

**Town of Kennebunk
Planning Board
Meeting Minutes
Monday, May 23, 2016**

Present: MacClinchy, Chris – Chair, Smith, David – Secretary, Metcalf, Robert, Vance, Janice – Alternate

Not Present: Smith, Richard – Vice Chair, Randall, Matthew

Also Attending: Bernstein, Judy – Town Planner

1. Open Meeting

C. MacClinchy opened the meeting at 7:02 pm. Today is Monday, May 23, 2016.

2. Approval of Minutes of Previous Meetings

There are no meeting minutes available to approve tonight.

J. Bernstein introduced the new Recording Secretary who was sitting in to determine if she is a good fit for this Board.

C. MacClinchy noted that M. Randall and R. Smith are unavailable to attend the meeting tonight. As such, he made J. Vance a voting member of the Board for tonight's meeting.

3. Public Hearing regarding Shoreland/ Special Exception application of Proposed Pier/ Dock/ Float System for Mikko Nissinen at 11 Tideview Terrace

J. Bernstein summarized the application. There is a copy of a letter from Eco Analysts, to address the questions previously raised by the Board. The Board went on a site walk April 30, 2016. If you read down, you will have an answer to your questions. If there are no new questions raised by the Board, or raised by the Public Hearing, then the Board will need to do a Findings of Fact for the Shoreland application and the

Special Exception application. One other which was handed out to the Board, is an email from Conservation and Open Space Committee, the chair, Ellen Wolf is present to answer any questions about the letter.

C. MacClinchy stated that first the Board will listen to the applicant. Then the Board will ask any initial questions they may have. Then he will open up the Public Hearing portion of the meeting. At the close of the Public Hearing, the Board will ask any additional questions and make a determination as to whether they are ready to put this to a final vote.

Tim Forester of EcoAnalysts presented. He had a couple of updates. The first was correcting a typo on page 2 of the memo presented to the board. It should read that the area of the wetland is 0.59 acres, not sq. ft. The other update is that they have co-currently applied for permits through DEP and ACOE. They received comments back from Fish and Wildlife which they felt needed a little additional input. They have responded back to them, and they have had a site visit today. Originally some wildlife biologists out of Bangor had reviewed the application but never had an actual site visit. This area is mapped as tidal water bird habitat, however, based on the meeting today it looks like they will be removed from that classification as the area is not tidal.

In review of the memo from EcoAnalysts, Mr. Forester read through the questions and answers.

1. How is the area mapped in the Town's open space map? It is mapped at the lowest level. A copy of that map is provided within the package.
2. The weight of the ramp is 600 lbs.
3. The weight of the float is 3000 lbs.
4. Two helix anchors, one upstream one downstream, will be adequate to secure the float against the tide.
5. There will be no winter sticks to locate the Helix anchors. They will just run a rope back to shore.
6. The ramp connects to the pier and the float through a standard rod and pin coupling.
7. Handrails are required for any structure elevated above 30", so there will be handrails on one side.

Mr. Forester asked for any additional questions from the Board.

C. MacClinchy asked Mr. Forester to go through the plan briefly for any members of the public who are hearing this for the first time.

Mr. Foresters answered that he would be happy to do so. The applicant, Mikko Nissinen, asked EcoAnalysts to evaluate the potential to locate a pier, ramp, and float within their property; or some means of access to the resource. They currently have a couple of kayaks and their intent is to get a shallow boat. They have an existing worn pathway through the wetland. The potential of locating the dock in that same lower section, but it ran into conflicts with the setbacks, so that area was not ideal. The entire system is on Helix anchors which have a very minimal impact area. The ramp is an aluminum ramp which will be stored on the pier during the winter. The floats will be floated downriver and taken out at the Route 9 boat launch for the winter season.

D. Smith asked how do the kayak racks work? Also, he stated he is not seeing enough of a definition in the plan.

Mr. Forester explained that the kayaks will be up on their side.

D. Smith asked if they will be able to extract the kayaks from the holders while standing on the permanent dock. Or, will there be a reason to get into the wetlands?

Mr. Forester agreed, the kayaks can be put on or taken off the holders from on the permanent dock. These kayak holders are actually very easy to use.

D. Smith noted his concern regarding modifying the length requirement. What we are talking about is a waiver, and not a modification.

Mr. Forester agreed that a waiver is what they are looking for. He thinks that he may have quoted this from the ordinance, but he understands that this is a waiver.

D. Smith asked for a letter of explanation from IF&W in terms of their exclusionary ruling for tidal waterfowl habitat. That letter in the file will help us understanding in the future for why they are taking the stand that they did.

Mr. Forester explained that they came and walked the site just today. The original file was done from aerial photos, and open to interpretation. This project had been sent to up to Bangor for review, but today's site walk has changed the determination. Mr. Forester continued that any updated communication he receives from IF&W he will pass along to the Town Planner.

J. Bernstein read from the ordinance which does use the word modify. That is the language in the ordinance, so it is wording that will need to go into the Findings of Fact.

R. Metcalf asked what is the timeframe for their expected DEP sign-off.

Mr. Forester answered that all the applications are in. There is a standard 90-days. The ACOE usually comes in before DEP at around 60-days. They haven't been in that long, so likely another 45 days before we receive sign-off.

J. Vance stated that she thinks her question is about the amount of footage required for the waiver. She is fairly new on this board, and isn't sure what is typical for a waiver. She remembers asking the question about winter and what about ice in that wetland. What are the chances of the dock being pulled out by weather?

Mr. Forester answered that he is not worried about this, as he doesn't expect to see too much ice action within the wetlands. The ice is likely to stay confined to the river itself. Also, the Helix anchors have an incredible holding strength.

J. Bernstein noted that this is a first for granting a waiver of this nature. The Board has not had to look at a waiver to build a dock system which is nearly twice the length specified within the standards.

Mr. Forester noted that the proposed dock is so long because of the wetland that it is trying to cross. He compared this to the Paradis boardwalk.

D. Smith stated that a boardwalk is a very different structure. Also the Paradis boardwalk was added as a way to project the dune. As a board member, he stated that he didn't view the Boardwalk as part of the dock system. So it really isn't the same thing. This is the first time the Board is looking at a request for a permanent dock to be over 100'.

