

**Kennebunkport Planning Board**  
**June 6th, 2012 ~ 7:00 PM**  
**Village Fire Station, 32 North Street**

A regular meeting of the Planning Board was held on Wednesday, June 6th, 2012. The meeting convened at 7:00 p.m. in the North Street Fire Station.

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

Approval of Minutes: Mr. Famolare made a motion to approve the minutes from the May 16th, 2012 Planning Board meeting. Mr. Hathaway seconded the motion and the vote was unanimous.

Items:

**1) 100401 Town of Kennebunkport / Government Wharf – Site Plan Review – Findings of Fact -** for approval to replace the existing bait house (1,136 square feet) and wharf (36'x36') with a new bait house (1,440 square feet) and new wharf (36'x40') [7 Josiah Curtis Lane, identified as Assessor's Tax Map 08, Block 001, Lot 08 in the Riverfront, Shoreland and Resource Protection Zones.]

Mr. Famolare read the Findings of Fact into the record. Mr. Famolare made a motion to approve said Findings. Mr. Ayer noted the Map, Block and Lot were cited incorrectly on the Findings of Fact. Mr. Famolare corrected both copies of the Findings. Mr. Hathaway seconded the motion and the vote was unanimous.

~~2) CDMK, LLC Properties/ Mitchell & Associates, Authorized Agent – Continued Public Hearing – 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]~~

**Moved to next agenda at the request of the Applicant.**

The Board made a request to eliminate this item from future agendas until the Applicant is ready to proceed.

**3) 120401 Frank & Mary Strohm / Hazelwood Handyman, Authorized Agent – Site Plan Review – Public Hearing–** for approval to remove 2,174 square feet of pavement and replace with 608 square feet of new stepping stones and 449.9 square feet of permeable pavers; replace an existing patio with a new one and remove 58 yards of existing fill and install 57 yards of crushed stone. [86 Ocean Avenue, identified as Assessor's Tax Map 08, Block 002, Lot 03 in the Village Residential Zone.]

Mr. Kling introduced the Agenda item. Mr. Gregg Phipps, representing Frank & Mary Strohm addressed the Board stating he has made the requested changes to the Site Plan and has received a Permit-By-Rule approval from Chris Copey of the Maine DEP. Mr. Phipps noted he has indicated on the Site Plan the 75 foot setback and removed the 2 walkways on the side of the garage as suggested by the Planning Board at the last meeting.

Mr. Kling acknowledged receipt of the DEP's approval and asked the Board members if there were any questions for the Applicant.

Mr. Ayer asked what the square footage is of permeable pavers. Mr. Phipps replied there are 449 sq. ft. of pavers.

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

Mr. Famolare made a motion to approve the Application. Mr. Reid seconded the motion and the vote was unanimous. Mr. Reid was assigned as Case Manager to prepare the Findings of Fact to be read at the next Planning Board meeting.

**4) Douglas & Jeanne Butler / Lynnfield Woods Subdivision – Initial Review -** for approval to amend a previously approved subdivision known as Lynnfield Woods, with a request for relocation of the septic and building envelope for Lot #3. [Bailey Court, Tax Assessor's Map 21, Block 004, Lot 23D in the Village Residential Zone.]

Mr. Kling introduced the Agenda item noting since there is not a new lot being created, this Application is treated as a Final Review and does not need to complete the process of a Preliminary Site Plan Review.

Mr. Douglas Butler addressed the Board stating they acquired the lot on Bailey Court a couple of years ago and are anxious to begin building having recently sold their current home. Mr. Butler explained the lot has a narrow and small building envelope in the back of the lot and want to maximize the sun exposure. In talking with Sebago Technics, Mr. Butler noted they have redesigned the new septic system which would allow them to expand to the north and are asking to move the septic field in order to accommodate this expansion.

Mr. Kling asked Mr. Shaw for his opinion on this Application. Mr. Shaw explained that the only difference between this Application and the Application from 2008 is this is increasing the building envelope by the size of the septic leach fields. Mr. Shaw stated he has reviewed the septic systems designs and compared the limiting factor to the original plan and found it satisfactory. Mr. Reid asked if there was a backup site for the septic system. Mr. Shaw responded there is a backup site indicated on the Site Plan.

Mr. Ayer asked if the Planning Board had received a copy of the HHE. Mr. Reid replied the Board had not received one yet. Mr. Reid asked if there was any problem of leaching into adjacent wells of the neighbors. Mr. Butler responded they were on public water and the closest well was on School Street.

Mr. Ayer asked if the other owners in the Subdivision were aware of the change being proposed and if the Planning Board had received their signatures in approval. Mr. Butler responded they had a neighborhood association meeting where all of the neighbors present expressed their approval. Mr. Kling asked if there are minutes taken at the neighborhood association meetings. Mr. Butler replied there are and he would ask for a copy of them or a signed letter from the president of the association and submit it to the Board. Mr. Shaw suggested having the president of the association sign off on the site plan so the Code Enforcement Office has a written acknowledgement as part of the Application.

Mr. Kling made motion to find the Application complete subject to the provision that there is a written acknowledgement from the homeowner's association and subject to receipt of the HHE. Mr. Reid 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

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