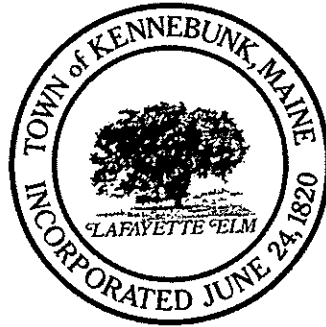


Town of Kennebunk, Maine



Planning Board

MEETING MINUTES

February 13, 2023

In Person Meeting, Town Hall, 3rd Floor, 1 Summer Street, Kennebunk

This meeting was held in person and televised on Cable TV Channel 5.
It is available for public viewing at any time at TownHallStreams.com.

Present: Chris MacClinchy [Chair], Richard Smith [Vice Chair], Janice Vance [Member], Edward Trainer [Member], and Daniel Kiley [Alternate];

Absent: Robert Metcalf [Member];

Also Attending: Christopher Osterrieder [Town Engineer and Director of Community Development], Karen Winton [Deputy Director, Community Development], Brittany Howard [Town Planner], William Walsh [Walsh Engineering], Craig Burgess [Sebago Technics], Bradford C. Paige [Kennebunk Savings Bank], Connor Ritter [Walsh Engineering], Nate Howes [Avesta Housing], and Durward Parkinson [Bergen Parkinson Attorneys].

1. **Call to Order:** Chair and presiding officer C. MacClinchy called the meeting to order at 7:00pm on January 30 2023. The meeting was held in person and initially four voting members were present: C. MacClinchy, J. Vance, R. Smith, and E. Trainer.

2. Agenda Items

- a. **Final Plan Review — The Moorings — Memory Care — York Street — Map 59 Lot 34**
B. Howard re-introduced this application, reminding the Board that applicant Beach Glass Management, LLC sought to build a 12-unit memory-care facility on York Street. In response to past Planning Board concerns, the final plan pushed the project deeper into the York Street lot to avoid intrusion into vernal pools and wetlands as much as possible.

Howard also reminded the Board that a public hearing on the project had taken place on November 22, 2021. Due to the State permitting delays, the applicant was granted time extensions for the submission of final plans.

B. Howard confirmed that the applicant had addressed the concerns cited by the Board during prior reviews. She noted, however, that notes about the two waivers granted at the Planning Board's November 21, 2022 meeting should be added to the recording page: (1) waiver of the soil map otherwise required by Article 11 Section 6.B.3; and (2) waiver of the Design Review Standards otherwise required by Article 10 Section 23.

Howard also reported that a third-party reviewer had likewise confirmed that the Board's prior concerns had been addressed. However, Howard noted that public commentators had expressed concerns about the project after the public hearing. Those concerns were shared with the Board and the applicant and were available for review on the agenda.

W. Walsh, representing the applicant, addressed the Board next. He offered a "refresher" overview of the project, and explained that vernal pools and wetlands on the property had limited the locations where buildings and a driveway could be built.

The site, Walsh confirmed, will be served by public water and sewer as well as underground electric. A culvert with a 3-ft diameter would be installed and partially sunk into the ground to permit "critter movement".

In response to the most recent public comments received, Walsh said that his group had worked extensively with State authorities to locate the physical features of this project with "high respect" for the wetlands and vernal pools. The State DEP, he said, was wholly satisfied with the environmental protection that will be afforded.

J. Vance inquired about the present-day content of the vernal pools which, she said, were substantially degraded. W. Walsh said he did not know what wildlife lived there today, but observed that the stone wall, culvert, and vegetation being installed should help nurture the presence of wildlife in general.

R. Smith asked if the Fire Chief was satisfied with the access to the rear of the building, and W. Walsh answered in the affirmative. Smith also remarked that any salt used on the driveway in the wintertime was sure to ultimately leach into the wetland. He [Smith] encouraged Walsh to consider some other anti-icing product. W. Walsh countered that sand would be used as often as possible.

R. Smith and E. Trainer then commended Walsh and the applicant for the DEP's "very positive" evaluation of this project and that agency's praise for the applicant's attentiveness to protecting the vernal pools and wetlands.

R. Smith asked W. Walsh to respond to the most recent public comments received, and Walsh stated once again that his group had worked very closely with the DEP to position the building and driveway in locations rendering the least environmental harm. The DEP, Walsh re-iterated, deemed the plan to be highly respectful of the vernal pools

and wetlands. The stone wall to be erected will help protect amphibians. The use of sand whenever possible will minimize the salt concerns voiced by some commentators.