C. MacClinchy opened up the Public Hearing portion.

Ellen Wolf, of the Conservation and Open Space Conservation Commission, stepped up to the podium. She spoke to the same issues that were in the letter addressed to the Planning Board. The Commission's primary concern is setting a precedent not only for using a Priority 1 wetland, of which there are very few left in this town, but also that this will set a precedent for other owners up and down this river and the Kennebunk if a waiver like this granted. She doesn't know where the Planning Board would adjust its sights for this sort of proposals.

C. MacClinchy thanked Ms. Wolf for her comments. As there were no additional comments from the public, he then closed the Public Hearing portion of this meeting. He opened up for additional questions and comments from the Board.

R. Metcalf followed-up on Ms. Wolf's comments, and especially where they were made aware of another dock on this river which no one on this board remembers reviewing for approval. There is a concern about setting precedent for creating a dock across wetlands when not knowing exactly where the Coastal Shoreline is in the Mousam River. He does understand, and had a similar concern while looking at the length of

this. However, that being said, as has already been discussed, the owners are already walking through and dragging their kayaks through the wetlands, it is likely that this dock will help minimize the impact. He continued that he is not concerned about an ice issue, and thinks that this is a sturdy systems. He stated that he feels comfortable that this proposal is an environmentally sound one. Whether or not the waiver of the standards for the length will remain to be seen by the Board. He reminded Ms. Wolf that the Board does review each application individually, and if he will recall there have been applications which the Board made the applicant change their proposal before they were granted approval.

C. MacClinchy asked if the Board felt comfortable making a determination of the waiver and complete the Findings of Fact.

D. Smith moved that the Kennebunk Planning Board approve the waiver request for the applicant to exceed 100 linear feet for the permanent dock.

R. Metcalf seconded the motion with the amendment that the waiver not exceed the additional 89.6' requested by the applicant.

Discussion

D. Smith stated that he thinks the toughest part of this is that not every approach to the river is not approximate to the river itself. There are wetlands along the river. He doesn't like to see really long structures, but this will be a protective step for the resource. He added that he wishes it would have some sort of shared access, which would be great for other people living on Tideview. This question was asked during the site walk, but he doesn't know if the applicant is approachable to this or not.

Mr. Forester stated that he has talked with the applicant about this, and there are a number of reasons. Because the applicant will be storing a boat on the end of the float, which will limit the access for additional people. Also, he is reluctant to open the way for others to use his dock due to possible liability reasons. For these reasons the applicant would like to reserve it for their own use.

C. MacClinchy stated that it seems clear that there are different resources the Board is trying to protect. Some are very fragile, which by allowing long piers to cross them with limited impact. In this case, the resource being crossed is Marsh, which is fairly stable. He can see himself supporting this application, though with a different type of resource he would likely choose not to support a waiver of this type.

Vote on this motion are 4/0 in approval.

**Town of Kennebunk
 Planning Board Findings of Fact: Shoreland Zone Permit**

PROPERTY OWNER Mikko Nissinen	SHORELAND ZONING DISTRICT SZ <u> X </u> RP <u> X </u>
ADDRESS OF PROPERTY 11 Tideview Terrace	Suburban Residential Zone WETLAND FILL APPROVED? <u> 8 </u> SQ. FT.

FINDINGS OF FACT AND CONDITIONS OF APPROVAL	
BD. OF APPEALS	_____
PLANNING BOARD	<u> X </u>
<p>INFORMATION REVIEWED BY PLANNING BOARD:</p> <ul style="list-style-type: none"> • Shoreland Application/Plan dated <u>April 12, 2016</u> • Shoreland Zoning Performance Standards Review (attached) • Staff reviews (egr., fire, planner) : <u>April 25, 2016 & May 23, 2016</u> • Conservation Commission : <u>May 23, 2016</u> • State/Fed. Reviews: <u>pending</u> 	
<p>CONDITIONS:</p> <ol style="list-style-type: none"> 1. Federal and State approval must be submitted to the Town Planner prior to the issue of any building permits from Code Enforcement 2. No Storage or Placement of Watercraft shall be on or in the Wetland resource. 	

Code Enforcement Officer

Date Approved

Please note that Shoreland Zone permits require approval of the Code enforcement Officer prior to any site disturbance.

CONCLUSIONS

Pursuant to the requirements of Article 10, Part A., Section 3.C., Filling, Grading, Lagooning, Dredging:

Any work done under this subsection shall not begin until a permit has been issued for the proposed activity by the Code Enforcement Officer. The applicant shall satisfy the Code Enforcement Officer.

Subsections (1) – (9) apply to the Code Enforcement Officer's review of the permit application. The Code Enforcement Officer has issued a permit for the work and so has determined that these standards have been met.

(10) There shall be no filling of wetlands, except as approved by the Planning Board or Site Plan Review Board, under the provisions of Article 10, Sections 3.E, 3.G and 3.P as applicable, and as approved by the U.S. Army Corps of Engineers and by the Department of Environmental Protection, as applicable.

Section 3.E. Piers, Docks, Wharves, Breakwaters, Causeway, Marinas, Bridges, and Uses Extending Over or Below the Normal High Water Line of a Water Body or Within a Wetland.

- (1) Any new permanent, temporary, or material expansion or alteration of a pier, dock, wharf, bridge, or other structure or use extending over or below the normal high water line of a water body or within a wetland shall require a building permit; subject to prior Special Exception review and approval by the Planning Board. Any new permanent structure, or expansion thereof, shall require a permit from the Department of Environmental Protection (DEP) pursuant to the Natural Resources Protection Act, 38 M.R.S. A. Section 480-C. Permits may also be required from the Army Corps of Engineers if located in navigable waters. In addition, the applicant shall be required to obtain any other federal and

state approvals that may be needed, including evidence of a submerged land lease from the Maine Bureau of Public Lands, if applicable. Prior to Planning Board's final action on any Kennebunk River related application, a copy of the application shall be forwarded to the Kennebunk River Committee and Harbormaster for review and comment; which shall be made part of the Planning Board's record.

(2) In addition to federal or state permits which may be required for such structures and uses, they shall conform to the following:

(a) For the purpose of the protection of property against flood and/or storm damage and the protection of identified sensitive environmental habitats, piers, docks, wharves, walkways, ramps or floats shall not be permitted in any areas identified as Velocity Zones as shown on the most recent Flood Insurance Rate Map produced by FEMA,

Met

(b) No new permanent, temporary or material alteration of a pier, dock, wharf, bridge, or other structure shall be permitted within the wildlife habitat of species considered endangered or threatened by the Maine Department of Inland Fisheries and Wildlife or U.S. Fish and Wildlife Service,

Met – Conditioned upon receipt of approval by DEP, ACOE, and IF&W

(c) Piers, docks, wharves, walkways, ramps and floats shall be constructed to meet the standards for "Appurtenant Structures" as set forth in FEMA 55, Coastal Construction Manual, third edition, June 2000, as amended. The area of a float or floats shall not exceed 200 square feet, except that when shared by two or more abutting property owners as delineated in 10.3. E. (d), two such floats may be used,

Met – Only 1 float which will not exceed 200 sq. ft.

