

**Kennebunkport Zoning Board of Appeals  
32 North Street, Village Fire Station  
May 18, 2015 @ 7:00 P.M.**

A meeting of the Kennebunkport Zoning Board of Appeals was held on Monday, May 18, 2015. The meeting convened at 7:00 p.m. in the North Street Fire Station.

Members Present: Mr. Paul Cadigan (Vice Chair), James Fitzgerald, Wayne Fessenden, Karen Schlegel, Gordon Ayer

Others Present: Sheila Matthews-Bull, Werner Gilliam

**6:00 p.m.**

**1. Attendance**

**2. Elect officers**

Mr. Ayer nominated Mr. Cadigan as Chairman of the Zoning Board of Appeals. Ms. Schlegel seconded the nomination. The Board voted unanimously in favor of the nomination. Mr. Cadigan abstained from voting.

Mr. Ayer nominated Mr. Fessenden as Vice Chairman. Ms. Schlegel seconded the nomination and the vote was unanimous. Mr. Fessenden abstained from voting.

**3. Approval of minutes from the October 27, 2014 meeting, as well as any minutes not previously approved.**

There were no minutes available to approve at this time.

**4. Michael McNerney** – The Applicant is seeking approval for two Roomers in his single family home. The conditional Use Application is available for review in the Code Enforcement Office at the Kennebunkport Town Hall. The property location is 108 Guinea Road, Tax Map 27, Block 002, Lot 22A in the Farm & Forest Zone.

Mr. McNerney addressed the Board stating he is asking for approval to have 2 roomers in his home. Mr. McNerney explained he has met with Mr. Gilliam and feels he has fulfilled all of the requirements to grant this request.

Mr. Ayer commented that this Application is very thorough and addresses all of the points the Board needs to consider.

Mr. Ayer stated the ordinance requires the structure must be in existence prior to March 16, 1972 and asked Mr. Gilliam to verify that. Referring to the property tax card, Mr. Gilliam replied the structure was built in 1780 and no substantial construction has been done to the property since 1972.

Mr. Fessenden asked if the signage issue is a problem for the applicant. Mr. McNerney responded it is not as he is listed on the B&B Registry.

Mr. Cadigan asked the Applicant to explain the parking situation. Mr. McNerney replied there is a lengthy gravel driveway with a large lawn area that could be driven on if there is a need to shuffle a few cars around.

Mr. Cadigan asked Mr. Gilliam if the Town had any concerns with this Application. Mr. Gilliam responded he has no objections to the Application adding this request is allowable according to the Land Use Ordinance.

Mr. Fessenden asked if there was a reason signs are not allowed and if that would make it difficult for someone to find the property. Mr. Gilliam replied the property address is clearly marked and does not think there will be an issue.

Mr. Cadigan asked Mr. Gilliam to explain how this Application conforms to the parking requirements of Articles 6.10 and 7.13 of the Land Use Ordinance. Mr. Gilliam responded he does not believe parking will be an issue as the property is very open with little vegetation allowing room to freely move vehicles around.

There were no further questions from the Board.

Mr. Cadigan opened the Public Hearing.

Ms. Ann Sanders, abutter to the Applicant and asked if the roomers were short-term or long-term. Mr. McNerney replied it would be short-term renters; a day or a week but not likely any longer than a week. Ms. Sanders explained she has no issues with the Application.

There were no further questions or comments from the audience.

Mr. Cadigan closed the Public Hearing and opened the matter for discussion from the Board.

Mr. Fitzgerald suggested the Applicant install carbon monoxide detectors on every floor if he does not already have them.

Mr. Ayer made a motion to approve the Application as presented subject to continued adherence of the provisions of the Ordinance as set forth. Ms. Schlegel seconded the motion and the vote was unanimous.

Mr. Cadigan informed the Applicant his Application has been granted.

Mr. Gilliam explained to the Board that past practice has been that the chair develops a set of Findings to be incorporated as part of the Applicant's file and the Board authorizes the Chair to sign those Findings on their behalf. Mr. Cadigan asked for Mr. Gilliam's help in creating set format for such Findings for the Zoning Board of Appeals.

#### **4. Adjournment**

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

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