

Kennebunkport Planning Board
March 7, 2012 ~ 7:00 PM
Village Fire Station, 32 North Street

A regular meeting of the Planning Board was held on Wednesday, March 7th, 2011. The meeting convened at 7:00 p.m. in the North Street Fire Station.

Members Present: Mr. Greg Reid (Acting Chair), Kendall Burford, Gordon Ayer, Leo Famolare, John Hathaway, Peter Fellenz

Approval of Minutes: Mr. Famolare made a motion to approve the minutes from the February 15th, 2011 Planning Board meeting. Mr. Burford seconded the motion and the vote was unanimous.

Items:

1) 120101 The Boughton Hotel Corp d/b/a The Colony Hotel – Site Plan Review – Findings of Fact – for approval to convert a seasonal pool enclosure into a more permanent structure with the same use intended. [140 Ocean Avenue, identified as Assessor's Tax Map 08, Block 006, Lot 04 in the Riverfront Zone.] *Gordon Ayer, Case Manager*

Mr. Ayer read the Findings of Fact into the record. Mr. Burford made a motion to approve said Findings. Mr. Famolare seconded the motion and the vote was unanimous.

2) 120102 Louise D. Spang / Timothy Spang, Authorized Agent – Site Plan Review – Findings of Fact – for re-approval to build a 50' x 100' warehouse with a 20' x 20' connector and 4,000 square feet of soil material storage. Original approval was dated February 20, 2008, however storage buildings were not built under that approval. [10 Granite Heights Road, identified as Assessor's Tax Map 14, Block 002, Lot 39A in the Farm and Forest Zone.] *John Hathaway, Case Manager*

Mr. Hathaway read the Findings of Fact into the record. Mr. Famolare made a motion to approve said Findings. Mr. Burford seconded the motion and the vote was unanimous.

3) Ivy Three Subdivision / Sebago Technics, Authorized Agent – Public Hearing - for initial approval of a three (3) lot division on acreage located on Endcliffe Road/Dover Lane. Identified as Assessor's Tax Map 07, Block 013, Lot 01B in the Cape Arundel Zone.

Mr. Reid introduced the Agenda item.

Mr. Steve Doe addressed the Board commenting on the following items submitted prior to this meeting:

- Plan showing all large shade trees, identifying those located in the Lot 1 area. Mr. Doe commented there are some large trees that need to be taken out in the turnaround area.
- Narrative on the transfer of the land.
- Note #23 added to the Plan providing an explanation to address a concern the proposed lot would be non-conforming due to the addition of pavement on the Old Fort Inn property. Mr. Doe explained they have added a 50 foot strip of land to the back side of the lot to bring it into compliance.
- Letter from the Kennebunk Kennebunkport Wells Water District.

Mr. Reid also acknowledged receipt of a narrative from Attorney Ralph Austin requested by Mr. Fellenz.

Mr. Ayer asked the Applicant if they would oppose a condition placed on the Application that limits the Aldridge's residence to a single family residence. Mr. Austin responded he would have an objection to such a condition if it also limited the private owner to lease the residence on their own and not as part of the Old Fort Inns business. Mr. Austin offered to meet with the Code Enforcement Office to work out an acceptable arrangement. Mr. Ayer recommended the board accept the Applicant's offer to reach an agreement on the matter with the Town Officers. The Board agreed with Mr. Ayer's recommendation.

Mr. Ayer questioned the adequacy of the proposed road width. Mr. Doe responded the existing road is 11 feet wide and they are proposing to widen it to 14 feet. Mr. Doe reminded the Board that the Fire Chief has given his approval for the proposed improvements.

Mr. Famolare asked the Applicant if they have read Mr. Gilliam's memo of March 2nd, 2012. Mr. Doe explained that is why they have added the 50 foot strip of land to the lot. Mr. Gilliam addressed the Board stating he and the Applicant have had some discussion prior to this meeting and is satisfied with the additional land being added to make sure the lot remains in conformance as much as possible.

Mr. Reid opened the Public Hearing.

Mr. Steve Esilonis addressed the Board on behalf of his wife, Walter Hannon, the Hannon Trust and other neighbors. Mr. Esilonis stated they are generally in support of the project but have concerns about the increase in traffic on the road and asked for a more permanent structure be placed as a barrier to discourage the Inn's guests from existing on their road. Mr. Doe explained only service trucks would be using the road; all guests employees, cleaning staff are required to use the main entrance to the Inn. Mr. Austin stated they would try the sawhorse barrier for a year and if that is not sufficient then something else will be done.

Mr. Susan Hannon Esielonis addressed the Board stating their biggest concern is a white van carrying some of the Inn's staff has been using their road as an entrance and have been traveling at an extremely fast speed. Mr. Austin responded they would certainly limit Dover Lane so there will be no staff or guests using that as an entrance or exist to the Inn.

There were no further comments from abutters or the general public. Mr. Reid closed the Public Hearing.

Mr. Ayer made a motion to approve the Application of Ivy Three for the single family lot as depicted on the plan with the condition that it is a single family only and the transfer of properties as depicted on the plan subject to the resident on the new lot would be a single family residence and the former Aldridge single family residence is not to be included as a part of the business operations of the Old Fort Inn and that the Old Fort Inn business enterprise be responsible for insuring traffic is directed over its internal driveways except for vehicles that are unable to access the structures to the northeast (Dover Lane). Mr. Famolare seconded the motion and the vote was unanimous.

Mr. Austin stated he would provide the Board with a draft of the Findings of Fact. Mr. Hathaway was assigned as Case Manager to present the Findings of Fact at the next Planning Board meeting on March 21, 2012

4) CDMK, LLC Properties/ Mitchell & Associates, Authorized Agent - for re-approval of an original approval of Subdivision and Multiplex consisting of 2 multi family-unit lots totaling 12 dwelling units and 34 duplex lots for a total of 80 dwelling units, located between North Street and School Street. There will be no changes to the original approval and the Applicant is only looking for an extension of the original approvals. [49 & 51 North Street, Tax Assessor's Map 12, Block 005, Lots 21, 21A & 22 in the Village Residential & Free Enterprise Zones]

Mr. Bob Metcalf, along with Tom Macone, addressed the Board stating they are asking for a re-approval of their original Subdivision and Multiplex Application. Mr. Metcalf explained there are no changes to the Application from its original approval. Mr. Metcalf also stated all of their original agency approvals remain in effect.

Mr. Reid stated the Board has received a letter from the town stating there is no issue with this Application.

Mr. Ayer made a motion to find the Application complete. Mr. Famolare seconded the motion and the vote was unanimous. A Public Hearing will be held at the next meeting on March 21, 2012.

5) 010202 Lauren Guptill, Rococo Ice Cream – Site Plan Review – Initial Review – for approval to open an ice cream shop in a retail space that most recently housed a barber shop. [6 Spring Street, Unit 3, Tax Map 11, Block 002, Lot 06A.]

Ms. Lauren Guptill addressed the Board stating she is applying to open an ice cream shop in the former barber shop location to sell homemade, small batch ice cream which will be made on the premises.

Mr. Reid asked if there would be any changes to the building. Ms. Guptill replied there would be no changes to the building and she would have a maximum of 2 employees.

Mr. Ayer made motion to find the Application complete. Mr. Famolare seconded the motion and the vote was unanimous. A Public Hearing will be held on March 21, 2012.

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

Submitted by: Patricia Saunders, Planning Board Recording Secretary