(d) Piers, docks, wharves, walkways, ramps or floats require the lot to have a minimum of 60 feet of shore frontage. If a property owner does not meet this standard, the applicant may co-apply with an abutter or abutters and must demonstrate that in combination with such abutting property, this standard will be met. The agreement for shared maintenance, and repair costs, outlining pier location and shared access, including any property easements, must be

recorded with the York County Registry of Deeds. Once a property owner has entered into a shared pier agreement, that property owner forfeits the right to build his or her own pier. Subdivisions and Condominium Homeowners Associations with 60 feet or more of frontage are allowed to build only one pier and if the frontage is at least 100 feet, may have a maximum of two floats. All members shall use that pier jointly.

Met

- (e) No portion of a pier or float shall be located within 25 feet of a property line or property line extension seaward, unless the pier is a shared pier as per 10.3.E.(d),

Met

- (f) Access from the shore shall be developed on soils appropriate for such use and constructed so as to control erosion and avoid adverse impact on coastal or freshwater vegetation. Appropriate pile installation techniques shall be utilized to minimize disturbance of sediments. Any ramp, walkway or pier shall be at least one foot above the ground, as measured from the lowest part of the structure. Deck boards shall be a maximum of 6 inches in width and spaced ½ inch apart. Paint, stains and water proofing shall not be applied. Coastal bank shall be protected from erosion by the use of suitable stairs no wider than four feet,

Met – No stairs are proposed

- (g) The location of any structure shall not interfere with existing developed or natural beach areas, nor impede legitimate passage along a beach,

Met

- (h) The facility shall be located so as to minimize adverse effects on fisheries.

Met

- (i) The facility shall be no larger in dimension than necessary to carry on the activity and be consistent with the surrounding character and uses of the area. A noncommercial ramp, pier, walkway, dock or wharf shall not be wider than four feet. Pairs of pilings or supports shall be not closer than ten feet,

Met

- (j) Lighting to illuminate walkways, ramps and floats only, and ,any such lighting must meet the private outdoor lighting standards of this ordinance,

Met – no lighting has been proposed or approved.

- (k) No new structure shall be built on, over or abutting a pier, dock, or other structure extending beyond the normal high waterline of a water body or within a wetland unless the structure requires direct access to the water body or wetland as an operational necessity,

Met – no structures besides pier, ramp, and float

- (l) New permanent piers and docks on non tidal waters shall not be permitted unless it is clearly demonstrated to the Planning Board that a temporary pier or dock is not feasible, and a permit has been obtained from the DEP, pursuant to the Natural Resources Act , 38 M.R.S.A., Section 480-C,

N/A – project is in tidal waters

- (m) No existing structures built on, over or abutting a pier, dock, wharf or other structure extending beyond the normal high waterline of a water body or within a wetland shall be converted to residential dwelling units in any district,

N/A

- (n) Structures built on, over or abutting a pier, wharf, dock or other structure extending beyond the normal high water line of a water body or within a wetland shall not exceed twenty (20) feet in height above the pier, wharf, dock or other structure,

N/A

- (o) Any pier, walkway, dock or wharf, including ramps and floats, shall be no longer than a total length of 100 feet nor extend more than one fifth (1/5) of way across a body of water. The Planning Board may, upon review, modify the length requirement if it is demonstrated that no other reasonable alternative exists to provide water access,

Met with the granting of waiver by the Kennebunk Planning Board. The Board agrees to modify the total length standard

for this dock system to 189.6'. The dock does not exceed the 1/5th rule across the river.

(p) Off-season storage of temporary floats, ramps or walkways must be on upland areas so as to not damage marine or freshwater vegetation. Caution must be exercised to avoid damage to shoreline banks and shoreline vegetation. Ramps may be stored on piers or docks. All stored items must be properly and safely secured so as not to become a wind or wave borne hazard in a severe storm or hurricane, and

Met – ramp will be stored on the pier, and the dock is to be floated down stream and stored away from the wetlands.

(q) Enlargements, alterations, repairs, or the rebuilding of nonconforming piers, docks, walkways, wharves, ramps or floats shall be governed by the provisions of Art. 5. of the ordinance.

N/A

Conclusion:

Standard is: Met X Not Met _____ N/A _____ Met with the following conditions _____; Per conditions listed above

10.3. G. Roads, Driveways and Parking Areas

The following standards shall apply to the construction of roads, driveways, parking areas and drainage systems, culverts and other related features.

- (1) The Planning Board, (or the Site Plan Review Board or Staff Review Committee in the case of site plan applications), may approve a road, driveway, and/or parking area plan which is exempt from the setbacks imposed by Article 8, Section 16.D upon a finding that no reasonable alternative exists, and upon a clear showing by the applicant that no greater setback can be achieved, and that appropriate techniques will be used to prevent sedimentation of the water body. Such techniques may include, but are not limited to, the installation of settling basins, and/or the effective use of additional ditch relief culverts and turnouts placed as to avoid sedimentation of the water body, tributary stream, or wetland, On slopes of greater than twenty (20) percent, the road, driveway and/or parking area setback shall be increased by ten (10) feet horizontal distance for each five (5) percent increase in slope above twenty (20) percent. Roads and

driveways providing access to permitted structures within the setback area shall comply fully with the requirements of Section D.(1) except for that portion of the road or driveway necessary for direct access to the structure.

Conclusion:

Standard is: Met _____ Not Met _____ N/A X **Met with the following conditions;** _____

(2) Existing public roads may be expanded within the legal road right-of-way regardless of its setback from a water body, tributary stream or wetland.

Conclusion:

Standard is: Met _____ Not Met _____ N/A X **Met with the following conditions;** _____

(3) New roads and driveways are prohibited in a Resource Protection District, except to provide access to permitted uses within the district, or as approved by the Planning Board upon a finding that no reasonable alternative route or location is available outside the district, in which case the road and/or driveway shall be set back as far as practicable from the normal high-water line of a water body, tributary stream, or upland edge of a wetland.

