

**Town of Kennebunk
Planning Board
Meeting Minutes
Monday, June 13, 2016**

Present: Chris MacClinchy – Chair; David Smith – Secretary; Robert Metcalf; Matthew Randall; Janice Vance – Alternate

Not Present: Richard Smith – Vice-Chair

Also Attending: Judy Bernstein – Town Planner

1. Open Meeting

C. MacClinchy opened the meeting at 7:03 pm. Today is Monday June 13, 2016.

2. Approval of Minutes of Previous Meetings

Approval of Meeting minutes will be held until the end of the meeting.

3. Final Plan Application of Howard Farm Subdivision, 207 Thompson Road

J. Bernstein provided an update on the application. Howard Farm Subdivision is located at 207 Thompson Road. Applicants/ owners are Dan and Greer Higgins. Location is Tax Map29, Lot 1. Nature of the request is for a 21 lot subdivision on a 23.7 acre site. The latest final plan submission items have been provided to the Board. Town Planner comments are noted in the agenda summary. The applicants' engineer, Jason Vafiades, is present to discuss the final plans and any changes he has made. He is also going to address the comments from the Town Planner.

Jason Vafiades, presented on behalf of Dan and Greer Higgins. Thanked the Board for taking this application on this first meeting of the month, even though it is usually reserved for zoning work. Mr. Vafiades continued that he did receive the Planner's Comments, dated June 9, 2016. To make things easier, he has done revisions to the plan according to those comments. He passed around to the Board both the revised plans and the written response to J. Bernstein's comments.

Mr. Vafiades read through the comments from J. Bernstein, and his responses:

(Please see below for Planner's comment followed by response from Mr. Vafiades.)

1. First comment from Town Planner was for the need of added monumentation for the additional road. The monumentation which has been added for the road is iron pins, and will need a waiver from the Board from standard of Subdivision Regulations.
 - a. Because the waivers were all taken care of at the last meeting, Mr. Vafiades has changed these markers to be granite monuments. The Board can see on the plan that it is now marked as such. So, there is no longer a need for another waiver.
2. Waiver request for 8.6.2k of the street standards of the proposed sidewalk location.
 - a. Mr. Vafiades thought that this waiver was granted at the last meeting.
 - b. C. MacClinchy agreed that this waiver has been approved. It was noted in the minutes for the 5/25/16 meeting, which were reviewed for tonight's meeting.
3. Note to be added to plan that states the underdrain is subject to review by the Town Engineer.
 - a. Sheet C.40 now has that information. It is added in both the plan view and the profile view.
4. Applicant to confirm that Home Owners Association document will contain language regarding the Town's standards for all outside lighting in a development.
 - a. This has been added and read to the Board.
5. Hydrants to be added to the legend block on Plan Sheet C.C-1.1
 - a. This has been added to the legend.
6. Notes to be added to plan specify culvert size.
 - a. Please see Plan Sheet C.30 Subdivision Note #5. Also note for culvert and ditch drainage. Also a detail on Sheet C.5.2 which shows a typical driveway culvert.
7. Stormwater treatment maintenance must be part of Home Owners documents.
 - a. Language has been added to the HOA documents.

8. Applicant indicates that plan specifies [on-site] culverts must be 15" and can't disrupt water flow.
 - a. Again, please refer to Sheet C.30
9. Home Owners documents must have clarification for care of sidewalks.
 - a. Proposed language has been added to the documents.
10. Applicant must submit copy of Home Owners Association Documents
 - a. Mr. Vafiades proposed that this be a condition of approval.

Mr. Vafiades added a couple more adjustments to the plan. In previous meetings there was discussion about making the open space in the front of the development more formalized. They have added a proposed easement in that area, with language which states that no structures higher than 4' can be added within the easement area.

J. Bernstein asked if there is any language regarding how much can be cut within that area.

Mr. Vafiades answered that there is nothing to cut in that area. There is a small stream, but this is part of the protected Shoreland zoning, and therefore no cutting is allowed there.

J. Vance asked if this space is shown on the plan.

Mr. Vafiades answered that yes it is shown. This is not a formal open-space. Rather, this is a No-Construction-Easement.

R. Metcalf asked Mr. Vafiades to reread the note for the No-Construction-Easement.

Mr. Vafiades did so, clarifying that no structure can be built within the easement which is taller than 4'.

M. Randall asked if this space would serve as a community garden.

Mr. Vafiades answered no.

D. Smith asked about a note which states that the height of any wall would be no more than 3'. He asked if this refers to structures on the lots in regards to what abuts Higgins Drive and Adams Road.

Mr. Vafiades answered yes. This note is in reference to preserving sight lines. The 3' is standard for a stone wall, which you wouldn't be able to see through. The No-Construction-Easement is more for preserving the look and feel of farm space for people traveling along Thompson Road.

D. Smith responded that he appreciates that, but he wondered why they were allowed as high as 4' in this easement when they can only build to 3' in other portions of the subdivision.

Mr. Vafiades stated that the 4' was to accommodate a standard split-rail fence.