C. MacClinchy polled members informally on the need for another public hearing on this project, but the consensus was that an additional public hearing was not warranted as virtually no significant change had been made to the plan since the last hearing. MacClinchy therefore promoted D. Kiley to voting status for the purpose of this meeting, and proceeded to Findings of Fact.

**Town of Kennebunk
Planning Board**

FINDINGS OF FACT AND CONDITIONS OF APPROVAL

FINAL SUBDIVISION PLAN OF: The Moorings
Subdivision Name

1. Property Owner: Town of Kennebunk has shown legal interest in the property by deed.
Applicant: Beach Glass Management LLC has shown legal interest in the property by purchase and sale agreement.
2. Site Location: York Street
3. Size and # of lots/units: 13.9 acres – 12 new residential units for a memory care facility
4. Zoning District (s): York Street Mixed Residential & Commercial Use (MRCU) & Shoreland Overlay
5. Assessor's Map: 54 Lot: 34
6. Applicant: Bill Walsh (Walsh Engineering Associates Inc.)
7. INFORMATION REVIEWED BY PLANNING BOARD:
 - Staff reviews (Engineer, Fire Chief, Planner, Code Enforcement Officer) X
 - Conservation Commission: X
 - State/Federal Reviews: X
 - Sketch: 6/28/2021
 - Preliminary/Completeness Meeting: 10/25/2021
 - Public Hearing: 11/22/2021

WAIVERS:

- The Planning Board granted the following waivers on 11/22/2021
- a. Zoning Article 11, Section 6.B.3.C – High Intensity Soil Survey
 - b. Zoning Article 10 Section 23 - Design Review

APPROVED BY:	DATE:
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

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 _____, N/A _____, 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 _____, N/A _____, met with following conditions and or waivers: Kennebunk, Kennebunkport, and Wells Water District supplied a letter to the Board stating they had the capacity of the proposed project.
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 _____, N/A _____, met with following conditions and or waivers: As noted in #2 above, the project is connecting to a public water supply.
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 _____, N/A _____, met with following conditions and or waivers The erosion control plan has been reviewed by a third party engineer.
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 _____, N/A _____, met with following conditions and or waivers: _____
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 _____, N/A _____, met with following conditions and or waivers This project is using public sewer. The Board was supplied with a letter stating the sewer district has the capacity for the proposed project.

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 _____, N/A _____, met with following conditions and or waivers See #6 above. The project will be using a private waste company to dispose of solid waste.

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 _____, N/A _____, met with following conditions and or waivers This plan went through a very thorough review from the Department of Environmental Protect at the state level to address the sensitive natural areas on the site.

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 _____, N/A _____, 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 _____, N/A _____, met with following conditions and or waivers _____

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 _____, not met _____, N/A X , 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 _____, N/A _____, 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 _____, N/A _____, met with following conditions and or waivers _____
Rationale for negative determination: _____

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

Standard is met X , not met _____, N/A _____, met with following conditions and or waivers: The stormwater management was reviewed by a third party engineer and was deemed adequate.
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 _____, N/A _____, 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 _____, N/A _____, met with following conditions and or waivers There are wetlands and vernal pools on the property that have been thoroughly reviewed.
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 _____, N/A X , met with following conditions and or waivers _____
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 _____, N/A X, met with following conditions and/or waivers _____
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 _____, N/A X, met with following conditions and or waivers _____
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 _____, not met _____, N/A X, 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 X, not met _____, N/A _____, met with following conditions and or waivers The landscape plan provides for an abundance of replanting and revegetation to try and restore the site closest to Route to support the sensitive areas and sensitive wildlife.
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 _____, N/A X, met with following conditions and or waivers _____
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 X, not met _____, N/A _____, met with following conditions and or waivers The erosion control plan was reviewed and approved by a third party engineer.
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 X, not met _____, N/A _____, met with following conditions and or waivers _____
Rationale for negative determination: _____

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

Standard is met X , not met _____, N/A _____, met with following conditions and or waivers Municipal services are to be utilized and the Board has the appropriate sign offs.

Rationale for negative determination: _____

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 X , not met _____, N/A _____, met with following conditions and or waivers _____

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 X , not met _____, N/A _____, met with following conditions and or waivers _____

Rationale for negative determination: _____

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

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

Rationale for negative determination: _____

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

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

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 X , not met _____, N/A _____, met with following conditions and or waivers The proposed utilities will be underground.

Rationale for negative determination: _____

***** Based on the above noted findings, the Kennebunk Planning Board votes to**
 approve,

 X approve with the conditions noted above, or

- The applicant will consult with Public Services to see if there are alternatives to using salt to control ice that may have a lesser impact on the sensitive natural areas.
- Add the following not to the plan: The following waivers were granted at the November 22, 2021 Planning Board meeting:
 - Article 11 Section 6.B.3 – Soils Map
 - Article 10 Section 23 – Design Review Standards
- The drawing list needs to add revision dates.

- Final sign off from water and sewer.

_____ deny
the Final Plan Application of

The Moorings
Subdivision Name

****All projects are required to have a preconstruction meeting prior to commencing work onsite. A performance guarantee is also required prior to the preconstruction meeting. ****

Motion: **Move that the Town of Kennebunk Planning Board approve the Findings of Fact and conditions of approval for this project for the creation of a 12-unit memory-care facility, "The Moorings", on York Street, Map 59 Lot 34.**

Moved: J. Vance

Second: R. Smith

Vote: **Show of hands vote, 5 in favor, none opposed, one absent; the motion carried.**

Motion: **Move that the Planning Board approve this final plan as conditioned for The Mooring, York Street, Map 59 Lot 34.**

Moved: J. Vance

Second: R. Smith

Vote: **Show of hands vote, 5 in favor, none opposed, one absent; the motion carried.**

After these votes, B. Howard reminded W. Walsh and the applicant that a performance guarantee and a preconstruction meeting were required before construction of any kind could take place. Walsh acknowledged these requirements.

b. Preliminary Review — Kennebunk Savings Bank — Contract Zone — 7 Alewife Park Road — Map 27 Lot 14

B. Howard next introduced the proposal of Kennebunk Savings Bank for a contract zone pursuant to Article 13 Section 2. The applicant specifically sought to divide a 44.2-acre parcel of land into six (6) lots to accommodate different housing and commercial developments.

Lots 1 and 3, Howard explained, would be housing developments. An affordable housing, Avesta project on Lot 1 would consist of two (2) buildings containing 70 units in total for residents 55 years of age and older. A portion of this development would meet Maine's Housing Low Income Housing Tax criteria and, hence, provide affordable housing. Lots 2, 4 and 5 would contain business/commercial units. Lot 6 would be open space with connection to the Eastern Trail.

This application, Howard added, included a narrative explaining how the proposed contract zone would be consistent with the Town Comprehensive Plan as required by Article 13 Section 2. The property, Howard said, is located in the Industrial District and contains a Priority 3 wetland. She also provided data to Planning Board members comparing the bulk and space standards of the Industrial and Village Residential/West Kennebunk Village Residential Districts with those proposed in this application.

At this juncture, R. Smith disclosed that he had served and a Kennebunk Savings Bank board several years ago, but professed impartiality as regards this project. C. MacClinchy informally polled Board members, who agreed that Smith did not need to recuse himself from this hearing.

B. Paige, Kennebunk Savings Bank CEO, addressed the Board next to explain the Bank's involvement in this project. He highlighted the history of the Bank's ownership of the property and observed that it was solely Bank's intent to "help housing... in southern Maine" without becoming a landlord or developer.

B. Paige said that the Avesta group had three affordable housing projects in Kennebunk, but more than 350 applicants on waiting lists. There was great demand for affordable housing. So it was the Bank's intent, Paige said, to eventually donate Lot 1 to Avesta for affordable housing and possibly create some affordable housing units on Lot 3 as well. The Bank is only initiating the planning process, but will turn the projects over to developers.

C. Burgess of Sebago Technics addressed the Board next, reiterating that the prime purpose of this project is, indeed, to create affordable housing. Open space may be left undeveloped as Lot 6 or 7. The Eastern Trail seeks some 30 feet of easement on Lot 1 to avoid a ditch line and wetlands, Burgess said. He asked the Board for preliminary feedback as to whether that might be feasible.

Burgess also explained that Lot 1 will be for "elderly, multifamily residences" and have only "one-to-one" parking [meaning one parking space per one residential unit instead of the 2.5 spaces per unit otherwise required]. If the Board concurred, Burgess said, Lot 3 would also need approval to have lower density with a 4,000 sq. ft. base line so that 70 units in total could be built in Lot 1 and possibly 3. C. Burgess then stated that three other lots — Lots 2, 4, and 5 — "could potentially be non-residential".

N. Howes, representing Avesta, then described his group's work in promoting affordable housing and housing for seniors. He explained that, for such housing, deeds typically have covenants which last 45 years and which restrict residency to individuals 55 years of age or older. Howes' stated that seniors typically use car services or public transportation, so extensive on-site parking was usually not needed. Based on Avesta's experience elsewhere, he said, projects such as this require only one parking space per residential unit.

E. Trainer commended the Bank for its willingness and generosity to help promote affordable housing. Trainer also questioned whether commercial enterprises could be

located inside the overall project so that each lot would, in effect, become a “self-contained, livable community [smart growth]”. D. Parkinson, an attorney involved with the project, commented on that prospect and on affordable housing in general.

R. Smith described the project as “multifaceted” and “exciting”. However, he voiced three concerns as well: (1) the traffic impact, (2) the need for a buffer waiver, and (3) the request for “one-to-one” parking. In more detail, these were Smith’s points:

Traffic Impact There are already a number of residential developments in the pipeline in this same area. A development of this size would inevitably put even more cars onto roads that are already congested. Smith therefore called for “a thorough traffic study”, a priority.

Buffer: Smith also expressed concern about this applicant’s intent to seek a reduction of the required buffer from 50 feet to 20 feet. There would have to be very strong justification for the Board to endorse that, Smith said.

Parking: Limiting the number of parking spaces to one space per unit might also be problematic, Smith stated. Kennebunk has limited public transportation. Tenants would not be able to easily reach grocery or convenience stores on foot. “Limiting parking,” Smith ventured, “might not be prudent.”

J. Vance, D. Kiley and E. Trainer expressed similar concerns about the traffic impact. C. Burgess countered that the work on this project would actually be done in phases so that each Lot would do its own traffic study. One-to-one parking, Burgess said, would only take place on the Avesta Lot 1 and not in other locations. Burgess added that his group was working with Maine DEP to look at the impact of the project on the Priority 3 wetlands on the sundry lots as well.

J. Vance observed that the plan, although preliminary and “only conceptual” at this time, shows all the units facing a massive parking lot. She suggested that the units be staggered or re-positioned around courtyards with some vegetation to break up the “Maine Mall parking-lot look”.

D. Kiley re-iterated that Lot 1 would likely have inadequate resident parking and would have no guest parking whatsoever. Kiley urged the applicant’s representatives to reconsider their parking plans and also touch base with abutters. “It’s otherwise a good use of the property,” Kiley stated.

C. MacClinchy expressed similar views. “We applaud the initiative to boost affordable housing,” MacClinchy said. But he questioned whether the property in question was the right location for a housing project of this size. Free land in the Industrial Zone is scarce, MacClinchy stated, and this project would most certainly put more traffic on already congested streets.

C. MacClinchy noted that a change of zoning would require voter approval; hence, studies showing the traffic impact would be critical for both the Planning Board as well as voters. "We need to understand the impacts," he concluded.

The Chair also expressed concern about the "vagueness" of the plan as regards the eventual commercial, residential or even industrial use of Lots 2, 4 and 5. He called on the applicant's representatives to clarify what kinds of commercial or residential development would take place there.

E. Trainer opined that having piecemeal traffic studies done lot by lot would not afford a comprehensive picture of the *overall* impact of this large project in its entirety. He recommended that a single, master, all-inclusive and thorough traffic study be undertaken.

C. Burgess then asked for the Board's guidance to make progress for a June zoning vote. C. MacClinchy responded that a June public vote for a zoning change "was a stretch." A November election target, the Chair said, was more realistic. A site walk in the interim was feasible. However, MacClinchy stated that he preferred holding off on a public hearing on this application until the traffic study was complete and other details were addressed.

The Board, C. Burgess, and the other representatives then agreed to conduct a site walk on Saturday, February 18th at 8:00am.

c. Preliminary Review – Multi-family – 61 York Street – Map 59 Lot 5

B. Howard next re-introduced the application of 61 York Street LLC, property owners Daniel and Lois Bennett, to build 12 residential units on 52,757 sq. feet of land. Two [2] of the units would be affordable. The project, Howard stated, was before the Board for preliminary and completeness review.