Conclusion:

Standard is: Met _____ Not Met _____ N/A X **Met with the following conditions;** _____

(4) Road and driveway banks shall be no steeper than a slope of two (2) horizontal to one (1) vertical, and shall be graded and stabilized in accordance with the provisions for erosion and sedimentation control contained herein.

Conclusion:

Standard is: Met _____ Not Met _____ N/A X **Met with the following**

conditions; _____

- (5) Road and driveway grades shall be no greater than ten(10) percent, except for short segments of less than two hundred (200) feet.

Conclusion:

Standard is: Met _____ Not Met _____ N/A X Met with the following conditions; _____

- (6) In order to prevent road and driveway surface drainage from directly entering water bodies, tributary streams or wetlands, roads and driveways shall be designed, constructed, and maintained to empty onto an unscarified buffer strip at least fifty (50) feet, plus two times the average slope, in width between the outflow point of the ditch or culvert and the normal high-water line of a water body, tributary stream, or upland edge of a wetland. Surface drainage which is directed to an unscarified buffer strip shall be diffused or spread out to promote infiltration of the runoff and to minimize channelized flow of the drainage through the buffer strip.

Conclusion:

Standard is: Met _____ Not Met _____ N/A X Met with the following conditions; _____

- (7) Ditch relief (cross drainage) culverts, drainage dips and water turnouts shall be installed in a manner effective in directing drainage onto unscarified buffer strips before the flow gains sufficient column or heat to erode the road, driveway or ditch. To accomplish this, the following shall apply:

- (a) Ditch relief culverts, drainage dips and associate water turnouts shall be spaced along the road or driveway at intervals no greater than indicated in the following table:

<u>Grade</u> (Percent)	<u>Spacing</u> (Feet)
0-2	250
3-5	200-135
6-10	100-80
11-15	80-60
16-20	60-45
21+	40

- (b) Drainage dips may be used in place of ditch relief culverts only where the road grade is ten (10) percent or less.
- (c) On sections having slopes greater than ten (10) percent, ditch relief culverts shall be placed at approximately a thirty (30) degree angle downslope from a line perpendicular to the centerline of the road or driveway.
- (d) Ditch relief culverts shall be sufficiently sized and properly installed in order to allow for effective functioning and their inlet and outlet ends shall be stabilized with appropriate materials.

Conclusion:

Standard is: Met _____ Not Met _____ N/A X Met with the following conditions; _____

- (8) Ditches, culverts, bridges, dips, water turnouts and other storm water runoff control installations associated with roads and driveways shall be maintained on a regular basis to assure effective functioning.

Conclusion:

Standard is: Met _____ Not Met _____ N/A X Met with the following conditions; _____

P. Shoreland Mitigation Plan

The Planning Board (or Site Plan Review Board in the case of Site Plan Application) may permit minor wetland fills and/or development within the shoreland setback area upon a positive finding that each of the following criteria have been met:

- (1) for projects that fill less than an acre of Wetland the applicant has made a clear showing that:
 - (a) no reasonable alternative exists and that no greater setback from the shoreland/wetland area can be achieved, and:
 - (b) that project meets all applicable Federal and State permit requirements, and provides evidence that the agency has reviewed the application.

Conclusion:

Standard is: Met X Not Met _____ N/A _____ Met with the following conditions _____; **Applicant will provide the Town with Federal and State approvals when received**

- (2) Additionally, for projects filling an acre or more of wetland the applicant shall submit a Shoreland Mitigation Plan which:
 - (a) delineates and evaluates the functions and values of the wetland/shoreland site being impacted by the proposed development,
 - (b) addresses the impacts to the aquatic resource, and
 - (c) proposes a plan for replacing the loss of the aquatic resource

and/or buffer area by creating, restoring, and/or enhancing similar aquatic resource functions and values, either within the development site or on a site nearby.

Conclusion:

Standard is: Met _____ Not Met _____ N/A X Met with the following conditions; _____

DECISION:

Based upon the above findings and conclusions, the Board finds that the Applicant has/has not met the requirements for Planning Board/Site Plan Review Board Approval under Article 10, Sections 3.E, 3.G and 3.P as applicable, and the application is therefore APPROVED/DISAPPROVED.

CONDITIONS OF APPROVAL, IF ANY:

1. Federal and State approval must be submitted to the Town Planner prior to the issue of any building permits from Code Enforcement
2. No Storage or Placement of Watercraft shall be on or in the Wetland resource.

Dated: May 25, 2016

Discussion:

D. Smith asked how we determine the 1/5th rule of the width. Is this in regards to average width, or high-tide width?

Mr. Forester answered that Kennebunk has a bank to bank width, which he interpreted as at the highest annual tide. This is how they calculated the width into the river.

D. Smith asked that this interpretation is recorded by the Board.

Mr. Forester stated that they positioned the float so that it just barely stays within the water at all tides. This puts it just under the 20% rule.

D. Smith moved that the Planning Board approve the Findings of Fact for the Shoreland Application of Mikko Nissinen at 11 Tideview Terrace; as conditioned with need for Federal and State approval to be submitted to the Town Planner prior to the issuance of any building permits by the Code Enforcement Officer.

R. Metcalf seconded this motion. He also suggested adding a condition that no storage or placement of watercraft shall be on or in the wetland resource.

D. Smith seconded the added condition.

Vote was 4/0 in approval of the motion.

May 23, 2016

Date

**Town Of Kennebunk
Planning Board
Special Exception
FINDINGS OF FACT**

1. Property _____ Owner: Mikko _____ Nissinen

2. Site Location: 11 Tideview Terrace, in the Suburban Residential, Resource Protection, and Shoreland Overlay _____ Zoning District, and contains 2.16 acres, sq. ft.