D. Smith stated that he feels lower is better. He is concerned about how it may look.

M. Randall noted that during the last meeting, it was shown that this is a wildlife corridor. Did the applicant look into that?

Mr. Vafiades answered that [Jim Logan had said during a previous meeting] if you look at the old Town maps, the corridor is actually behind this property and along Ward Brook.

D. Smith asked for clarification for the commitment on the building requirements.

Mr. Vafiades stated that he can change everything to 3' maximum.

R. Metcalf noted that if the note allowed up to 4' fence, provided that it isn't solid. This would still preserve the look and feel of the farm land.

Mr. Vafiades noted that he could make the note to state that up to 4' non-solid fence allowed.

J. Bernstein stated she thought it would be nice to be consistent for what is allowable for the height of a fence.

C. MacClinchy asked what other outbuildings or structures may be proposed for this area.

Mr. Vafiades answered that there is nothing else anticipated.

C. MacClinchy suggested that perhaps the note stated that a split-rail fence would be the only allowable, and then you wouldn't need to note a height requirement for the No-Construction-Easement.

R. Metcalf noted that would be better to only state rail fence in the note, as there are other types of rail fence and not just split-rail.

Mr. Vafiades stated that he can make that change to the plan documents.

J. Vance asked in regard to the Home Owner Association Documents. Could the people who own this property really allow hunting within the subdivision?

Mr. Vafiades answered no, because that would be in violation of the state law regarding no discharge of a firearm within a certain perimeter (250') of a home.

J. Vance also asked where the number came from in the note that states the living area of any home built should be at least 1800 sq. ft.

Mr. Vafiades this is a fairly standard note to help preserve property values within the division.

J. Vance noted that there are a lot of people looking to down-size their homes, would there be any flexibility of this.

Mr. Vafiades indicated that he didn't think that this would be something the applicant is interested in downsizing.

M. Randall noted that this was discussed in a previous meeting, and he recalls that this was a minimum size so that they can maintain the property values. Also, they want subdivisions to maintain a certain look, which would require a minimum home size.

Mr. Vafiades reiterated that M. Randall was absolutely right in his comment. The minimum home size is both to maintain a certain look to the development and to maintain the property values. He also noted that when a person is looking to buy a lot within a subdivision, they are provided with the homeowners' documents, so they wouldn't be surprised by this requirement. If they wanted to build something smaller, they would know not to purchase within this development.

D. Smith asked if the 1800 sq. ft. was in reference to the footprint.

Mr. Vafiades answered no, that is a minimum of living space.

J. Vance reminded the Board that there was discussion at the last meeting regarding concern from the Board regarding homeowners filling in the drainage ditches.

Mr. Vafiades answered that he could certainly add language to the Home Owner documents regarding maintenance of the drainage system.

J. Vance asked if there is anything in the Homeowners' documents which would require the owners to pump their septics at specific time intervals.

Mr. Vafiades answered no typically this isn't part of the Home Owners documents as the schedule would be determined by the use. Some people will use their septics more heavily. Typically, they get taken care of, as the owners won't want to live with a system that isn't working.

D. Smith noted that there is no storage of outdoor tanks permitted. How would you view a propane tank?

Mr. Vafiades, it would not be permitted unless they wanted to put it underground.

D. Smith noted that each lot is to be used for single family residence and no lot may be subdivided. What happens to that declaration if the zoning changes?

Mr. Vafiades answered that if the zoning changes, they would not be allowed to subdivide unless there was a change to the Home Owners Documents.

C. MacClinchy asked if the zoning allows for accessory apartments, would those be allowed within the development.

Mr. Vafiades answered that yes, that would likely be allowed.

M. Randall asked if there are 20 lots or 21 lots.

Mr. Vafiades answered that it is now 21 lots.

D. Smith noted that there is an easement through Lot 11 for future alternate access. Has this been deducted from the Net Lot Size calculations?

Mr. Vafiades noted that this is written in the Box at the top of the sheet. The box lists Gross Lot Size, Net with the wetlands deducted, and Net with the wetlands and easement deducted.

M. Randall asked what the easement in Lot 11 entails.

Mr. Vafiades answered that if the road were to extend, they would need to have a 2nd egress. This easement is to preserve the value of the rest of the Howard's property should they choose to develop.

J. Bernstein stated for the record that the Planning Board had not reviewed or signed-off or approved this easement to be developed into a road.

Mr. Vafiades noted that is true. This is an easement for future development, if it is needed.

D. Smith noted that the road [Adams Road] is not paved, and with the steepness of 5%. Will this road be maintainable in the winter?

Mr. Vafiades noted that this should not be a problem for maintenance.

J. Vance asked how you build a road like this with gravel, so that the water runs off appropriately.

Mr. Vafiades answered that the gravel material that is used. The particle size is varied so that it meshes more. This mix compacts fairly solid, and doesn't move much.

R. Metcalf suggested that may want to consider using some [reclaimed] asphalt materials.

Mr. Vafiades stated that this is a good point. Reclaimed asphalt would still have some of the binder in it and would compact even more solidly.

