

TOWN OF KENNEBUNK
LOWER VILLAGE COMMITTEE
MONDAY – MAY 4, 2020 – 8:00 AM
AGENDA

**This meeting will be conducted through
the electronic platform Zoom, as described below.**

1. Call to order and attendance.
2. Discuss Draft Committee Memorandum to the Site Plan Review Board (see attached).
3. Vote on whether to approve the Memorandum.
4. Adjourn.

ZOOM MEETING
INSTRUCTIONS FOR COMMUNITY PARTICIPATION

This meeting will be conducted using Zoom, a web-based video conferencing tool, under 1 M.R.S.A. § 403-A, which authorizes the Town to hold remote meetings during the state of emergency declared by the Governor due to the outbreak of COVID-19.

Time: May 4, 2020 8:00 AM Eastern Time (US and Canada)

Ways to join the webinar:

- By computer or mobile device:
<https://us02web.zoom.us/j/84878722276?pwd=M3BtSmNNalZMSUdzOXVlKWHJ6cWRoQT09> or go to ZOOM
or
- By Phone 1 312 626 6799 US or 1 646 876 9923 US or 1 669 900 6833

Meeting ID: 848 7872 2276
Password: 002560

Please take a minute to read these important Instructions before you join:

- **Please mute your audio and disable your video before joining**
- **Here are some brief videos to help familiarize you with the Zoom platform**
 - [Joining a Zoom Meeting](#) (brief instructional video)
 - [Video or Audio off by Attendee](#) (brief instructional video)
 - [Attendee Controls in a Meeting](#) (brief instructional video)
- **PUBLIC COMMENT:** If you wish to speak on an agenda item and you are:
 - **Joining via your computer or cell phone**
 - Please use the “raise your hand” feature by clicking “participants” (computer). The host will be notified and will identify you when it is your turn to comment.
 - **Joining via landline phone:**
 - The following commands can be entered using your phone’s dial pad while in a Zoom meeting. The host will be notified and will identify you when it is your turn to comment.
 - *6 - Toggle mute/unmute
 - *9 - Raise Hand

April 28, 2020

To: John Stoll – Kennebunk Town Planner
The Kennebunk Site Plan Review Board

From: The Lower Village Committee

Re: Proposed Redevelopment of 171/173 Port Road – Comments for May 14 Public Hearing

The Lower Village Committee has been working on a set of Design Standards for Lower Village and presented its most recent draft to the Planning Board for discussion on January 13. A public hearing of the draft has been postponed due to the limitations placed on meetings during the covid-19 State of Emergency.

In the interim, you, members of the Site Plan Review Board, have been given the task of considering a redevelopment plan on an extremely visible portion of Port Road, a plan that does not appear to honor the spirit of the proposed Design Standards and could pose parking and public safety challenges. The Lower Village Committee cannot meet during the State of Emergency to discuss this project. The best we can do is to submit this letter which has been approved by all voting and alternate members with one abstention and one recusal.

The DS initiative sprang out of a series of “visioning” meetings arranged by Economic Development Director Mat Eddy in early 2015. This “Lower Village Visioning Process Final Report,” an 18-page document dated May 4, 2015, included recommendations on the built environment including the development of a Master Plan that would lead, in turn, to the development of a set of design standards.

In 2017, Harriman, a Boston firm, was commissioned by the Town to develop a Master Plan and Streetscape Design, as well as Design Standards. The project included several large public meetings and a detailed analysis of existing conditions. Appended to that report were memoranda on Design Guideline Components and Design Guidance Recommendations (both dated April, 2018).

Starting with these documents and existing standards for other Southern Maine coastal towns, a subcommittee of the Lower Village Committee set about developing draft design standards to be submitted to the Planning Board, the Select Board and ultimately, we hoped, to the voters of Kennebunk. The drafts were discussed at Lower Village Committee meetings and made available to a mailing list of over fifty local residents and businesses over several months. There were two public meetings with the Planning Board that resulted in some modifications leading to our most recent draft (5.0). The primary threads running through the proposed standards are attention to scale, building materials and architectural style consistent with a New England

Coastal Village. There is also guidance as to placement of parking, traffic flows and treatment of outdoor space.