3. Assessor's Map 70 _____ Lot 1 _____

4. Description of proposed use: Construct a pier, ramp, float system to the Moussam River _____

5. The Kennebunk Planning Board has reviewed the above noted proposal utilizing the following set of approval criteria from Article 7, Special Exceptions, of the Kennebunk Zoning Ordinance and determined:
 - (1) The proposed use will not create hazards to vehicular or pedestrian traffic on the roads and sidewalks serving the proposed use as determined by the size and condition of such roads and sidewalks, lighting, drainage, intensity of use by both pedestrians and vehicles and the visibility afforded to pedestrians and the operators of motor vehicles;
Criteria met X _____ Not met _____
with the following conditions or
comments: _____

- (2) The proposed use will not cause water pollution, sedimentation, erosion,

contaminate any water supply nor reduce the capacity of the land to hold water so that a dangerous, aesthetically unpleasant, or unhealthy condition may result;

Criteria met X Not met _____

with the following conditions or

comments: _____

- (3) The proposed use will not create unhealthful conditions because of smoke, dust, or other airborne contaminants;

Criteria met X Not met _____

with the following conditions or

comments: _____

- (4) The proposed use will not create nuisances to neighboring properties because of odors, fumes, glare, hours of operation, noise, vibration or fire hazard or unreasonably restrict access of light and air to neighboring properties;

Criteria met X Not met _____

with the following conditions or

comments: _____

- (5) The proposed location for the use has no peculiar physical characteristics due to its size, shape, topography, or soils which will create or aggravate adverse environmental impacts on surrounding properties;

Criteria met X Not met _____

with the following conditions or

comments: _____

- (6) The proposed use has no unusual characteristics atypical of the generic use which proposed use will depreciate the economic value of surrounding properties; and

Criteria met X Not met _____

with the following conditions or

comments: _____

- (7) If located in the Shoreland Area Overlay District, the proposed use: (a) will not result in damage to spawning grounds, fish, aquatic life, bird and other wildlife habitat; (b) will conserve Shoreland vegetation; (c) will conserve visual points of access to waters as viewed from public facilities; (d) will conserve actual points of access to waters; (e) will conserve natural beauty and (f) will avoid problems associated with flood plain development and use.

Criteria met X Not met _____

with the following conditions or
comments: _____

- (8) If located in the Resource Protection District, the following additional standards are met for any residential use proposed:
- (a) There is no location on the property, other than a location within the Resource Protection District, where the structure can be built.
 - (b) The lot on which the structure is proposed is a lot of record, having been established and recorded in the York County Registry of Deeds prior to the effective date of this amendment, (6/15/94).
 - (c) There shall be only one dwelling located on such lot of record.
 - (d) The proposed location of all buildings, sewage disposal systems and other improvements are:
 - (i) Located on natural ground slopes of less than twenty (20) percent; and
 - (ii) Located outside the floodway of the 100-year floodplain along rivers and artificially formed great ponds along rivers and outside the velocity zone in areas subject to tides, based on detailed flood insurance studies and as delineated on the Federal Emergency Management Agency's Flood Boundary and Floodways Maps and Flood Insurance Rate Maps; all buildings including basements, are in conformance with the Town's Flood Plain Ordinance, (see Section 4-5 of Kennebunk town Ordinances).

If the floodway is not shown on the Federal Emergency Management Agency Maps, it is deemed to be ½ the width of the 100-year floodplain. For purposes of this subparagraph, "floodway" means the channel of a river or other watercourse and adjacent land areas that must be reserved in order to discharge the 100-year flood without cumulatively increasing the water surface elevation more than one foot in height and "velocity zone" means an area of special flood hazard extending from offshore to the inland limit of the primary frontal dune along an open coast and any other area subject to high-velocity wave action from storms or seismic sources.
 - (e) The total ground floor area of all principal and accessory structures is limited to a maximum of 1,500 square feet.
 - (f) All structures, except functionally water-dependent structures, are set back from the normal high-water line or upland edge of a wetland to the greatest practical extent, but not less than 75 feet. In determining the

greatest practical extent, the Planning Board shall consider the depth of the lot, the slope of the land, the potential for soil erosion, the type and amount of vegetation to be removed, the proposed building site's elevation in regard to the floodplain and its proximity to moderate value and high value wetlands.

Criteria met X Not met _____

with the following conditions or

comments: _____

- (9) If located in the Branch Brook Aquifer Protection District the proposed use: (a) the proposed use meets the specific requirements set forth in this Ordinance and will be in compliance with all applicable state and federal laws; (b) the proposed use will meet all applicable performance standards; (c) the proposed use will not create the risk of bacterial or viral contamination of groundwater in Zone A.; (d) the proposed use does not involve uses or activities which could cause a violation of the performance standard for pollution levels; (e) any control measures proposed to prevent adverse impacts on water quality are adequate and reliable, considering the threat to water quality which would result if control measures failed; (f) the use will not involve disposal of solid waste, hazardous materials or leachable materials (other than specifically allowed by Ordinance); and (g) oil, fuel, and other petroleum products stored on-site will be properly contained so as to prevent contamination of the groundwater from leaks or spills.

Criteria met X Not met _____

with the following conditions or

comments: N/A

- (10) For Special Exception requests regarding Telecommunications Facilities the Board has considered the following additional issues in making its decision:
- (a) Height of proposed tower or other structure does not exceed that which is essential for its intended use and public safety.
 - (b) Proximity of tower to residential development or zones.
 - (c) Nature of uses on adjacent and nearby properties.
 - (d) Surrounding topography.
 - (e) Surrounding tree coverage and foliage.
 - (f) Design of the tower, antenna, or facility with particular reference to design characteristics that have the effect of reducing or eliminating visual obtrusiveness.
 - (g) Proposed ingress and egress to the site.
 - (h) Availability of suitable existing towers and other alternative tower structures.
 - (i) Visual impacts on view sheds, ridge lines, and other impacts by means of tower location, tree and foliage clearing and placement of incidental structures.
 - (j) That the proposed facility/tower/dish will not unreasonably interfere with the

view from any public park, natural scenic vista, historic building or major view corridor.

(k)That the proposed facility/tower/dish is not constructed in such a manner as to result in needless height, mass, and guy-wire supports, with documentation having been provided and reviewed regarding the design capacity of the tower/facility.

Criteria met X Not met _____

with the following conditions or
comments: N/A

Based upon the above noted findings, the Kennebunk Planning Board **Approves X**
Denies _____ the application.

****PLEASE NOTE THAT AFTER PLANNING BOARD APPROVAL, THE APPLICANT MUST RECEIVE A CHANGE OF USE PERMIT AND/OR BUILDING PERMIT FROM THE BUILDING INSPECTOR BEFORE BEGINNING WORK AT THE SITE.**

A PERMIT GRANTED BY THE PLANNING BOARD UNDER THE PROVISIONS OF THIS ARTICLE (7) SHALL EXPIRE IF THE WORK OR CHANGE INVOLVED IS NOT COMMENCED WITHIN SIX (6) MONTHS OF THE DATE ON WHICH THE PERMIT IS GRANTED, AND IF THE EXTERIOR WORK OR CHANGE IS NOT SUBSTANTIALLY COMPLETED WITHIN ONE (1) YEAR OF THE DATE GRANTED.

