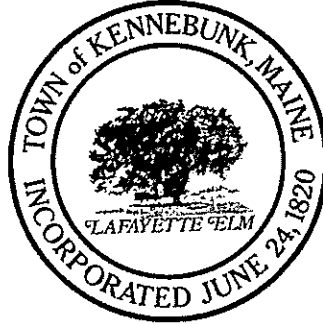


Town of Kennebunk, Maine



Planning Board

MEETING MINUTES

June 26, 2023

In Person Meeting, Town Hall, Room 301, 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], and Daniel Kiley [Alternate];

Absent: Robert Metcalf [Member] and Edward Trainer [Member];

Also Attending: Brittany Howard [Town Planner], Christopher Osterrieder [Director, Community Development], Karen Winton [Deputy Director, Community Development], Henry Hess [Sebago Technics], Gregory P. Braun [Bergen & Parkinson LLC], Durward Parkinson [Bergen & Parkinson LLC], Tom Reinauer [York County Community Action Corporation], Lauren Turner [Avesta Housing], and William Ward, Jr. [Select Board Liaison].

1. **Call to Order:** Chair and presiding officer C. MacClinchy called the meeting to order at 7:00pm on June 26, 2023. The meeting was held in person at Town Hall. The presiding officer elevated D. Kiley, an Alternate Member, to voting status for the purpose of the meeting. The number of voting members in attendance was, therefore, four: MacClinchy, Smith, Vance, and Kiley.

2. Agenda Items

a. Preliminary – Subdivision Revision – Lois Lane – Map 39 Lot 61

B. Howard introduced this application for an amendment to an already approved subdivision plan for Longwood Terrace #4, 17 Rosewood Circle. The plan had originally been reviewed and approved by the Planning Board in December, 2020. The amendment, Howard said, was specifically for a change of building location.

Howard explained that the proposed revised location would move the building closer to the driveway and slightly closer to the wetland setback. The application and approval criteria for a change of building footprint, Howard said, were governed by note #4 on the subdivision plan.

Applicant and owner Kyle Liimatainen addressed the Board next, explaining that he simply sought a shift in the location of the house for added privacy. D. Kiley inquired if the grading would be the same, and the applicant answered in the affirmative. J. Vance asked about the proposed driveway and turnaround, and B. Howard affirmed that they, too, would not change.

R. Smith questioned whether the building's new location would honor setback requirements, and the owner confirmed that the new location would be "more than 25 feet from the setback." R. Smith also asked for written confirmations from the contractor and "wetland specialist" which the applicant had retained that there would be no wetland impact and no drainage problems for neighbors. "These should be noted on the plan," R. Smith suggested.

In response to questions from C. MacClinchy, the applicant affirmed that the turnaround area would be kept clear at all times. MacClinchy also asked for a statement from the owner's wetland consultant that the project would not adversely affect drainage or cause water issues for neighbors.

Board members then agreed to hold a Public Hearing on the application on August 14, 2023. This gave the applicant time to make plan revisions and provide the written statements requested.

b. Preliminary – Contract Zone – Kennebunk Savings – 7 Alewife Park Road – Map 27 Lot 14

B. Howard next re-introduced this application which had initially been reviewed by the Board at its meeting of May 22, 2023. The proposal would divide a large parcel of land on Alewife Park Road into three [3] lots for: (1) a 70-unit, affordable housing development to be managed by Avesta, the affordable housing specialist; (2) a space to be kept open and remained connected to the Eastern Trail; and (3) a campus for Kennebunk Savings Bank's use and operations center.

In response to Board prompting at the May 22nd review, Howard said, the applicant had updated its traffic memo as well as affordable housing narrative. The applicant had also supplied a truck-turning plan and a more detailed site plan.

Howard went on to affirm that the property in question was located in the "Industrial" and "Shoreland Overlay" zones. There is a Priority 3 wetland on the property. Howard additionally noted that the applicant proposed 1.5 parking spaces per dwelling unit as compared with the 2 spaces per three [3] units for affordable housing developments – newly adopted by the town.