If the Design Standards project had stayed on schedule, we hoped that the proposed standards would have been approved by the Planning Board and the Select Board and would have been ready for a vote on the June Ballot. (Note that the June ballot has now been postponed to July 14). While there is no telling whether the voters of Kennebunk would have approved them, we felt that the standards stood a good chance of approval. It should be noted that at a meeting with several local businesses, concerns were expressed about potential regulatory and financial burdens. The drafters of the Standards are confident that business concerns could be satisfied with further collaboration and revision. There has been no opportunity for broader public comment. That was the next goal of the Planning Board before the COVID 19 shutdown.

As you know, Kennebunk already has design standards on Route One (many of which are incorporated in the Lower Village proposal) and it has a Historic District on Summer Street and Port Road. The Lower Village Visioning meetings and the Master Plan meetings indicated a preference of the community for maintaining the look and feel of a New England coastal village. The Committee's draft design standards are the product of years of thoughtful work by expert planners and townspeople. While the specifics of the standards are still subject to revision and ultimately, a town vote, our committee believes **the central tenet underlying the standards is clear and widely accepted**: development of Lower Village should conform to the prevailing New England Coastal Village aesthetic.

Any reasonable observer would agree that the proposed Port Road project doesn't conform to the prevailing aesthetic and thus should be opposed as currently designed.

A second set of issues that pervades both the Lower Village Visioning Final Report and the Harriman Master Plan is resident concern over seasonal traffic congestion, bus traffic and lack of parking. The size and use of the proposed project will certainly, if the business proves successful, result in adding to the traffic and parking woes along Port Road. The proposed capacity is 224 people – a **very significant** increase in population and traffic density. It is worth noting that the building to be demolished has been more or less unoccupied for years, meaning that this new use will be totally incremental, not a substitute for an existing population of users.

Comments on specific elements of the proposal:

1. We listened closely to the first hearing but we are confused as to the proposed use of the new project. It is referred to as an "event site" in the early discussion (occasional seasonal events and wedding receptions) but later on, it is described as a "luncheon site". Is it going to be open daily and if so, serving how many potential guests? Is this going to be a restaurant with "events" as a secondary use?

2. It appears that many trees are slated to be removed front and back. One element of the Design Standards draft 5.0 was the discouragement of the elimination of existing trees wherever possible. The proposed elimination of the two large trees along Port Road in the front of the proposed project will have a significant detrimental impact on the Port Road streetscape.
3. We are confused as to the size of the footprint of the new building(s). The Sebago memorandum states that old building is 4,950 square feet and the new one 3,859 square feet. Perhaps this is a “volume reference” since the footprint of the new building appears to be larger than the that of the old one – and very large relative to surrounding properties.
4. We are concerned about the very significant increase in impervious surface (roof, asphalt and pavers) on both lots. Concerns about climate change and storm water run-off are leading to regulatory pressure to reduce impervious surface wherever possible. This development seems to be a large step in the wrong direction.
5. We agree with Town Engineer Chris Osterrieder’s point about the proposed double dipping on required parking. We would urge that if this double waiver is allowed that a condition of approval would be that the two businesses (171 and 173) would never be allowed overlapping hours of business.
6. Although the project meets the (very modest) setback requirement for the Lower Village Business District, it butts very close to the sidewalk and will have an imposing impact on the streetscape to the detriment of the project’s surroundings and pedestrian flow. The construction project itself will force pedestrian traffic to the other side of the road to the extreme detriment of surrounding businesses and pedestrian safety. Winter sidewalk plowing will be problematic. For all of these reasons, the Board should push for a deeper setback.
7. We urge you to look at the website images of the Cabrio structures (see below). While the architect’s rendering gives the structure a light and airy look, the actual structures have a much more industrial appearance – inconsistent with a historic seaside mixed use residential-commercial neighborhood.
8. We also agree with Chris Osterrieder’s point that the access driveway at 12 feet (rather than 15-16) and bordered by parallel parking slots is unrealistic. It is likely to result in obstructed access to delivery trucks and lack of access by cars to the “theoretical” left side parallel parking spaces. The provision for drop-offs and turnarounds if they are to

use this access seems woefully inadequate. But using busy and congested Port Road seems equally problematic.

9. We would like to hear about a) snow storage plans; b) the location of dumpsters, their screening and trash removal; and c) anticipated volume of deliveries and the adequacy of the rear delivery area for large trucks to maneuver.

We recognize that you are bound by the Zoning Ordinances and in the absence of design standards, you have no purview over the scale, materials or architectural style of the proposed structure. But you do have purview over its impact on the community – residents, abutters and visitors. We hope that you will do everything possible to minimize the negative impacts outlined above.

Respectfully,

The Lower Village Committee

From Cabrio Structures website:

