

**Kennebunkport Planning Board  
February 1, 2011 ~ 7:00 PM  
Village Fire Station, 32 North Street**

A regular meeting of the Planning Board was held on Wednesday, February 1st, 2011. The meeting convened at 7:00 p.m. in the North Street Fire Station.

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

Approval of Minutes: Mr. Reid made a motion to approve the minutes from the January 18th, 2011 Planning Board meeting. Mr. Burford seconded the motion and the vote was unanimous.

Items:

**1) 111202 Marydilys Anderson & James Nelson / LeBlanc Associates, Authorized Agent** – Site Plan Review – **Public Hearing** – for approval to construct a pier, ramp & floating dock. [10 Church Street, identified as Assessor's Tax Map 11, Block 002, Lot 14 in the Village Residential Zone.]

Mr. Kling introduced the Agenda item noting the Board voted this Application complete at the last meeting. Mr. Kling also noted the Board has received an email from Mr. LeBlanc indicating the materials to be used to construct the pier, ramp and dock.

Mr. LeBlanc addressed the Board stating the Applicants are proposing to construct a dock consisting of a 4'x6' access ramp, a 4'x26' pier, a 3'x34' ramp and a 10'x20' float in the Kennebunk River; noting the access ramp and pier will have thru-flow decking.

Mr. Kling stated this proposal has also received approvals from the Board of Selectmen, the Harbormaster, the Maine DEP, the Army Corps of Engineers and Maine Dept. of Inland Fisheries & Wildlife.

Mr. Kling opened the Public Hearing. There were no comments from the public. Mr. Kling closed the Public Hearing.

Mr. Hathaway made a motion to approve the Application. Mr. Ayer amended the motion stating approval is subject to conditions and limitations as set forth on all other approvals. Mr. Ayer seconded the amended motion. The motion passed by a 3-0 vote. Mr. Burford and Mr. Famolare abstained from voting. Mr. Kling was assigned as the Case Manager to prepare the Findings of Fact to be read at the next Planning Board meeting.

**2) 120101 The Boughton Hotel Corp d/b/a The Colony Hotel** – Site Plan Review – **Initial Review** – 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.]

Mr. Ron Otte, Maintenance Manager of the Colony Hotel addressed the Board and introduced Ms. Justina Boughton, owner and John Martin. Mr. Otte gave a brief history of The Colony Hotel stating the hotel was first built in 1872 and the Boughton family has owned and operated the hotel since 1948. Mr. Otte explained as the building is almost 100 years old it is an endless effort to keep this historic property well maintained. The area to be renovated is roughly 9% of the patio deck which has been an enclosed structure and used by the hotel's guests since 1957, Mr. Otte explained. Mr. Otte also stated that due to exposure to weather and the waterfront, the structure has started to deteriorate, especially the floor. In addition, the roof has had leaks and there is poor lighting in that area which poses a safety concern for their guests. Mr. Otte concluded by stating they would like to bring the area up to the current fire and safety standards yet still preserve the property's historic nature.

Mr. Kling asked if the new proposed structure is going to be the same as it is now. Mr. Otte responded they need to replace some glass sliders on one side and will need to go 2 feet beyond the current structure in order to match the slope of the roof with the new platform. Mr. Kling stated the proposed structure looks identical in function and form to what is there currently. Mr. Otte added the stone they are proposing to use is identical to the front porch of the main entrance and on the backside of the hotel.

Mr. Ayer made a motion to find the Application complete. Mr. Famolare seconded the motion and the vote was unanimous. Due to a time constraint, Mr. Shaw asked the Board for permission to grant the Applicant a demolition permit to remove the concrete floor with the Applicant's understanding that there is a risk the Board may not approve the final Application. The Board granted Mr. Shaw's request by a unanimous consensus.

Mr. Kling stated the Public Hearing would be held at the next Planning Board meeting on February 15<sup>th</sup>, 2012.

**3) 120102 Louise D. Spang / Timothy Spang, Authorized Agent** – Site Plan Review – **Initial Review** – 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.]

Mr. Tim Spang of Spang Builders and Hazelwood Handyman Services addressed the Board explaining they have previously received approval to build a 50'x100' warehouse on the property. Mr. Spang stated they cleared the land and put in a foundation but never built the structure and have been using metal storage containers instead. Mr. Spang also stated he has had the DEP on site and was instructed to keep the loam on the site to less than 1 acre.

Mr. Kling asked Mr. Spang if he has changed some of the security lights. Mr. Spang responded that any lighting will be conforming to the lighting ordinance. Mr. Kling also asked if there are any issues with runoff from the loam piles. Mr. Spang replied there is a berm to collect any runoff, adding that 75% of the pile is vegetation.

Mr. Famolare made a motion to find the Application complete. Mr. Burford seconded the motion and the vote was unanimous. A Public Hearing will be held at the next Planning Board meeting on February 15<sup>th</sup>, 2012.

**Other Business:**

Mr. Kling gave each Board member copies of possible changes to the Land Use Ordinance for the next town ballot. Mr. Kling asked each member to review the changes by the next meeting.

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

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