D. Smith moved that the Kennebunk Planning Board approve the Findings of Fact: Special Exception application for Mikko Nissinen at 11 Tideview Terrace as conditioned.

R. Metcalf seconded this motion.

Vote was 4/0 in approval of the motion.

4. Subdivision Plan Application of Kevin Malone & Kathlene Rybak for Alewife Road Subdivision

J. Bernstein summarized the application. It is a proposed 8 lot subdivision on a 7.43 Acre site. Mr. Doe will do a presentation. The plan is pretty easy to read. The Proposed road that will serve all but the existing house lot is shown on the plan. The existing house is proposed to retain its own driveway. At some point the Board will need to propose a time to walk the site.

Steve Doe from Sebago Technics presented. The Property is an all open field right now. They are looking to divide an 8-lot subdivision with all the lots except their own home accessed off the proposed road. The road will be built to Town standards. There is public water available, so water will be brought in. There have been some testing of soils already done for septic. They have elongated the cul-de-sac to give it a sense of a neighborhood as it is only 7 lots. They will try to homes built away from Alewife Rd., and are proposing to add some buffering. Part of building the road to Town standards includes sidewalks, so they will be extending the sidewalk from Thompson Rd, where it terminates now. Site distance has been measured and there is adequate site distance. Minimum lot size out there is 20,000 sq. ft. When doing the calculations, could do 14 lots. Only proposing 8 as it's hard to put 14 lots out there when figure the lay of the land.

J. Vance noted that they are proposing to add plantings along Alewife Rd. Was confused as why didn't want to add plantings to the current home lot.

Mr. Doe answered that they really only focused on the proposed lots. The applicants wanted to keep their lot as much the same as they can as they do a lot of gardening.

C. MacClinchy asked for clarification of the notes regarding visual right-of-way/ sightline easement for the school department.

Mr. Doe said he would research this further.

C. MacClinchy noted that because that is a tricky curve, they want to make sure that whatever plantings they add for the buffer don't impede the sightlines too much.

R. Metcalf asked about the speed limit at that section.

Mr. Doe answered that it is posted as 40 mph.

R. Metcalf also noted that there is 2400 sq. ft. of wetlands on site.

Mr. Doe pointed out that these are in small pockets across the site.

R. Metcalf assumed that Mr. Doe has looked into the requirements of the Fire Department when designing the turn around.

Mr. Doe answered yes, this is all done to Town standards.

D. Smith noted that currently they are proposing 8 lots for this subdivision. Lot 8 will still be accessed by Alewife Road, and is almost twice as big as the largest of the other lots 1-7. He reminded the applicant that if they want to divide any further, they will need to come back to the Planning Board. If there are going to be families with school-age kids who buy into this subdivision. He is concerned about the kids. How many linear feet are the kids going to be from the Thompson Road intersection, as the bus will not be going into the subdivision.

Mr. Doe answered it is about 400' to the Thompson Road intersection.

D. Smith asked about Lots 6, 7, and 1. He agrees that the owners will likely appreciate the buffering. However, he is considering the view shed and would like to try to keep in mind that this was agricultural land previously. He suggested that they would likely want to build the new homes away from Alewife as much as possible.

D. Smith's last question was what do they have as a linear distance to Ward Brook.

Mr. Doe answered that in the application they only have the tax maps. However, the distance is at least the same as the width of their property.

D. Smith asked if the majority of the storm water will be caught through the proposed retention system.

Mr. Doe answered that yes that is true.

D. Smith would request that they consider requiring certified organic fertilizers, herbicides, and pesticides to help protect the resource.

C. MacClinchy asked if the proposed new driveways will all come off the new proposed road.

Mr. Doe answered yes, this is true.

C. MacClinchy said that is all he has for questions, and they will need to schedule a site walk. How long would the applicant need to flag the site?

Mr. Doe answered they will need at least a week.

C. MacClinchy suggested Saturday, June 4, 2016 at 8:00 am.

This was agreed on by the Board members and the applicant.

D. Smith asked if they had mapped the wetlands yet.

Mr. Doe stated that his wetlands guy mapped them this spring. Flags are still there.

C. MacClinchy asked about the proposed internal sidewalk, will that go all the way around the cul-de-sac.

Mr. Doe answered, yes it will.

5. Shoreland Zone/ Special Exception Application of Jim McCarthy regarding 3 Bayberry Avenue

J. Bernstein introduced this application. The applicant is John Einsiedler. The owner of the property is the Julia McCarthy Trust. The request is for reconstruction and replacement of a single family home in the Resource Protection and Shoreland Overlay zones. Mr. Einsiedler will show the plans. What they need to show is that the relocation is no closer and that they are making every effort to avoid the Resource.

John Einsiedler presented. He had brought new copies of the plan which he handed out to the Board. The proposal is to remove the existing structure and create one that has less square footage, so would have less of a footprint. Would also like to take some of the coverage and put it over the driveway. This would make the Resource Protection and Shoreland Overlay coverage would decrease, but the Structure Coverage would be the same. The proposed new structure will decrease the foot print and bring the vertical structure back down into standards, where it is currently over.

J. Bernstein asked what the change in volume for the structure is.

Mr. Einsiedler stated that overall volume will increase, but the other standards will now be met or closer to met than the current non-conforming structure. Mr. Einsiedler added that the reason for coming to the Board is actually not due to the Resource Protection zoning, but is because of non-conformity in the Shoreland Overlay zoning.

D. Smith asked about the street setback. Is the structure as close to Bayberry as can be?

Mr. Einsiedler answered yes.

D. Smith asked where the 100 year flood zone is.

Mr. Einsiedler answered that it is currently not part of the 100 year flood zone as mapped.

J. Bernstein noted that the entire lot is in Resource Protection due to the Tier 1 marshland in back. So pretty much the entire structure with the exception of a small portion of the new driveway will be within the 100' setback area.

R. Metcalf asked how far they are from the lot line to the edge of the street.

Mr. Einsiedler answered that the property line is the street.

R. Metcalf asked what the front setback is.

J. Bernstein answered 25'.

Mr. Einsiedler said it is the same in the Resource Protection zone.

