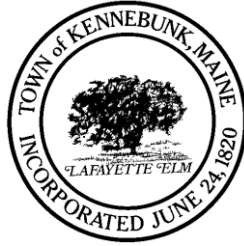


# Town of Kennebunk, Maine



## Historic Preservation Commission

### AGENDA

Monday, July 27, 2020, 6:30 p.m.

Rooms 300 & 301

**Meeting Location:** This meeting will be conducted on the 3<sup>rd</sup> Floor of Town Hall. Masks are required upon entering the building. Meeting room is set up to maintain physical distance.

View Agenda and Meeting Materials online: <https://www.kennebunkmaine.us/AgendaCenter/Historic-Preservation-Commission-24>

1) Call to Order

2) New Applications

3) Continued or Amended Applications

- Application 20-H-12

Property owner(s): Laura Wimpfheimer

Applicant(s): Same as owner

Property Location: Hardy Lane

Summary of proposed project: To develop a driveway via Hardy Lane from Park Street to access undeveloped lot (for future development of single family home).

4) Other Business

5) Minutes

6) Adjournment

10/28/20

Application #: 20-11-12

Historic Preservation Commission Application for a Certificate of Appropriateness FEE: \$50.00

**Please Note: Structural repairs in kind that do NOT change material, color, or style, do not require Historic Preservation Commission approval.**

Please PRINT all information. **10 COMPLETE COPIES OF THE APPLICATION MUST BE SUBMITTED**

Property Owner: Laura Wimpfheimer

Address of Property: Hardy Lane (Park Street side) and undeveloped lot

Tax Map #: 45 Lot #: 38 Current Zoning Classification: 0013

Mailing Address: 22 Dane Street, Kennebunk, ME 04043

Telephone (Day): 617 549-8188 (Evening): same

Applicant (if different from owner): \_\_\_\_\_

Interest in Property: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Telephone (Day): \_\_\_\_\_ (Evening): \_\_\_\_\_

Current Use of Property: Undeveloped

Proposed Use (if different): Driveway

Proposed Actions Requiring a Certificate of Appropriateness:

Addition: \_\_\_ Landscape Alterations: \_\_\_ Moving Building: \_\_\_ Alteration: \_\_\_ Reconstruction: \_\_\_

New Construction: \_\_\_ Lighting: \_\_\_ Other: X

Summary of Proposed Project:

To develop a driveway via Hardy Lane from the Park Street side to access undeveloped lot for future development of a single family home lot.

The following are required attachments:

- a) List of abutters including those across any private or public roads from the lot which is the subject of this application. (See Tax Assessors records at Town Hall.) **MUST INCLUDE THE MAILING ADDRESS.**
- b) Photographs of proposed design, which need not be professionally prepared, but must be drawn to scale and include all proposed changes, such as windows openings, siding, etc. Photographs of existing building, landscape, etc. to be changed.
- c) Elevation drawings of proposed design, which need not be professionally prepared, but must be drawn to scale and include all proposed changes, such as window openings, siding, etc.
- d) List of materials including color choices.

*Please note that you must be present at the Commission meeting for your applications to be heard. In accordance with Town of Kennebunk Ordinance; Article 12.3.C.7 and Historic Preservation Commission Policy, this application shall remain active for a period of forty-five (45) calendar days from the date of Town Clerk filing. After which time, the application will expire and a new application must be submitted if the requested action has not been review for appropriateness. If the applicant agrees at a public hearing to extend such forty-five (45) day period, it may be extended by the Commission for final action to a mutually agreed date.*

Signature of Applicant:  Date: June 20 2020

Provide a detailed description of proposed changes for each section as appropriate, including materials and color. Attach samples and descriptive and/or manufacturers literature as necessary. Use additional pages for drawings and more detail.

**A. Roof, Chimneys, Flashing, and Gutters**

Existing Material: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Proposed Changes: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**B. Exterior Siding and Trim (including clapboards, brickwork, shingles, and stonework)**

Existing Material: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Proposed Changes: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**C. Windows and Doors (including moldings and eaves)**

Existing Material: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Proposed Changes: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**D. Landscaping, Lighting, Signs, and All Other Site Improvements (including removal/replacement of plant materials, fences, walls, steps, walks, terraces, garden structures, and paving)**

Existing Material: Undeveloped  
\_\_\_\_\_  
\_\_\_\_\_

Proposed Changes: Develop a driveway per the attached proposal from Foglio.  
\_\_\_\_\_  
\_\_\_\_\_

