Mr. Gilliam asked if the Board would allow an Applicant to be placed on the Agenda for the December 18th, 2019 meeting. The Board members agreed to allow that Applicant to be placed on the December 18th, 2019 Meeting Agenda.

Mr. Francis asked if the Board should begin discussions on possible updates to the Land Use Ordinance, specifically to the definition section and to at some point also update the Kennebunkport Subdivision Regulations.

Mr. Boak suggested a definition of a park should be added to Article 2 of the Land Use Ordinance. Mr. Gilliam instructed the Board they would need to submit language for any changes to the Town Offices by February in order for it to be placed on a June ballot for the voters.

The Board members had a brief discussion on specific language for defining what a park is. Mr. Simmons read the following definition: *“A park is an area of natural, semi-natural, or planted space for human recreation and enjoyment and/or for protection of wildlife or natural habitats. A park may have facilities for rest and recreation. A park often is owned, set apart, and/or managed by an individual, an organization, a trust, a city, a state, or a nation.”*

Mr. Francis made a motion to accept the definition as read by Mr. Simmons. Ms. Pearlmuter seconded the motion and the vote was unanimous.

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

Submitted by: Patricia Saunders, Planning Board Recording Secretary