R. Metcalf noted that if they moved the house right to the edge of the 25' setback it would bring it even a little further from the Resource. And it wouldn't impact the vehicle storage in the driveway.

R. Metcalf went on to further clarify that if he is reading the map correctly the net reduction in the footprint is 8 sq. ft. and the net reduction in the lot impact is 215 sq. ft. so it is really negligible.

Mr. Einsiedler answered yes this is true. But it will look nicer.

J. Vance asked what the height of the proposed new building is.

Mr. Einsiedler answered 33 ½ feet.

J. Vance asked what the current building is.

Mr. Einsiedler answered 37 feet.

J. Vance asked about the first floor of the home, is this living space or garage space?

Mr. Einsiedler answered that it is both. They may look at elevating to meet the flood map requirements, though he hasn't seen the new flood maps yet.

R. Metcalf asked does this have a basement.

Mr. Einsiedler answered no.

J. Bernstein recommended that they have some proposed grades on the proposed building plans so that the Board can see how this is going to drain after the work is done on this.

D. Smith asked if there is any water courses now that go across to either some type of drainage. Is there any underdrainage that goes into the Creek? We would really want to know if that is in existence. We don't want any erosion other than what is happening naturally.

D. Smith continued, is there any proposal to go out beyond the construction.

Mr. Einsiedler answered no. This is a pretty developed area.

D. Smith asked if they are planning to retain the current trees.

Mr. Einsiedler answered yes, they have no plans to cut any trees.

C. MacClinchy asked if they are ready to schedule a site walk. June 4, 2016 at 9:00 am worked for everyone.

Mr. Einsiedler stated that there is not much to flag, but they will spray-paint areas to be noted.

R. Metcalf asked if Kennebunk has a new flood map.

J. Bernstein stated that there are some draft ones, but nothing ready. She believes this may come out next year.

R. Metcalf noted that it may be good to know what they are expecting. This way they can protect the applicant.

6. Application for Subdivision Plan Revision of Penwood Section 5 by Kathleen Gillman and Dean Best

J. Bernstein summarized the application. The property is 8 Carriage Lane. They are proposing 2 lots from 1 vacant lot. There also appears from what has been submitted that there was a piece of land added to the back of the lot and merged. She stated she is not sure if that ever got filed at the Registry, but this will clean up the record for the Lot and bring everything up to date.

Note: the microphone for presenter did not pick up her voice and could not hear much of her presentation.

Hylah Riley presented. Mr. and Mrs. Best passed away, but had bought this lot back in the 60s. It is 3.3 acres. When Ms. Riley was called by the siblings to look at the lot and see what they have. Soils testing has been completed. In this zone, they need 40,000 sq. ft. for septic, and both lots have more than that. She stated that she is here tonight to find out what else needs to be done for the application.

J. Bernstein noted that it will help when they go out to the site walk, but it would be good to see where the proposed driveways will be. The Board will need to see if there will need to be culverts between Carriage Lane and the new buildings sites. Need to see if there will need to be some drainage that needs to be handled through there. Some spot grades or contours to show how the sites will drain. There are some test pits and those will likely show what kind of soils are there.

Ms. Riley spoke towards this... unheard by microphone.

J. Vance asked what the width of the driveway easement is.

Ms. Riley answered 21.91 feet.

R. Metcalf asked what serves as the frontage for Lot 6.2.

J. Bernstein answered she assumed the side for the driveway. It will be an angled side

C. MacClinchy asked doesn't it need to have street frontage?

J. Bernstein noted that it can be on a deeded right-of-way. In which case that will need to be deeded and not just an easement.

R. Metcalf asked what good is the piece of land area to the left if the driveway becomes a deeded right-of-way.

J. Bernstein answered not much.

R. Metcalf pointed out that space on the other side of the driveway currently stays with Lot 6.1. He suggested that they make the whole area part of Lot 6.2. It will be cleaner that way.

J. Bernstein added it will also give them more area to get rid of the snow.

D. Smith stated that he doesn't have many questions until go to the site walk. His question was that in this zone the minimum is 40,000 sq. ft. In terms of net lot area, how is that reflected for the 40,000?

J. Bernstein answered that both lots are well above that. She then pointed out where on the plan it is listed both the total area and the net area.

D. Smith asked if the wetlands are defined.

Ms. Riley answered yes, and they are marked.

C. MacClinchy asked the reason why there isn't a traditional lot split off the cul-de-sac.

Ms. Riley answered... wasn't picked up by the microphone.

R. Metcalf asked about 100' minimum frontage.

J. Bernstein answered that looking at lot width, not minimum frontage.

R. Metcalf stated he feels like C2 and C3 should be connected.

Ms. Riley answered that she is looking to hear what the Board thinks they should do.

D. Smith noted that Ms. Riley had stated there were 6 different scenarios for what could happen. Instead of a front and back split, would it make sense to have the line come off Carriage Lane cul-de-sac and divide as an extension at the diameter?

J. Bernstein noted that she would need to review the requirements for the zone.

R. Metcalf stated that would not be able to do this as they need to have the 100' lot width.

C. MacClinchy asked if the Board would like to add this site walk to the 6/4/16 agenda. Could do this at 10:00 am. This was confirmed by Board and Ms. Riley

J. Bernstein noted that showing a 25' line from the stream, which she is assuming is a setback line. She suggested that [she] take the [line] off as the shoreland setback is far more inclusive.

Ms. Riley responded that the line refers to the width of the stream.

J. Bernstein suggested that it might be good to label that for clarification purposes. Also, some of the other labeling will need to be added. One more thing is that a Public Hearing will be needed. Would the Board like to schedule this, or would you prefer to walk the site first.

R. Metcalf and D. Smith both stated they would prefer to walk the site first.

R. Metcalf also noted that it would be good to have a wetlands person at the site walk as well, as there are wetlands present on the site.

7. Shoreland/ Special Exception Application of Jonathan Grinder, Timothy Grinder, Elizabeth Grinder-McLean & Family Trust for proposed Lot Division and Cottage Relocation at 49 Great Hill Road.

J. Bernstein summarized the application. Applicant is Silas Canavan from Walsh Engineering is representing the owners, the Grinders and Grinder Family Trust. The request is to divide the lot into two lots and relocate the existing cottage so that it meets setbacks to the greatest possibility, and leave the house where it is. Basically, they need to show that they are planning to meet setbacks to the greatest possible extent. It is in Resource Protection and Shoreland Overlay and it had dunes and a little of everything.