## Abutters to Lot Hardy Lane and Undeveloped Lot (45/38)

## 15 SUMMER STREET

**Map-Lot:** 45-36  
**Address:** 15 SUMMER STREET  
**Account Number:** 628  
**Acres:** 0.74

Owner Information

**Owner 1:** FATINA, CATHERINE M  
**Owner 2:**  
**Address 1:** 15 SUMMER STREET  
**Address 2:**  
**City/State/Zip:** KENNEBUNK,ME 04043

## 3 PARK STREET

**Map-Lot:** 45-70  
**Address:** 3 PARK STREET  
**Account Number:** 7175  
**Acres:** 0.28

Owner Information

**Owner 1:** VAN WICKLER, DOUGLAS &  
**Owner 2:** VAN WICKLER, CASSANDRA  
**Address 1:** 3 PARK STREET  
**Address 2:**  
**City/State/Zip:** KENNEBUNK,ME 04043

## 5 PARK STREET

**Map-Lot:** 45-71  
**Address:** 5 PARK STREET  
**Account Number:** 7176  
**Acres:** 0.36

Owner Information

**Owner 1:** DALZELL, STEPHEN M &  
**Owner 2:** HEALEY, VIRGINIA MARIE  
**Address 1:** PO BOX 398  
**Address 2:**  
**City/State/Zip:** KENNEBUNK,ME 04043

## 28 DANE STREET

**Map-Lot:** 45-40  
**Address:** 28 DANE STREET  
**Account Number:** 1036  
**Acres:** 0.40

Owner Information

**Owner 1:** BARD, THOMAS G &  
**Owner 2:** BARD, SHANNON D  
**Address 1:** 28 DANE STREET  
**Address 2:**  
**City/State/Zip:** KENNEBUNK,ME 04043

22 DANE STREET

**Map-Lot:** 45-39  
**Address:** 22 DANE STREET  
**Account Number:** 551  
**Acres:** 0.40

Owner Information

**Owner 1:** WIMPFHEIMER, LAURA E &  
**Owner 2:** WIMPFHEIMER, TODD E  
**Address 1:** 22 DANE STREET  
**Address 2:**  
**City/State/Zip:** KENNEBUNK,ME 04043  
**Book/Page:** 16341/ 703

18 DANE STREET

**Map-Lot:** 46-84  
**Address:** 18 DANE STREET  
**Account Number:** 632  
**Acres:** 0.30

Owner Information

**Owner 1:** VAN HEMEL, PETER J &  
**Owner 2:** VAN HEMEL, MARY ELLEN  
**Address 1:** 18 DANE STREET  
**Address 2:**  
**City/State/Zip:** KENNEBUNK,ME 04043

ELM STREET

**Map-Lot:** 46-83  
**Address:** ELM STREET  
**Account Number:** 3160  
**Acres:** 0.13

Owner Information

**Owner 1:** 6 ELM STREET LLC  
**Owner 2:**  
**Address 1:** 6 ELM STREET  
**Address 2:**  
**City/State/Zip:** KENNEBUNK,ME 04043

6 ELM STREET

**Map-Lot:** 46-82  
**Address:** 6 ELM STREET  
**Account Number:** 69  
**Acres:** 0.57

Owner Information

**Owner 1:** 6 ELM STREET LLC  
**Owner 2:**  
**Address 1:** 6 ELM STREET  
**Address 2:**  
**City/State/Zip:** KENNEBUNK,ME 04043

Across Hardy Lane - Park Street Side

**2 MARINERS WAY**

**Map-Lot:** 45-43  
**Address:** 2 MARINERS WAY  
**Account Number:** 899  
**Acres:** 0.38

**Owner Information**

**Owner 1:** GOULD, ELIZABETH  
**Owner 2:**  
**Address 1:** 2 MARINERS WAY  
**Address 2:**  
**City/State/Zip:** KENNEBUNK,ME 04043

