

**Kennebunkport Planning Board**  
**April 7th, 2021 ~ 6:00 PM**  
**Virtual Meeting (Via Zoom)**

A meeting of the Planning Board was held on Wednesday, April 7th, 2021. The virtual meeting convened at 6:00 p.m. via Zoom.

Members Present: Mr. Tom Boak (Chair), Nina Pearlmutter, D. Scott Mahoney, Ed Francis, Larry Simmons

Approval of Minutes: Ms. Pearlmutter made a motion to approve the minutes from the March 17th, 2021 Planning Board meeting. Mr. Simmons seconded the motion, and the vote was unanimous.

Items:

1. **210201 Kennebunkport Captains Collection, LLC (d/b/a Maine Stay Inn & Cottages) / Sebago Technics, Authorize Agent -- Site Plan Review -- Continued Public Hearing --** for approval to modify the existing site and parking, to include new site landscaping. (34 Maine Street, Assessor's Tax Map 10, Block 6, Lot 1 in the Village Residential Zone.)

Mr. Boak introduced the Agenda item and asked Mr. Steve Doe and Mr. Rob Blood be promoted to panelist.

Mr. Steve Doe of Sebago Technics addressed the Board and shared the revised site plans on the screen for the viewing public.

Mr. Doe provided an update since the last meeting on the revisions to the site plans in response to concerns voiced about the placement of the parking lot and potential damage to the tree root system on the property. Mr. Doe commented Mr. Blood took the Board members' and neighbors' concerns very seriously and made some significant changes which are highlighted below:

- Proposed parking lot has been moved to the back of the Inn building
- Driveway will remain in its current position to the left of the Inn building and curve inward to the new parking area
- Parking lot count will remain the same as it is today at 18 spaces
- Two patios behind the cabin units have been moved to in front of the cabins
- Added evergreen screening around the parking lot
- Increased the buffer planting along the side of property to include rhododendrons and arborvitae
- Arborvitae hedge will be continued across the front of the property
- Eliminated 3 firepits in the center of the property
- Added 1 gas fireplace in the lawn area which will be shut off by 9:00pm.

Mr. Doe also added they have provided a light fixture cut sheet for the lights around the parking lot which will be on a small 8-foot pole to provide safety and ambiance.

Mr. Mahoney asked how many 8-foot poles with lights will there be on the property. Mr. Doe replied all the light poles are shown on the plans; there are 5 around the parking lot with a couple more along the driveway coming into the property and along the walkway.

Ms. Pearlmutter commented it is important that all the fire pits are turned off at 9:00p.m. for the residents' concerns as it would stop a lot of the outside conversation and outside noise. Ms. Pearlmutter also expressed her approval of the revised plan and asked if the light poles could be lower and if they would be on all night. Mr. Blood replied the lights will be on all night for safety reasons. Mr. Doe added the lights around the property walkways could be low voltage lighting but not around the parking lot as it would not be enough light.

Mr. Blood added there is a row of arborvitae around the parking lot that will be approximately 6-8-feet tall so there would not be much light bleed to surrounding properties from those. Ms. Pearlmutter corrected Mr. Blood in that she was not concerned about light filtering to other properties but more concerned about the affect on nighttime insects. Mr. Doe offered to change the height of the light fixtures to 6-foot poles.

Ms. Pearlmutter asked if all the large trees on the property will remain. Mr. Doe responded all the largest ones including the elm and Norway spruce trees will be kept but they will need to take down a few non-specimen trees. Mr. Blood also stated they will be adding an elm tree to the property along with 2 more large shade trees around the Captain Lord Mansion property.

Mr. Francis asked the Applicant what the recommendations were after consulting with an arborist. Since they made the decision to move the parking lot, Mr. Doe stated, they felt they did not need to consult the arborist since they were not going to touch any of significant trees.

Referring to the proposed lighting, Mr. Francis asked if the fixtures will be shielded so the light is directed downward. Mr. Doe explained there will be an opaque shade around the lightbulb that is facing downward.

After a brief discussion, Mr. Blood asked the Board members if they would agree to having the communal fire pit shut-off time to be 9:00p.m. and the individual fire pits shut-off time extended to 10:00p.m.

Mr. Simmons asked the Applicant if they will need to add any drainage to the proposed parking lot. Mr. Doe explained they are adding a new drainage structure as well as replacing the old one that is there now and indicated on the site plans the direction of the water drainage system. Mr. Simmons then asked if there was any concern about the adequacy of the sizing of the drainage system. Mr. Doe replied No, this will be an improvement over the previous system.

Regarding the propane fire pits, Mr. Simmons questioned if an energetic vacationer could possibly build a wood fire on top of the gas fire pits. Mr. Blood responded he has never had anything like that happen at any of their properties, but he will take that into consideration.

Due to the number of fire pits proposed on the property, Mr. Simmons also asked if the Applicant had discussed this layout with his insurance underwriters because of the amount of flame points. Mr. Blood replied he has discussed it with his insurance agents and with the Fire Chief and each cabin will have its own propane tank and their own shut-off so there will only be a few feet of gas line for each fire pit. Mr. Simmons then questioned if there could be some sort of timer that would automatically shut off the fire pits or will the motel staff need to go around the property and turn things off. Mr. Blood explained the communal fire pit will be shut off by the staff and the private fire pits will be the responsibility of their guests. Mr. Blood also added he is not aware of any timing mechanism available for automatically shutting off the fire pits but it will be made clear to their guests of their responsibility in using the fire pits upon registration.

