

**Kennebunkport Planning Board**  
**April 15, 2015 ~ 7:00 PM**  
**Kennebunkport Village Fire Station, 6 Elm Street**

A regular meeting of the Planning Board was held on Wednesday, April 15th, 2015. The meeting convened at 7:00 p.m. in the Kennebunkport Village Fire Station.

Members Present: Mr. David Kling (Chair), Greg Reid, John Hathaway, Peter Fellenz, Thomas Boak, Ray Hilwig  
Mr. Boak will have voting privileges

Approval of Minutes: Mr. Boak made a motion to approve the minutes from the February 18<sup>th</sup>, and April 1<sup>st</sup>, 2015 Planning Board meetings. Mr. Fellenz seconded the motion and the vote was unanimous.

Items:

1. **150102 Edward Walsh** – Site Plan Review – **Public Hearing** for approval to develop additional lots utilizing Cape Stone Drive in its existing configuration. (Cape Stone Drive, identified as Assessor's Tax Map 21, Block 004, Lot 23B in the Free Enterprise Zone.)

Mr. Kling introduced the Agenda item acknowledging receipt of a letter from Allan Muir regarding some recommendations on the potential design of the entry part of the road.

Mr. Ed Walsh addressed the Board stating the road has been re-engineered by Sebago Technics to be expanded within the 30 foot Right of Way including areas for runoff and a retaining wall. Mr. Walsh added the retaining wall construction is still to be determined at this point but assured the Board it would satisfy all Code Enforcement requirements.

Mr. Kling acknowledged the Board received confirmation from the Kennebunkport Fire Chief approving the road design and asked Mr. Gilliam if the Code Enforcement Office was satisfied with the 20 foot road width and 2 foot shoulder. Mr. Gilliam confirmed the plan as submitted satisfies the Town's requirements.

Mr. King asked the Board members if they had any questions for the Applicant.

Mr. Reid inquired what the elevation in the road is above the wetland. Mr. Walsh estimated it is at 4 feet.

Mr. Reid asked Mr. Gilliam if the retaining walls were satisfactory for this project. Mr. Gilliam responded the proposed wall will retain the road bed without having a much larger footprint with the side slopes and remain within the existing footprint.

Mr. Kling opened the Public Hearing.

Mr. Kevin McDonald addressed the Board asking what the configuration would be of the retaining wall. Mr. Kling responded that as a condition of approval, the Planning Board would require the Applicant to construct the wall as specified within the 30 foot Right of Way. Mr. Gilliam added the Code Enforcement Office also looks at the performance standard of the proposed road improvements as well. Mr. McDonald informed the Planning Board that the Homeowner's Association does have a Road Maintenance Agreement.

Mr. Fellenz asked Mr. McDonald if there was any additional insurance the Homeowner's Association would require for the road construction. Mr. McDonald replied they were looking for more definition on materials to be used.

Mr. Kling closed the Public Hearing.

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

2. **Wallace Woods** – Preliminary Review - **Continued 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. Reid has recused himself from review of this Application. Mr. Boak and Mr. Hilwig will have voting privileges for this Application.

Mr. Steve Doe of Sebago Technics addressed the Board and gave an update on specific items discussed at a previous meeting. Mr. Doe also stated he has submitted the residential area calculations for review. Mr. Kling asked Mr. Gilliam if the calculations submitted were acceptable. Mr. Gilliam agreed with Mr. Kling.

Referring to a letter from KKW Water District, Mr. Doe stated they have moved the hydrant to the top of the hill and indicated so on an enlarged site plan. Mr. Doe added they are also proposing to add four street lights and is working with the Lighting Committee for approval.

Mr. Kling asked if the Highway Department had any issues about a potential for confusion of who's responsible for plowing should the road become a town road. Mr. Gilliam explained if the road was to be offered to the town and should the town accept it as a town road, the private section of the road would receive its own name and be marked as a private way.

Mr. Doe explained a peer review has been completed and is awaiting comments back from the town engineer.

Mr. Hilwig made a motion to find the Application complete subject to receipt of approvals from the Kennebunkport Lighting Committee and a response from the Town Engineer. Mr. Fellenz seconded the motion and the vote was unanimous.

A Public Hearing will be scheduled for May 6<sup>th</sup>, 2015.

3. **150301 Andrew Buckley / Darren Fickett, Authorized Agent** – Site Plan Review –**Initial Review** – for approval to install a 96 square foot floating dock system. [6 Oak Street, identified as Assessor's Tax Map 9, Block 001 Lot 9 in the Village Residential Zone.]

Mr. Kling introduced the Agenda item.

Mr. Darren Fickett from Great Northern Docks addressed the Board and gave a brief summary of the Application and of the floating dock system to be installed. Mr. Fickett explained the entire dock system would be removed in the off-season and stored in a safe upland area.

Mr. Kling asked if there were granite steps installed or to be installed leading to the dock. Mr. Fickett explained this floating dock system needs to be connected to something on the bank and a granite slab would be ideal. Mr. Kling asked how far the granite steps would come down. Mr. Fickett replied the steps would not go below the high water mark. Mr. Gilliam added the landscaping permit allows for the construction of a set of steps to the water.

Mr. Reid asked the Applicant to clarify the dimensions of the dock system and include those calculations in the Application. Mr. Fickett responded the total dock would be 128 sq. ft. and would include the correct calculations in the Application.

Mr. Boak made a motion the Application is complete. Mr. Reid seconded the motion and the vote was unanimous.

Mr. Kling announced a Public Hearing would be held at the next Planning Board meeting on May 6<sup>th</sup>, 2015.

#### **OTHER BUSINESS:**

Mr. Gilliam informed the Board members that the town has made a decision to automate the Dock Square Parking Lot ticket system which would require the ticket booth to be moved back 5 feet. On behalf of the Town Manager, Mr. Gilliam asked the Planning Board to waive the requirement of completing the Site Plan Review process in order to expedite this minor project.

Mr. Kling made a motion to waive the formal Site Plan Review Application for the purpose of moving the Dock Square Toll Booth to accommodate an automated ticket system. Mr. Fellenz seconded the motion and a majority of the Board voted in favor of the motion. Mr. Reid and Mr. Hathaway abstained from voting.

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

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