B. Howard then noted that several adjustments to the plan had already been made. She noted, as well, that the applicant sought six temporary waivers, but did not enumerate or go into detail about them.

H. Hess, representing the applicant, affirmed that the purpose of this project was to use some of the applicant's 41 available acres to create affordable housing as well as protect and preserve "open space" for the community. Hess confirmed that there would be 106 parking spaces for the 70-unit housing project, and he suggested that parking number was "a middle ground as regards the Town's parking requirement."

D. Kiley commended the applicant and Sebago Technics for having done a good job addressing the Board's concerns from the site walk.

J. Vance asked how much space would be left on Lot #1 [the "housing lot"] after the proposed development. H. Hess responded that there would be 12 acres left over which could, at some later date, be developed for housing, as well.

R. Smith inquired whether the entire parcel would be included in the Contract Zone, and H. Hess answered in the affirmative. R. Smith also pressed for two entrances given the number of residential units contemplated. H. Hess responded that further traffic studies would be done to better apprise the need for additional access, but stated that "the applicant was open to the idea of two entrances." Smith countered that two entrances "should be mandatory."

R. Smith also asked if priority was going to be given to Kennebunk, Kennebunkport, and Arundel residents for this affordable housing. Lauren Turner, representing the Avesta Housing group, said that people from outside the immediate area would also be considered. Turner said that the individuals or families accepted for occupancy would "be selected fairly using HUD criteria."

C. MacClinchy observed that the Planning Board would not look favorably on a "gated entrance", but agreed that a second entrance might be advantageous. However, the question of one or two entrances, he said, could be addressed later after the applicant's additional traffic research was completed.

J. Vance asked if additional housing on Lot #1 was, in fact, envisioned. She suggested that there would be benefit showing Town voters the complete, long-term housing plan rather than ask them for piecemeal approvals. D. Parkinson responded that there was no plan of any kind for additional housing beyond the 70 units proposed.

C. Osterrieder suggested that creating a second access might be prohibitively expensive, but should be considered. He ventured that access to public transportation was of particular and perhaps greater importance.

T. Reinauer, Transportation Program Director for the York County Community Action Corporation, described the limited public transportation in the area that is currently available. There was, he said, weekly bus transportation to grocery stores at this time and volunteer drivers help people in need of transportation for food shopping or health

care services. However, these transportation services, Reinauer reiterated, were quite limited. "The bus service," he stated, "could be expanded."

B. Howard called on the applicant to remove mention of "single family" use in contract zone language. She also noted that the six temporary waivers which the applicant sought were matters to be reviewed at an eventual Public Hearing and, in detail, at the Site Plan review. Board members also noted that some modification of the plan was needed in response to the Fire Chief's feedback that more "back access" was required.

Board members then agreed to hold a Public Hearing on this project on July 24, 2023 with revised materials to be submitted by the applicant next week. The applicant's representatives agreed with the dates.

c. Preliminary Meeting – Contract Zone – Wedding Cake House – 104 Summer Street – Map 81 Lot 16

B. Howard then introduced the application of Hunt and Katie Edwards for approval of a Contract Zone for the "Wedding Cake House" in accordance with Article 13 Section 2. The owners specifically seek to have the Town recognize two additional uses of the structure: (1) use as an inn, and (2) use as a "community venue." The applicants, Howard said, had therefore submitted a site plan showing a new parking lot layout as well as showing a proposed tent area. No changes to the existing structures, Howard said, would take place.

B. Howard observed that the property in question was located in the "Suburban Residential" [SR], "Historic Preservation" [HP], "Resource Protection" [RP], and "Shoreland Overlay" zones. The property is currently served by public water but private septic.

Howard went on to report that the applicants also sought two waivers: (1) waiver of the lighting detail otherwise required by Article 11 Section 6.A.(3)(v); and (2) waiver of the state and federal approvals otherwise required by Article 11 Section 6.A.(3)(w).

G. Braun, representing the applicants, then addressed the Board, re-iterating that the applicants fundamentally sought two additional uses for this heretofore residence-only historic building. As a "community venue", the structure would also be used for weddings, showers, receptions, art exhibits, and so on. The owners, Braun explained, needed to create revenue streams to help meet the considerable costs of maintaining this 2.8 acre property.