Mr. Boak opened the Public Hearing.

Ms. Katy Presley, an abutter addressed the Board to compliment the planning of the relocation of the parking lot and asked if the Applicant would consider using 6-foot poles instead of 8-foot poles for the light fixtures in the parking lot and if it was necessary for the lights to be on 24 hours. Mr. Blood agreed he would be happy to shorten the light fixtures to 6-feet. Mr. Doe explained the new parking lot location is in a low-lying area on the property that will be screened with an arborvitae hedge and a large Norway spruce on the same side as Ms. Presley's property.

After a brief discussion between the Applicant and Ms. Presley, Mr. Blood agreed to extend the arborvitae and rhododendron screening the entire length of the property to provide a continuous buffer between the two properties.

Ms. Presley also asked when the Applicant plans to start work on the property. Mr. Blood replied if he can't complete it before the Spring opening, he will delay it until the Fall season.

Ms. Michelle Draghetti of 33 Maine Street addressed the Board to express her appreciation on the Applicant's modifications to the plans and asked how big the communal fire pit would be. Mr. Blood replied the unit sits inside a stone circle and is 18-inches in diameter with a 2-foot wide stone enclosure that would probably accommodate 6-8 people around it. Mr. Doe added the dimensions of the proposed fire pit shows a 6-foot circle around it so it would most likely only accommodate 6 chairs comfortably.

Mr. Nick Gere of Towne Street addressed the Board and agreed with Ms. Draghetti's compliments on the new design and asked if the wooden stockade fence that runs along the back property line could be replaced and/or improved to provide a buffer. Mr. Blood agreed to look at the area and have a fence company out to the property to see what can be done.

Mr. Boak closed the Public Hearing.

Mr. Mahoney made a motion to approve the Application. Mr. Simmons seconded the motion. Ms. Pearlmuter asked to amend the motion to include the Applicant has agreed to change the light poles to 6-feet in height and that the communal fire pit will be shut down at 9:00p.m. and the smaller fire pits will shut off at 10:00p.m. The Board agreed with Ms. Pearlmuter's amended motion and the vote was unanimous.

Mr. Boak announced the Findings of Fact will be read at the next Planning Board meeting on April 21<sup>st</sup>, 2021

2. **210301 Bowsprit Kennebunkport, LLC / Walsh Engineering, Authorized Agent** -- Sketch Plan, for review of a proposed 4-lot subdivision on a 3.40 acre lot. (164 Wildes District Road, Assessor's tax map 22, Block 3, Lot 6 in the Cape Porpoise West Zone.)

Mr. Boak introduced the Agenda item.

Mr. Bill Walsh of Walsh Engineering, along with the property owners Abby Goldenfarb and Michael Burowski addressed the Board and gave a brief presentation on the Application. The proposal, Mr. Walsh explained, is to divide this 3.4-acre parcel into 4 lots with 1 open space parcel that borders all of the other proposed lots. Lot 1 and Lot 2 would share access from Wildes District Road and all lots will be connected to town sewer and water lines, Mr. Walsh added. Electrical services will be worked out with Central Maine Power, Mr. Walsh stated, and suspects those would be underground as well. They have obtained an entrance permit for the driveway to Lot 4 from the Maine Department of Transportation, Mr. Walsh added, and will work with the town on the entrance permits necessary for the lots on Wildes District Road.

Ms. Goldenfarb addressed the Board to introduce herself and explain their goal is to rebuild the existing house as their primary residence and divide the remainder of the parcel to sell off for others to build on.

Ms. Pearlmutter reminded the Applicant to provide a copy of their deed when they submit their preliminary Application.

Mr. Francis asked if they plan to have a homeowner's agreement or will each property owner have deeded rights to the open space parcel. Mr. Walsh replied each lot owner will probably have deeded rights.

Mr. Francis also questioned about the curb cuts on Wildes District Road. Mr. Walsh explained it is a state process to obtain a permit on Route 9 but they only need town approval on Wildes District Road and will work with the town to ensure the existing driveway is in the correct location.

Mr. Simmons asked if there was any particular concern about this development and its proximity to the water tower. Mr. Walsh replied there is no concern as they have had discussions with the Water District and there are no issues with them. Mr. Walsh offered to reconfirm discussions with the Water District, considering the possible impact of blasting which may be required in connection with excavation.

Mr. Boak asked the Board members if they would like to have a site walk of the property. The Board members agreed to hold a site walk and Mr. Gilliam agreed to work getting that scheduled.

- 3. Other Business: Michael Spenard & Brian Glaser / Kennebunk River Architects, Authorized Agent** -- Re-approval to demolish the existing residence and rebuild in a different location to the greatest possible extent within the property line setbacks. (Previous approval expired February 19, 2021.) 35 Langsford Road, Assessor's Tax Map 21, Block 11, Lot 22 in the Cape Porpoise West Zone.

Mr. Boak introduced the Agenda item.

Mr. Gilliam explained with the events of the past year, the Applicant was not able to pull a permit within the 6-month timeframe and so an extension is required from the Planning Board.

Mr. Francis made a motion to grant a 6-month extension as requested. Mr. Boak seconded the motion, and the vote was unanimous. Mr. Boak announced the extension has been granted to August 19<sup>th</sup>, 2021.

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

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