R. Metcalf asked about Skyview Lane. Is there an easement through Lot 21 for that?

Mr. Vafiades stated that he believes there is a permanent 30' easement. It is also on the boundary survey as well.

R. Metcalf asked if the area for the stormwater is designated as an easement.

Mr. Vafiades answered yes it is an easement.

R. Metcalf noted that the Town doesn't have an ordinance regarding the application of organic fertilizers and pesticides. He thinks this refers to D. Smith's suggestion to use only certified organic fertilizer and pesticides.

Mr. Vafiades stated that he can correct the note.

M. Randall asked if this is going to be a private road. Would anybody be able to walk down the road if they didn't own a house there?

Mr. Vafiades answered that if it becomes public then it will be allowed. The main street through the development will be proposed for Town acceptance. If the road remains private, then it will be up to the Home Owners.

C. MacClinchy asked if we had included the KKW signoff for the packet.

Mr. Vafiades stated that it is in the plan packet.

C. MacClinchy asked if the Board had everything that they need for this application.

M. Randall asked if they were going to vote on approval tonight.

J. Bernstein answered that the Board can vote, but that they need to be very clear about any additional conditions you want from the applicant.

Mr. Vafiades noted that he has 2 changes to the plan notes: revise the plan note about the fence requirements, and add the note regarding the certified organic fertilizers and pesticides. Also, he will be sure to get Town staff to review the Home Owner

documents based on the language he proposed and adding the language regarding the driveway culvert as its own section.

C. MacClinchy asked for a summary of the Home Owner documents.

Mr. Vafiades listed the changes to be made.

- Add a separate section for the ditch and culvert maintenance and no blockages of the drainage ways.
- The red, bold text changes which were proposed to the Board today.

C. MacClinchy asked if the Board had any further questions at this time.

M. Randall asked what the process for finalizing this tonight is.

C. MacClinchy answered that the Board would need to: Subdivision Plan Approval vote, Findings of Fact Subdivision and Conditions of Approval, and the Findings of Fact for Shoreland Zone and Wetland Fill/ Alteration.

M. Randall asked if the Board would need to vote that this is complete and the conditions.

C. MacClinchy responded that this is mostly just a vote on the Findings of Fact.

J. Bernstein added that the Board would also vote if this is a complete final application.

M. Randall asked if we would then determine if we would have a Public Hearing for the final plan. And would we need to add a performance guarantee.

J. Bernstein stated that the Town does have an accepted performance guarantee. This has been signed off by Town staff.

R. Metcalf added that the Board decided they did not need to see the final performance guarantee as they do not approve it. That is approved by Town staff.

C. MacClinchy asked if there was a motion for Final Plan completeness.

D. Smith moved that the Town of Kennebunk Planning Board consider the final plan for the Howard Farm Subdivision to be deemed complete with conditions.

R. Metcalf seconded the motion.

C. MacClinchy asked if we wanted to list the conditions here.

R. Metcalf stated they should just list the conditions within the Findings of Fact.

C. MacClinchy made J. Vance a voting member of the Board for the duration of this meeting.

Vote to deem this Final Plan Complete was 5/0 in Favor.

C. MacClinchy asked if the Board felt that this plan would need another Public Hearing due to the changes in the plan.

R. Metcalf responded that due to the minimal input from the Public at the previous hearing, and the fact that the applicant has been very diligent in these changes he feels that there is no need for another Public Hearing.

D. Smith concurred with this. He continued that the changes that have been made are minimal since the last public hearing.

M. Randall noted that he would like to see a little more information, but he doesn't feel that the public would be likely to have new information that would be required for his decision on this plan.

J. Vance agreed. She stated that she does not see the changes to be of substance since the previous Public hearing, and thus she doesn't see the need for another one.

C. MacClinchy summarized that the Board does not require another Public Hearing. As such, they are able to move forward with the Findings of Facts for this application.

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

PROPERTY OWNER Dan & Greer Higgins	SHORELAND ZONING DISTRICT SZ <u> X </u> RP <u> </u>
ADDRESS OF PROPERTY 207 Thompson Road	WETLAND FILL APPROVED? <p style="text-align: center;">2985 SQ. FT.</p>

<p>FINDINGS OF FACT AND CONDITIONS OF APPROVAL</p>
BD. OF APPEALS <u> </u>
PLANNING BOARD <u> X </u>
INFORMATION REVIEWED BY PLANNING BOARD: <ul style="list-style-type: none"> • Shoreland Application/Plan dated <u> 5/17/2016 </u> • Shoreland Zoning Performance Standards Review (attached) • Staff reviews (egr., fire, planner) : <u> 4/21/2016 & 6/8/2016 </u> • Conservation Commission : <u> No comments received </u> • State/Fed. Reviews: <u> approved 4/28/2016 </u> • Site Walk: <u> 12/19/2015 </u>
CONDITIONS: <ol style="list-style-type: none"> 1. Town Engineer must review underdrainage. 2. Additional language is to be added into the Home Owners documents about the regular maintenance and a prohibition against the filling in of ditches, along with the maintenance plan that has been approved for the stormwater features. 3. Applicant is to provide evidence of the DEP permit by rule to be submitted to the Town Planner and Code Enforcement Officer prior to the temporary disturbance to wetland in Lots 11 and 12 for the installation of sewer system.

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.

Note: A person performing any of the following activities shall be required to obtain a permit from the Department of Environmental Protection pursuant to Title 38 M.R.S.A., Section 480-C, if the activity occurs in, on, over, or adjacent to any freshwater or coastal wetland, great pond, river, stream or brook and operates in such a manner that material or soil may be washed into them as a result of:

- a) Dredging, bulldozing, removing or displacing soil, sand, vegetation or other materials;
- b) Draining or otherwise dewatering;
- c) Filling, including adding sand or other material to a sand dune; or
- d) Any construction or alteration of any permanent structure.

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,
 - (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,
 - (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,
 - (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.

- (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),
- (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,
- (g) The location of any structure shall not interfere with existing developed or natural beach areas, nor impede legitimate passage along a beach,
- (h) The facility shall be located so as to minimize adverse effects on fisheries.
- (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,
- (j) Lighting to illuminate walkways, ramps and floats only, and, any such lighting must meet the private outdoor lighting standards of this ordinance,
- (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,
- (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,
- (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) 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,

- (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,
- (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
- (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.

Conclusion:

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

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

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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 _____ Met with the following conditions _____;

Drainage Plan and Erosion Plan have been reviewed and signed off by the Town Engineer.

(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 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 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 _____ Met with the following conditions _____;

Has been reviewed and signed off by the Town Engineer

- (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 X Not Met N/A 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 X Not Met N/A Met with the following conditions ;

This plan has been reviewed by the Town Engineer.

- (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

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

Town Engineer must review the underdrainage.

- (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 X Not Met _____ N/A _____ Met with the following conditions _____;

Additional language is to be added into the Home Owners documents about the regular maintenance and a prohibition against the filling in of ditches, along with the maintenance plan that has been approved for the stormwater features.

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 has received DEP permit approval. Also, applicant has shown that they have placed the road in such a way as to minimize the amount of wetland that they need to impact.

- (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. Town Engineer must review underdrainage.
2. Additional language is to be added into the Home Owners documents about the regular maintenance and a prohibition against the filling in of ditches, along with the maintenance plan that has been approved for the stormwater features.
3. Applicant is to provide evidence of the DEP permit by rule to be submitted to the Town Planner and Code Enforcement Officer prior to the temporary disturbance to wetland in Lots 11 and 12 for the installation of sewer system.

Dated: June 13, 2016

Applicable Reviewing Board

Planning Board X Site Plan Review Board

D. Smith moved that the Planning Board approve the Findings of Fact, Conclusions, and Conditions for Shoreland Zone Application for property owners Dan & Greer Higgins, address is 207 Thompson Road, as conditioned.

R. Metcalf seconded this motion.

Vote was 5/0 in favor. This Shoreland Zone Application Findings of Fact has been approved as conditioned.

Town of Kennebunk Planning Board

FINDINGS OF FACT AND CONDITIONS OF APPROVAL

FINAL SUBDIVISION PLAN OF Howard Farm Subdivision

Subdivision Name

1. Property Owner: Dan and Greer Higgins
2. Site Location: 207 Thompson Road
3. Size and # of lots/units: 23.7 acres/ 21 lots
4. Zoning District (s): West Kennebunk Village Residential and Shoreland Overlay Zone
5. Assessor's Map 29 Lot 1
6. Applicant: Dan Higgins

has shown X has not _____ shown legal interest in the property (deed, option, purchase and sale agreement).

7. INFORMATION REVIEWED BY PLANNING BOARD:

- Staff reviews (Engineer, Fire Chief, Planner, Code Enforcement Officer) 4/21/2016 & 6/8/2016
- Site Walk completed by Board 12/19/2015
- Conservation Commission none submitted
- State/Federal Reviews DEP permit approval 4/28/2016
- Sign off from KKW 5/16/2016

CONDITIONS:

1. Subdivision Plan Note 4 be revised regarding rail fence height.
2. Add a note within the plan to use only certified organic fertilizers and pesticides.
3. Add a note on the prohibition of ditch filling within the Home Owners documents.
4. Add notes to incorporate edits and additions to the Home Owners documents as proposed by Stantec in the 6/13/16 response to the Board's comments.
5. Incorporate all notes and revisions on the site development plans dated 6/13/16.

8. The Kennebunk Planning Board has reviewed the above noted development utilizing the Kennebunk Standards for Reviewing Land Subdivisions and the Kennebunk Zoning Ordinance. Based upon the application and materials submitted in support of the application, together with the evidence submitted at the public hearing on the application, the Planning Board makes the following findings with respect to the standards of Title 30-A § 4404 and Article 11, Section 8 of the Zoning Ordinance Guidelines listed below:

A. M.R.S.A. 30-A §4404

1. **Pollution.** Will not result in undue water or air pollution. In making this determination it shall at least consider: The elevation of land above the sea level and its relation to the floodplains, the nature of soils and sub-soils and their ability to adequately support waste disposal; the slope of the land and its effect on effluents; the availability of streams for disposal of effluents; and the applicable state and local health and water resources regulations.