G. Braun showed an aerial depiction of the property with the proposed parking lot. An outdoor tent might also be erected. These uses, Braun said, would not change the historic character or "look" of the property. "The changes conform with the similar uses of other properties in Town," he said, "and would primarily be used seasonally from June 1th to December 15th."

In addition to the waivers which B. Howard noted, G. Braun reported that the applicants also sought approval to reduce the green perimeter from 20 to 10 feet. The existing vegetation, Braun said, would provide adequate buffer. The applicants sought, as well,

relief of the private bathroom and room size requirements otherwise mandated by Kennebunk's Ordinance. The latter waivers, Braun said, would permit the applicants to avoid having to change the historic interior room divisions that are in place.

Braun suggested that the same two gated entrances would be continued, but a 20-ft. turn radius would be created for emergency and Fire Department vehicles.

Hunt Edwards, the owner/applicant, addressed the Board next, explaining that the back portion of the proposed parking area would not be visible from the street. D. Kiley nevertheless expressed concern about the reduced setbacks and the possibility of noise and light trespass inconveniencing neighbors. "Mitigations would be important," Kiley stated. G. Baun countered that events on the property would primarily take place during daylight hours and, in any event, never later than 10:00pm.

J. Vance posed questions about the room size and bathrooms. The owner responded that there would be eight [8] rooms in total — four [4] in the main house on the second floor served by three [3] full bathrooms. Two of the main house bedrooms would share one bath. This, Mr. Hunt reiterated, was to preserve the historic floorplan and interior room configuration "as is".

J. Vance also noted that, according to the submitted plan, there was a considerable grade drop after the driveway. The owner responded that he was willing to "uplift the area if necessary."

R. Smith asked if the existing shed would be kept in the same place, the G. Braun responded in the affirmative. Braun also affirmed that the applicants were willing to add to the vegetation buffer if appropriate.

C. MacClinchy inquired whether the use of the term "inn" was appropriate given that there would only be eight guest rooms. The owner responded that while a "B and B" in Kennebunk cannot host events, an "inn" can. B. Howard interjected that the zone in which this property is located only permits a maximum of six [6] guest rooms plus one additional bedroom or residential accommodation for the owners.

C. MacClinchy voiced concern about creating a precedent as regards the room size and bathroom waivers that were sought. MacClinchy also agreed that noise was likely to be amplified near or along the river. The owner responded that he was sensitive to and would be respectful of the noise level and would, if needed, mitigate noise with trees and the use of a three-sided tent.

D. Kiley inquired about event management, and the owner said that he, himself, would oversee events and caterers. Caterers, Mr. Edwards said, would be charged with a "carry-in/carry-out" policy and do their own clean-up. B. Howard and C. MacClinchy then noted that if there were to be overnight guests, there would have to be overnight staff in place, as well.

The Board and applicants ultimately agreed to conduct a site walk on Thursday, June 29th, 2023 at 6:00pm. The Board likewise agreed to hold a Public hearing on the application on July 24, 2023.

3. Prior Meeting Minutes

C. MacClinchy led the Board in a page-by-page review of the minutes of its meeting of June 12, 2023.

Motion: **Move to approve the Minutes of June 12, 2023 as written.**

Moved: J. Vance

Second: R. Smith

Vote: **Show of hands vote, 3 in favor, none opposed, 1 abstention; the motion carried.**

4. Other Business

B. Howard asked for Board signatures on several documents and suggested that the Board elect officers at its next meeting.

5. Adjournment: There being no further business, the Chair adjourned the meeting at 8:35pm.

Motion: **Move to adjourn.**

Moved: J. Vance

Second: R. Smith

Vote: **Show-of-hands vote, 4 votes in favor, none opposed; the motion carried.**

Respectfully submitted by
J. Schlagheck, Clerk

Adopted by the Planning Board in its Meeting of July 10, 2023

Signed by:


PLANNING BOARD