Howard noted that a number of public commentators had expressed interest in and concerns about this project, but tonight's meeting was not a public hearing. Public comments and questions would be heard when a public hearing takes place. Today's review was for completeness only, Howard said.

Howard then reminded Board members that the property had originally come before the Board on November 14, 2022 and that a site walk had been conducted on November 19, 2022. At its November 14th hearing, the Board raised concerns about the number of affordable units, drainage on the site, proposed reduction of the 50-ft. landscaped buffer, traffic impact on Route 1, and snow storage. The applicants, Howard said, had addressed each one. Likewise, the Fire and Public Services Departments reported that their concerns had been addressed. The Conservation Commission had no adverse comments.

B. Howard likewise noted that applicants sought three waivers:

- Waiver of the 50-ft. perimeter buffer otherwise required by Article 10 Section 10.D.3. [Applicants propose to create a 20-ft. buffer instead.]

- Waiver of the 100-ft. separation between the proposed driveway and the intersection of York Street and Waterford Greens Drive as otherwise required by Article 11 Section 8.6.C. {Applicants propose a 91'-ft. separation instead.} And,
- Waiver of the 2-ft. wide planting strip between the on-site walkway and parking area as otherwise required by Article 11 Section 8.8.b.

C. Ritter of Walsh Associates offered more detail about the project. There would be 12 units, three of which would be affordable. They would be served by public sewer, water, and electrical service. An underground water catch basin and filtration system would be installed to manage stormwater. Ritter also re-iterated the three waivers which Howard had cited. He added that his group will meet with Kennebunk's Town Engineer to discuss the standards required for the proposed roadway.

D. Kiley asked if the buildings would be staggered in height based on topography, and Burgess answered in the affirmative. J. Vance posed questions about the likelihood of stormwater flowing downhill onto abutting properties. Vance also asked if there would be lights on the decks of the units as well as full cut-off, and C. Burgess agreed to investigate and report back. Vance also suggested that native plants be used.

R. Smith asked if the State had been consulted about the 91-ft. reduction. Smith specifically asked that that consultation be verified. Smith also asked if access to the property could be made via Waterford Greene instead of Route One. "It's an option which should be explored," Smith stated.

R. Smith also observed that the affordable housing units were segregated in the plan, located off to the side and removed from the parking lot. He recommended that they be interspersed with the other, market-priced units, and not grouped apart. Smith also urged the applicant to create a vegetation buffer with trees and greenery that will remain green throughout the winter and afford better screening.

E. Trainer concurred. Trainer likewise called for the intermingling of affordable and market-priced units, better landscaping, and a definitive plan for the management of stormwater run-off.

At this point, C. MacClinchy reminded the Board that Kennebunk's Ordinance calls for "no increased run-offs" rather than no run-off whatsoever. The applicant's proposed catch basin, MacClinchy said, should adequately meet the Town's standard. However, MacClinchy agreed that the landscaping could be improved. The vegetation to be placed along the 20 ft. buffer, he said, would not afford much screening. It should also be improved, MacClinchy said.

After these comments, the Board proceeded to vote on the completeness of this application.

Motion: **Move that the Town of Kennebunk Planning Board deem the preliminary plan [of this project] to be complete.**
Moved: J. Vance
Second: R. Smith
Vote: **Show of hands vote, 5 in favor, none opposed, one absent; the motion carried.**

After the vote, the Board agreed to hold a public hearing on this application on March 13, 2023.

3. Prior Meeting Minutes

C. MacClinchy then led the Board in a review of the minutes of its meeting of January 30, 2023.

Motion: **Move that the Town of Kennebunk Planning Board approve the Minutes of its meeting of January 30, 2023 as presented.**
Moved: J. Vance
Second: R. Smith
Vote: **Show of hands vote, 5 in favor, none opposed, one absent; the motion carried.**

4. Other Business

There was none.

5. Adjournment:

There being no further business, the Chair adjourned the meeting at 9:37pm.

Motion: **Move that the Planning Board of the Town of Kennebunk adjourn this meeting.**
Moved: J. Vance
Second: R. Smith
Vote: **Show-of-hands vote, 5 votes in favor, none opposed, one absent; the motion carried.**

Respectfully submitted by
J. Schlagheck, Clerk

Adopted by the Planning Board in its Meeting of February 27, 2023

Signed by:



PLANNING BOARD