Standard is met X , not met _____, met with following conditions and or waivers

Rationale for negative determination: _____

2. **Sufficient water.** Has sufficient water available for the reasonably foreseeable needs of the subdivision.

Standard is met X , not met _____, met with following conditions and or waivers

Letter from KKW dated 5/18/16 stating approval of design and water supply. _____

Rationale for negative determination: _____

3. **Municipal water supply.** Will not cause an unreasonable burden on an existing water supply, if one is to be utilized.

Standard is met X , not met _____, met with following conditions and or waivers

Rationale for negative determination: _____

4. **Erosion.** Will not cause unreasonable soil erosion or reduction in the capacity of the land to hold water so that a dangerous or unhealthy condition may result.

Standard is met X , not met _____, met with following conditions and or waivers

Town Engineer has reviewed and signed off on erosion control plan.

Rationale for negative determination: _____

5. **Traffic.** Will not cause unreasonable highway or public road congestion or unsafe conditions with respect to use of the highways or public roads existing or proposed, and, if the proposed subdivision requires driveways or entrances onto a state or state aid highway located outside the urban compact area of the Town, the Department of Transportation has provided documentation indicating that the driveways or entrances conform to Title 23, section 704 and any rules adopted under that section.

Standard is met X , not met _____, met with following conditions and or waivers

Will not produce any unreasonable traffic.

Rationale for negative determination: _____

6. **Sewage disposal.** Will provide for adequate sewage waste disposal and will not cause an unreasonable burden on Town services if they are utilized.

Standard is met X , not met _____, met with following conditions and or waivers

Applicant is using private subsurface waste disposal in the form of individual septic systems on each lot.

Rationale for negative determination: _____

7. **Municipal solid waste disposal.** Will not cause unreasonable burden on the ability of a municipality to dispose of solid waste and sewage if municipal services are to be utilized.

Standard is met X , not met _____, met with following conditions and or waivers

Rationale for negative determination: _____

8. **Aesthetic, cultural and natural values.** Will not have an undue adverse effect on the scenic or natural beauty of the area, aesthetics, historic sites or rare and irreplaceable natural areas or any public rights for physical or visual access to the shoreline.

Standard is met X , not met _____, met with following conditions and or waivers

Applicant is providing a 200' deep visual buffer along Thompson Road to preserve the rural aesthetic of the area. The visual no-construction easement is 150' deep on Lot 1.

Rationale for negative determination: _____

9. **Conformity with local ordinances and plans.** Is in conformance with the duly adopted subdivision regulation, comprehensive plan, and zoning ordinance of the Town of Kennebunk.

Standard is met X , not met _____, met with following conditions and or waivers

Rationale for negative determination: _____

10. **Financial and technical capacity.** The sub divider has adequate financial and technical capacity to meet the standards of these regulations.

Standard is met X , not met _____, met with following conditions and or waivers

Applicant has provided performance guarantee to the Town.

Rationale for negative determination: _____

11. **Surface waters; outstanding river segments.** Whenever situated, in whole or in part, within 250 feet of any pond, lake, river or tidal waters, will not adversely affect the quality of that body of water or unreasonably affect the shoreline of that body of water.

Standard is met X , not met _____, met with following conditions and or waivers

Rationale for negative determination: _____

12. **Ground water.** Will not, alone or in conjunction with existing activities, adversely affect the quality or quantity of ground water.

Standard is met X , not met _____, met with following conditions and or waivers

Rationale for negative determination: _____

13. **Flood areas.** The sub divider will determine, based on the Federal Emergency Management Agency's Flood Boundary and Floodway Maps and Flood Insurance Rate Maps, whether the subdivision is in a flood-prone area. If the subdivision, or any part of it, is in such an area the subdivider will determine the 100-year flood elevation and flood hazard boundaries within the subdivision. The proposed subdivision plan shall include a condition of plat approval requiring that principal structures in the subdivision shall be constructed with their lowest floor, including the basement, at least two feet above the 100-year flood elevation.

Standard is met X , not met _____, met with following conditions and or waivers

There is no flood zone within the subdivision.

Rationale for negative determination: _____

14. **Stormwater.** The proposed subdivision will provide for adequate storm water management.

Standard is met X , not met _____, met with following conditions and or waivers

Stormwater management plan has been reviewed and approved by the Town Engineer.

Rationale for negative determination: _____

15. **River, stream or brook.** Any river, stream or brook within or abutting the proposed subdivision has been identified on any maps submitted as part of the application. For

purposes of this section, "river, stream or brook" has the same meaning as in Title 38, section 480-B, subsection 9.

Standard is met X , not met _____, met with following conditions and or waivers

Rationale for negative determination: _____

16. **Freshwater wetlands.** All freshwater wetlands within the proposed subdivision have been identified on any maps submitted as part of the application, regardless of the size of these wetlands.

Standard is met X , not met _____, met with following conditions and or waivers

Rationale for negative determination: _____

17. **Spaghetti-lots prohibited.** If any lots in the proposed subdivision have shore frontage on a river, stream, brook, great pond or coastal wetland as these features are defined in Title 38, section 480-B, none of these lots created within the subdivision have a lot depth to shore frontage ratio greater than 5 to 1.