Silas Canavan from Walsh Engineering presented. He handed out some additional materials to the Board before beginning his presentation. The first item is a memo from the project attorney, Ralph Austin. Property is at 49 Great Hill Rd. The road is on the south side of the property and the north of the property is the Moussam River. There are two existing structures on the property. There is the house, which is the largest structure in the front of the property. The smaller structure is what they are calling the cottage. This will be what they call a functionally divided property. Both structures were constructed in early 1900s. They have separate utilities, separate driveways, and have always had separate uses. They want to divide the property right down the middle. The cottage will be shifted to the East side and they will try to meet all the setbacks as best as possible. There is also a wetland setback to deal with. Currently, the cottage is only about 14' from the wetland. They are proposing to move the cottage back about 6' which would give them 20' from the highest tide. Another restriction they are running into is the fact that this property is in a sand dune. The dune is divided with a front dune and a back dune. The Maine DEP rules state that cannot construct or move a structure on the front dune. Another restriction is that the standards state that with a septic, the leach field cannot be less than 20' from the foundation.

Mr. Canavan continued that if you look at the memo, there is an updated table to show the current lot and the two proposed lots. Tried to make this as clear as possible. He added that because this is a functionally divided property, they cannot meet all the standards completely. They are attempting to meet the standards to the greatest extent practical. They have gone over setbacks and think they have the building in the most practical location. The next issue was shore frontage. They have tried to divide the frontage as equally as possible, though Lot 1 will have slightly more. For Lot coverage, there is an existing unvegetated area, which will be maintained as they move the cottage. They will need to add a little bit of impervious area for the deck, and are proposing to remove some of the impervious area at the end of Lots 1 and 2. This

will max out the allowable impervious areas for each lot, so they won't be able to be expanded in the future. Because the property is in a sand dune, and also an erosion hazard area, the structure must be elevated 3' above the nearest adjacent area. House is also in the FEMA flood zone. Finished floor elevation must be 3' above the flood zone elevation. They have planned this to meet all those standards.

There are currently 2 septic systems on the property. There is one behind the house for the cottage and one in front of the cottage for the house. They will need to provide easements on each lot for maintenance and repair. The Grinders are proposing to add into the language that if sewer extended into the area, then the two owners will need to connect into public sewer.

J. Bernstein asked how far to the sewer.

Bill Walsh stated that he will find out how far, but when he spoke to the sewer department, they thought it was a private forced main that was located at the nearest bend.

D. Smith asked if both structures will remain seasonal.

Mr. Canavan answered that he doesn't know. The intention is to sell one of the lots. They are currently proposing to keep it as is, but won't know what the new owner will intend.

J. Vance clarified that it is currently a seasonal cottage. Are they planning to make it year-round?

Mr. Canavan stated that they are just planning to pick it up and elevate it. The application doesn't speak to the use as seasonal or year round.

D. Smith asked if they know how old each of the septic systems area.

Mr. Canavan stated he can find out the exact years, but he knows that one is a great deal older than the other.

D. Smith noted that the Board has been seeing septic systems failing along Great Hill Road. He would like to know exactly how old the septic systems are.

J. Vance stated she would like to know exactly how far to the nearest sewer.

C. MacClinchy stated that they need to schedule a site walk for this as well.

R. Metcalf noted that he would like to see them all done and over with on one day.

C. MacClinchy stated that they will schedule this for Saturday June 4, 2016 at 10:45 am.

8. Other Old/ New Business

J. Bernstein stated that there are no minutes for the Board to work on.

C. MacClinchy stated that he got an email from Kathy Nolette regarding a long list of missing minutes for this Board.

J. Bernstein answered that there were quite a few for which she had provided the signature pages, and they were waiting for Lynne Capitan to return the edited Final drafts. There is a new policy about meeting minutes about getting them signed and in the book so that they can get them online within a certain time frame. Because there have been several change overs in Recording Secretaries, there was a long time that they needed to catch up. Apparently they get more requests from people who want to read the approved minutes.

Upcoming Meetings:

6/13/16

- Continued work on Zoning Amendments.
 - J. Bernstein asked if we were ready for Hearing on any of the Zoning Amendments.
 - Keeping of Horses is close, though they thought there was something that was waiting for review from Natalie Burns, Town Attorney.
- Was told that Dan Higgins was coming to tonight's meeting to get the Board to put his plan on the first meeting rather than the second meeting of June. She just got the complete filing for his application this afternoon. Don't know if the Board would like to have it added to 6/13/16 or wait add it to all that will be added to the 6/27/16 meeting.
 - C. MacClinchy said that based on tonight's meeting it could be a lot to work on for the 6/27/16 meeting.
 - R. Metcalf stated that he is concerned about adding it to the 6/13/16 meeting unless they know that everything is complete. If we decide to have a Public Hearing, do we have enough time to post the notice for the 6/13/16 meeting?
 - J. Bernstein stated that she will review it tomorrow morning. If what he submitted is not complete, she will tell him that it will happen on 6/27/16.

6/27/13

- J. Bernstein noted she just got an application along Western Ave. It's the house that was built by the Lovejoys. The applicant put in a stone driveway through the wetland to do some tree cutting. He needs to come before the Board to get an after-the-fact approval so he can continue to do tree cutting.

C. MacClinchy reminded that J. Bernstein had sent a letter from an owner of a B&B who would like to increase the number of allowable rented rooms in other zones.

J. Bernstein stated that she originally was in favor for making this amendment across all zones that have B&Bs. She thinks that this is something that should be discussed by the Board.

J. Vance asked if all the B&Bs that wanted to increase their number of rooms would come before the Planning Board.

J. Bernstein answered no, they wouldn't come before the Planning Board. They would be reviewed by Code Enforcement and would need to show that they had appropriate parking and septic.

C. MacClinchy suggested that this Board talk about this again after the Town Meeting.

R. Metcalf stated again for the public, there is a questionnaire which is being done by the Town which is available online on the Town website. The due date for responses is the 31st of May. Paper copies are also available outside the clerk's office at the Town Hall.

9. Adjournment

D. Smith moved that the meeting be adjourned.

J. Vance seconded the motion.

Vote was 4/0 in approval.

Meeting was adjourned at 9:45 pm.

Respectfully submitted by Lynne Capitan.

Signature Page

C. J. [Signature], Chair 7/11/16

[Signature] 7/11/16

[Signature] 7/11/16

Signature

Date