

Kennebunkport Planning Board
December 18, 2019 ~ 7:00 PM
Kennebunkport Village Fire Station, 32 North Street

A regular meeting of the Planning Board was held on Wednesday, December 18th, 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

Mr. Boak announced the Planning Board members neglected to vote approval of one of the Findings of Fact read at the last meeting. Mr. Boak made a motion approve the Findings of Fact for Item #190903 Kennebunkport Conservation Trust. Mr. Simmons seconded the motion and the vote was unanimous.

Approval of Minutes: Mr. Simmons noted one correction to be made to Item #2 in the minutes from the December 4th, 2019 Planning Board meeting and made a motion to approve the amended minutes. Ms. Pearlmutter seconded the motion and the vote was unanimous.

Items:

1. **191101 5 Grier Road Trust / Walsh Engineering, Authorized Agent** Site Plan Review - **Public Hearing** – for approval to expand a portion of the existing house within the existing structure footprint and modify existing stairs. (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 of Walsh Engineering addressed the Board on behalf of the Applicant.

Mr. Simmons commented that the deed submitted with the Application shows Celeste Maher and Julia Maher as trustees and joint tenants of the property but the Application Letter of Authorization is signed by Ms. Celeste Maher only. Mr. Simmons questioned whether Ms. Julia Maher approves of all of the proposed changes included in this Application. Mr. Walsh replied that as far as he knows, Ms. Julia Maher agrees with the proposal, adding it is his practice to have only one member sign an authorization letter when submitting a Site Plan Application.

Mr. Gilliam added it has been a typical practice to have only one signature on the authorization letter provided that person has shown sufficient right, title, and interest in the property.

Mr. Simmons also asked for clarification on the correct mailing address for the Applicant. Mr. Walsh confirmed the address provided in the Application of 2444 Broadway, San Francisco, CA 94115 was the correct address to be used in the Findings of Fact.

Mr. Simmons also questioned the calculations provided in the Application with regards to the existing impervious surface coverage. Mr. Walsh apologized for the confusion and provided each Board member with a copy of any updated survey adding the updated impervious surface area is 3,975 ft² or 44.7% of lot area.

Mr. Simmons also questioned about information submitted regarding a shared dock and 2 proposed parking areas. Mr. Walsh explained that information was submitted with an older working survey and is not part of this Site Plan Review Application.

Referring to the erosion and sedimentation control plan, Mr. Simmons asked if there were any drawings to be included in Exhibit L of the Application. Mr. Walsh responded it is a fairly benign excavation and so he felt a general description would be sufficient and proposed the use of either an erosion control mix or a prefabricated silt fence as needed.

Since this Application is proposing to extend the single-story house into an area currently occupied by attached, externally accessed storage rooms, Mr. Simmons questioned whether that will affect the foundation. Mr. Walsh replied it will affect it slightly which is why the foundation underneath will be supported with new posts.

Ms. Pearlmutter commented it is procedure to receive any new documents 2 weeks prior to a meeting in order for the Board members and the public to review that information. Because of the late receipt of the updated survey, Ms. Pearlmutter suggested the Board should continue the Public Hearing until the next Planning Board meeting. Mr. Boak agreed with Ms. Pearlmutter's suggestion and asked Mr. Gilliam if he approves. Mr. Gilliam replied the Planning Board has the authority to do so.

Ms. Pearlmutter noted the Site Plans include a proposed dormer on the structure and asked if there would be any windows in the dormer. Mr. Walsh replied yes, there will be windows. Ms. Pearlmutter cautioned about bird strikes and asked what measures would be taken in the design to discourage birds from flying into the windows. Mr. Walsh added there would be screens on the outside of the windows and will provide the Board members with more details before the next meeting.

Ms. Pearlmutter made a motion to continue the Public Hearing at the next Planning Board meeting on January 15th, 2019. Mr. Simmons seconded the motion and the vote was unanimous.

2. **191201 Lord & Harrington, LLC / Sebago Technics, Authorized Agent - Site Plan Review - Initial Review** – for approval to add a new 6 foot wide porch along the south side of the main structure to replace two small porches at existing doorways. (15 Langsford Road, identified as Assessor's Tax Map 22, Block 6, Lot 14 in the Cape Porpoise South Zone.)

Mr. Boak introduced the Agenda item.

Mr. Steve Doe of Sebago Technics, along with Kevin Lord and Attorney Ralph Austin addressed the Board stating Lord & Harrington, LLC purchased the property in 2018 and have been working with the Code Enforcement Office on updating the buildings. Using the enlarged Site Plan of the property, Mr. Doe explained on the side of the building there are 2 stairs that lead to a small platform that they would like to remove and build a deck along the entire side of the building to add more space for the tenants.

Mr. Gilliam explained this particular structure is a multiplex which is listed as a conditional use according to the Land Use Ordinance and as such is subject to Planning Board approval for any modifications to the multiplex building. Mr. Gilliam added that interior renovations fall under the purview of the Code Enforcement Office but because the proposed deck exceeds 100 square feet it is required to obtain Planning Board approval.

Ms. Pearlmuter commented in her research she was unable to determine when the additional residences on the property were constructed. Mr. Austin agreed he also did extensive research in the town records and because there is little historical information, the Code Enforcement Office has made the determination that what currently exists on the parcel pre-dates the current zoning requirements.

Mr. Francis made a motion the Application is complete. Ms. Pearlmuter seconded the motion and the vote was unanimous. Mr. Francis 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