Standard is met _____, not met _____, met with following conditions and or waivers

N/A

Rationale for negative determination: _____

18. **Lake phosphorous concentration.** The long-term cumulative effects of the proposed subdivision will not _____ unreasonably increase a great pond's phosphorus concentration during the construction phase and life of the _____ proposed subdivision.

Standard is met _____, not met _____, met with following conditions and/or waivers

N/A

Rationale for negative determination: _____

-
19. **Impact on adjoining municipalities.** For any proposed subdivision that crosses municipal boundaries, the proposed subdivision will not cause unreasonable traffic congestion or unsafe conditions with respect to the use of existing public ways in an adjoining municipality in which part of the subdivision is located.

Standard is met _____, not met _____, met with following conditions and or waivers

N/A

Rationale for negative determination: _____

20. **Lands subject to liquidation harvesting.** Timber on the parcel being subdivided has not been harvested in violation of rules adopted pursuant to Title 12, Section 8869, Subsection 14.

Standard is met X _____, not met _____, met with following conditions and or waivers

Rationale for negative determination: _____

B. Article 11, Section 8 (As applicable for multi-family and non-residential subdivisions)

1. The plan preserves the natural landscape insofar as practical and adequately uses the natural features of the site and/or new landscaping to define, soften, and screen the impacts of development.

Standard is met _____, not met _____, met with following conditions and or waivers

N/A

Rationale for negative determination: _____

2. For a nonresidential project, effective buffers are maintained or created between it and adjoining residential properties and residential zoning districts.

Standard is met _____, not met _____, met with following conditions and or waivers

N/A

Rationale for negative determination: _____

3. Filling, excavation and earth moving activity is carried out in a way that keeps erosion and sedimentation to a minimum.

Standard is met _____, not met _____, met with following conditions and or waivers

N/A

Rationale for negative determination: _____

4. Adequate provision has been made for surface drainage, so that removal of storm waters will not have an unreasonably adverse effect on neighboring properties, downstream water quality, soil erosion, or the public storm drainage system.

Standard is met _____, not met _____, met with following conditions and or waivers

N/A

Rationale for negative determination: _____

5. Adequate provision has been made for water supply and sewage disposal.

Standard is met _____, not met _____, met with following conditions and or waivers

N/A

Rationale for negative determination: _____

N/A

6. The site plan provides for safe access to and egress from public and private streets, with adequate parking and internal circulation.

Standard is met _____, not met _____, met with following conditions and or waivers

N/A

Rationale for negative determination: _____

-
7. Vehicular access to the site will be on roads which have adequate capacity to accommodate any additional traffic generated by the development.

Standard is met _____, not met _____, met with following conditions and or waivers

N/A

Rationale for negative determination: _____

8. The site plan provides for safe pedestrian circulation, both on-site and off-site.

Standard is met _____, not met _____, met with following conditions and/or waivers

N/A

Rationale for negative determination: _____

9. Exterior lighting does not adversely affect neighboring properties or streets.

Standard is met _____, not met _____, met with following conditions and or waivers

N/A

Rationale for negative determination: _____

10. Electrical and telephone utility lines and components serving the site will be placed in a manner that is not hazardous or unsightly.

Standard is met _____, not met _____, met with following conditions and or waivers

N/A

Rationale for negative determination: _____

Town of Kennebunk Planning Board
Meeting Minutes for June 13, 2016
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*** Based on the above noted findings, the Kennebunk Planning Board votes to

_____ approve,

 X approve with the conditions noted above, or

_____ deny

the Final Plan Application of

Howard Farm Subdivision

Subdivision Name

D. Smith moved that the Planning Board approve the Findings of Fact, Conclusions, and Conditions for Final Plan Subdivision Application for property owners Dan & Greer Higgins, address is 207 Thompson Road, as conditioned.

R. Metcalf seconded this motion.

Vote was 5/0 in favor. This Subdivision Final Plan has approval.

4. Zoning Amendment(s) Workshop

B&Bs in Village Residential Zone

J. Bernstein summarized. In the Board Packet you will find a letter that she received from Paul and Elizabeth Antonellis, who have a small B&B on Fletcher St. They are proposing an amendment very similar to the one which the Board just passed on for Town Meeting vote regarding increasing the number of allowable rooms to be rented in a B&B. Currently we allow up to 4 rented rooms. The request is to increase within Village Residential to allow up to 6 rented rooms. They have also requested that perhaps the Board would like to consider allowing up to 8 rented rooms.

Mr. Antonellis presented his case for the Elizabeth Rose House. This request is very like the one from the owners of the Emerson. Like the last request, they are facing competition from Airbnb, even though those rentals are unregulated. Also, the new hotel coming into town is going to be very near to their location. They are walking distance from downtown Kennebunk. They send their guests directly to the other businesses in Downtown. They are asking for this increase in allowable rooms, provided that everything is in compliance with all state and local regulations. They have made some significant upgrades to their B&B and property which would support having the extra rooms for rent, while complying with all regulations.

