

**Kennebunkport Planning Board**  
**February 18th, 2015 ~ 7:00 PM**  
**Kennebunkport Village Fire Station, 6 Elm Street**

A regular meeting of the Planning Board was held on Wednesday, February 18th, 2015. The meeting convened at 7:00 p.m. in the Kennebunkport Village Fire Station.

Members Present: Mr. David Kling (Chair), John Hathaway, Helen Conaty, Peter Fellenz, Thomas Boak  
Mr. Boak will have voting privileges for this meeting.

Approval of Minutes: Mr. Fellenz made a motion to approve the minutes from the February 3rd, 2015 Planning Board meeting. Ms. Conaty seconded the motion and the vote was unanimous.

Items:

**Wallace Woods** – Initial Review for approval of a proposed nine lot cluster style residential subdivision. [North Street, identified as Assessor's Tax Map 9, Block 3, Lot 1B.]

Mr. Kling introduced the Agenda item noting the Board had reviewed the Sketch Plan of this Application previously.

Mr. Steve Doe of Sebago Technics addressed the Board stating the plan presented today has not changed considerably from the Sketch Plan previously presented with the exception of some minor lot line changes. Mr. Doe added there will be two detention and treatment areas for stormwater and the lots will be served by public water and sewer with private sewer lines each with ejector systems. Mr. Doe concluded his presentation by stating structurally the road has a good base and is very solid and asked for waivers on the alignment conditions as required by the Land Use Ordinance.

Mr. Kling asked Mr. Gilliam that the Board has received a letter from the Town's Highway Superintendent but has not seen the results of a peer review as yet. Mr. Gilliam responded he has provided copies of the analysis of the road done by S.W. Cole along with a number of Mike Claus's recommendations which were incorporated into the plan submitted. Mr. Gilliam added he also provided the Board with the specific lot calculations as reviewed by himself and Mr. Doe.

With the Board members in agreement, Mr. Kling stated the stormwater calculations were complicated enough to warrant a peer review.

Mr. Gilliam added there was a review of the road by the Fire Chief who requested the hydrant be relocated to a spot that is more at grade level. Mr. Doe indicated on the site plan where the new hydrant would be located.

Mr. Kling confirmed with Mr. Gilliam that the 20% lot coverage rule applies to each individual lot. Mr. Gilliam replied the 20% rule does apply.

Mr. Kling questioned if there was going to be a DEP review for the vernal pool buffers on the property. Mr. Doe responded he didn't think there needed to be a DEP application but would check on that by the next meeting.

Mr. Doe also pointed out the sight distances from the road were measured and noted on the Subdivision Plan. Mr. Gilliam confirmed those sight distances meet the town's standards.

Ms. Conaty asked if there would be street lights. Mr. Doe replied they are not proposing street lights and it is not required by the town.

Mr. Kling asked the Applicant to confirm they would adhere to the best practices policy concerning the use of pesticides and insecticides according to the Conservation Commission. Mr. Doe agreed to review that policy and make a notation in the Application.

The Planning Board and the Applicant agreed to wait to hold a Public Hearing until the findings of the Peer Review were received.

**150102 The Town of Kennebunkport / Government Wharf** – Site Plan Review – **Initial Review** for approval to construct a retaining wall to minimize future shoaling of the dredged area. Additionally, dredging is requested at the Applicant's property, as well as in front of Arundel Yacht Club, The Yachtsman, and Kennebunkport Marina, as Co-Applicants to this Application. (7 Josiah Curtis Lane, identified as Assessor's Tax Map 08, Block 001, Lot 08 in the Riverfront, Shoreland and Resource Protection Zones.)

Mr. Kling introduced the Agenda item.

Mr. Bud Brown of Eco Analysts addressed the Board to provide a summary of the Application. Mr. Brown stated the three marinas require a Permit By Rule from the DEP because they are staying within the same footprint and were permitted previously within the past 10 years. There will be a total of 12,000 cubic yards of material removed from the four different sites with all of it being brought to the Cape Arundel dump site.

Mr. Brown explained the other part of this Application is the construction of a retaining wall or bulkhead which will be level with the existing grade.

The time frame on this construction, Mr. Brown explained, is the retaining wall can be built in the summer months but the dredging will need to be done from November to April after the wall is in place.

Mr. Kling questioned the timing of the Board's approval if it risked expiring before the work was completed. Mr. Gilliam stated if the approval is granted, the applicant has 180 days to obtain their permits. The permits granted by the Code Enforcement Office are good for 2 years which should be sufficient time to complete the work, Mr. Gilliam added and Mr. Brown agreed.

Mr. Brown also clarified for the Board that there are two parts of the approval for the dredging: the DEP grants approval for the dredging activity and the disposal of the material is granted by the Army Corps of Engineers. Mr. Brown added that once they have the approval for the disposal from the Army Corps of Engineers then they will apply for the Permit By Rule for the dredging from the Maine DEP which is only a 2 week process.

Mr. Fellenz made a motion to find the Application complete. Ms. Conaty seconded the motion and the vote was unanimous. A Public Hearing will be held at the next Planning Board meeting.

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

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