Mr. Antonellis added that he included the piece at the end of his request that the Board consider allowing up to 8 rooms, as a way to create more consistency across all the zones in Town. He suggested that the governing regulations would then provide the limits of how many rooms can be rented (i.e. parking, septic, etc.)

Mr. Antonellis stated for the record that they are only looking to have 6 rented rooms for their B&B, and noted that they would require no work to meet all standards for 6 rooms if it were allowable. He then asked if the Board had any questions for him.

M. Randall asked if Mr. Antonellis knew the history of his building.

Mr. Antonellis stated that he has heard various histories for the building. It was a rooming house at one point. He has traced the building's history back as far as 1986-87.

M. Randall stated that this is a zoning amendment so it is not just for their property. How many rooms are you looking to have; 6 or 8?

Mr. Antonellis answered 6.

M. Randall clarified that this is Village Residential Zone. The last application was to amend the ordinance for Suburban Residential. He stated that this would be more central to the Downtown region, and would benefit more from this change.

J. Bernstein also noted that many of these properties are already on public sewer.

R. Metcalf noted that not all of Village Residential is on public sewer, but this property is.

Mr. Antonellis added that both he and his wife are in their 70s. Having the extra income from a couple more rooms would allow them to get some extra help for serving the B&B. Right now they are doing it all themselves.

J. Vance asked if they knew of any other B&Bs in Village Residential.

Mr. Antonellis stated that he isn't aware of the others.

M. Randall asked what the timeframe on this would be.

J. Bernstein answered that the November Town meeting would be the soonest. The Planning Board would need to have a Public Hearing and then passing it on to the Board of Selectmen who would then need to have a Hearing.

M. Randall asked to be reminded that there are other permits from the State and regulations that would have to happen in order to make this happen.

Mr. Antonellis noted that there would be the lodging license and a state license that would be required.

D. Smith noted that he has no questions at this time.

R. Metcalf noted that Suburban Residential is a more confined district, where as Village Residential is now opening this up to a greater portion of the Town. The conversation from the previous amendment request was concern about where in the Village this could happen, and the proximity of parking to an abutting lot. But we will also have the same discussion that we are not likely to see a large influx of people wanting to have a B&B.

Mr. Antonellis agreed that this is a legitimate concern. He and his wife spend a good portion of time talking with their neighbors to make sure that they are not causing disturbance.

R. Metcalf noted that the previous request for amendment began as a request to amend the ordinance for the whole town, and it was reduced to just Suburban Residential. Now, this new request is coming in for Village Residential. The Board needs to be able to take the time to talk about the greater impact this is going to have across the Town.

Mr. Antonellis noted that this is a "soft business." They need to balance the economic and income portion of this business against minimizing the impact on the Town and the Neighborhood.

R. Metcalf noted that if this won't be going to Town Meeting until November, this will give the Board time to have some of this needed discussion. And we should look at some of the language again.

J. Bernstein agreed that it may be the Board needs to formalize some of the language. Any place that wants to come in will need to show that it can meet standards. It might be nice to have 1 concise section under B&Bs that lists all those things and makes it clear to anyone who is thinking about starting a B&B that they are going to be asked all these questions. She continued that she had brought up the possibility of amending Village Residential at the same time as Suburban Residential. At the time there was some concern about allowing the increase in the Historic Overlay. Would there be some language that could ease the fears of some of those neighborhoods. Obviously any change to the properties within the Historic Zone would need to have approval from Historic Preservation.

Mr. Antonellis noted that the big issue is going to be parking. A lot of the driveway space for these homes do not have the space to turn around, and the regulations state that they cannot have visitors back out onto the road.

M. Randall asked if the Board were to make changes and/or create a section just for B&Bs would that change what was just done in Suburban Residential.

J. Bernstein answered that it wouldn't necessarily do so. It would be intended just to bring all the information into one place. She stated she didn't know if the Board would want to include some additional language for proposals within a historic district. Perhaps they could add some language in terms of protecting the historic character. Perhaps there is an additional performance standard which needs to be met to preserve the historic character.

R. Metcalf noted that Historic Preservation Committee would likely have some input.

C. MacClinchy noted that any B&B in the Historic Overlay would need to go before the Historic Preservation Committee anyway.

J. Bernstein added that it might be good to bring them into the discussion and get their input to help alleviate some of the potential issues before they arise.

M. Randall asked about the Historic Overlay and does it include an entire parcel?

J. Bernstein answered not necessarily. It only extends 300' from the centerline [of road].

M. Randall suggested that the Board may want to build in some language to protect the historic nature of the lot, even if it extends beyond the official Historic Overlay.

J. Vance stated that she would support the change to 6 room. Given the controls that the Town has in place, she doesn't believe that it will cause any problems. She does like the idea of bringing other departments from Town in for a discussion (i.e. the Historic Preservation Committee).

J. Bernstein stated it may mean meeting on a different night for this discussion, but that she would talk with the Committee to see what would work best.

Mr. Antonellis asked what would be the next steps.

J. Bernstein stated that the next steps would likely be for her to pull together the current regulations and standards in one place to have this discussion.

J. Vance noted that with this being the second zone to request this change, she can see this "snowballing".

J. Bernstein responded that she can see this use being good for a variety of different zones. Provided they have the space, and they can meet the other standards. She said that she can see rural areas benefitting. She stated that she will get back in touch with Mr. Antonellis when she can get some more information pulled together.

C. MacClinchy added that the Board will keep Mr. Antonellis apprised of any/ all updates in the process.

Keeping of Horses Amendment

J. Bernstein summarized that the current standard states that the minimum lot size for the keeping of 1 horse or pony is 2 acres of land. Additional horses or ponies can be kept with an additional horse or pony for each additional ½ acre with a maximum of 4 horses or ponies. The proposed amendment would keep these standards, but would

remove the maximum limit for the rural zones. The Village zones will continue to have the limit of 4 horses.

J. Vance noted that Suburban Residential is not include in this regulation.

J. Bernstein responded that it has never been included in this standard.

J. Vance asked if this means that in that zone you are not allowed any horses at all

J. Bernstein answered that is correct.

C. MacClinchy noted that also excluded is the West Kennebunk Village.

J. Bernstein stated that Village Residential could be argued to cover the West Kennebunk Village.

R. Metcalf asked about Suburban Residential. Why would it have been excluded?

J. Bernstein answered that she doesn't know why it wouldn't be included.

J. Vance asked if the Board would want to add Suburban Residential to the standard.

M. Randall stated that he doesn't see any reason not to include it during this revision.

C. MacClinchy stated that his recommendation is to add Suburban Residential to the standard and add clarification language that Village Residential also includes West Kennebunk Village.

R. Metcalf noted that we would like know if they will need a Public Hearing. He also stated that he would recommend that the language list the restricted zones first and the less restricted zones following.

J. Bernstein stated that she will redraft it, and have it ready for Public Hearing during the first meeting in July.

5. Other Old/ New Business

Review of Previous Meeting Minutes

4/25/16 Meeting minutes were reviewed and edited.

D. Smith moved to approve the minutes for Monday April 25, 2016 as corrected.

R. Metcalf seconded this motion.

Vote was 5/0 in favor.

C. MacClinchy noted that the Board cannot review the minutes for 5/9/16 as they just received them at this meeting.

5/23/16 Meeting Minutes were reviewed and edited.

C. MacClinchy noted that before the Board can vote on approval of these minutes, they would like to see the corrections as well as they will need to add a signature page.

Agenda for the 6/27/16 meeting

- 3 Bayberry continued – Shoreland Zone application.
 - J. Bernstein stated she has been told by the Town Attorney that existing homes that are being reviewed to rebuild under the current standards do not need to go through Special Exception., so they won't need a Public Hearing.
- 49 Great Hill Road – Shoreland Zone application
 - Also won't need to do a Special Exception due to the fact that this is a rebuild.

J. Bernstein noted that she will notify the abutters for these applications, but the Board won't need to schedule a Public Hearing.

- Also have a Shoreland application for 136 Western Ave.
 - Property owner is Gilpatric. Application is for an after-the-fact for a wetland crossing for some tree cutting that he is doing on his lot.
- Dock request – Shoreland Zone/ Special Exception for Erinmore for the Boothby Road subdivision.
- Zoning Map Correction request by Gail Arnold regarding a Summer St. property.
 - R. Metcalf noted that they had looked at this years ago.

J. Bernstein noted that the Penwood Subdivision Plan Revision, revised plans have not been received yet. The Board requested that the Right-Of-Way includes more land. The planner has not received the updated plan yet.

C. MacClinchy noted that the applicant provided a map with the changes on it during the site walk.

J. Bernstein stated that if the applicant is ready, they can add this to the agenda.

Also noted that she doesn't have a plan for the Coastal Woods yet, so she will work on that.

R. Metcalf noted that he will not be present at the 6/27/16 meeting as he needs to be present at a Public Hearing in York.

C. MacClinchy asked if the rest of the Board had received a copy of the new policy regarding minutes.

J. Bernstein said that she has received this. She isn't sure what generated this. She asked if the Planning Board was the cause, and it wasn't just this Board. She stated that the Board of Selectman will understand that there will be delays at times.

C. MacClinchy also reminded the Board of the Volunteer Appreciation BBQ. RSVP is due 6/13/16.

6. Adjournment

D. Smith moved to adjourn.

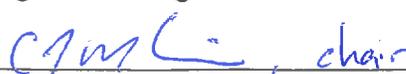
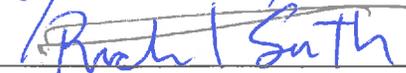
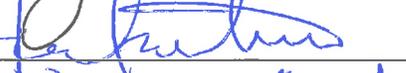
R. Metcalf seconded.

Vote was 5/0 in favor.

Meeting was adjourned at 11:23 pm.

Respectfully submitted by Lynne Capitan.

Signature Page

 chair	8/8/16	
		
	8/8/16	
	8/8/16	
 Secretary	8/8/16	
Signature 	8/8/16	Date