**PARK STREET**

**Map-Lot:** 45-72  
**Address:** PARK STREET  
**Account Number:** 7567  
**Acres:** 0.50

**Owner Information**

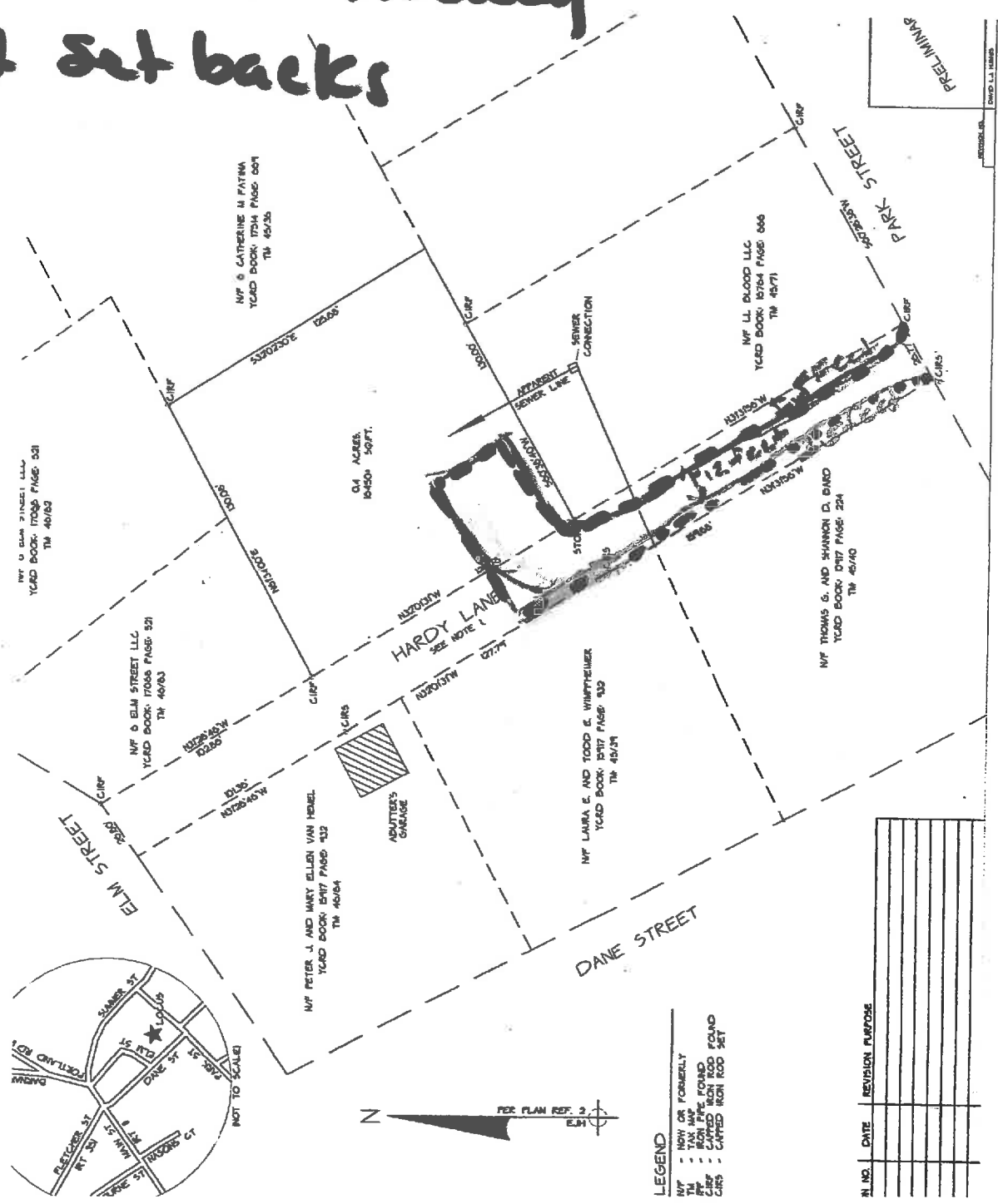
**Owner 1:** VAN DER KAAY TRUST &  
**Owner 2:** VAN DER KAAY, ERIK H & MARY JO TRUSTEES  
**Address 1:** 23 SUMMER STREET  
**Address 2:**  
**City/State/Zip:** KENNEBUNK,ME 04043

# Attachment 2

## Proposed driveway

### 12 feet wide driveway

### 5-7 foot set backs



PRELIMINARY

DAVID L.L. THOMAS

**FOGLIO INC.**  
*Highway Const./Sitework/Residential*  
*P.O. Box 308*  
*Waterboro, ME 04087*

June 5, 2020

Proposal Submitted to: Todd and Laura Wimpfheimer  
22 Dane Street  
Kennebunk, ME 04043

**RE: PROPOSAL FOR DRIVEWAY CONSTRUCTION**

Scope of Work:

This proposal includes the construction of a gravel driveway from Park Street for a distance of 175' within the Hardy Lane R.O.W. as shown on a plan prepared by Livingston-Hughes and dated 05-24-19. The scope of work is more specifically defined as follows:

- Install erosion and sediment control measures
- Saw cut existing curbing
- Remove existing curb and sidewalk at driveway entrance
- Cut and remove dead tree in path of driveway
- Grub area of new driveway
- Import and place common borrow for driveway subgrade
- Import and place 12" of base gravel for driveway
- Driveway travel width to be 12'
- Loam and seed driveway edges
- Repair sidewalk pavement at driveway entrance

NOTES:

- 1) All permits and fees are to be obtained and paid for by others.
- 2) The excavation and /or removal of ledge is excluded from this proposal.

*We propose to furnish labor and material in accordance with the above Scope of Work for the sum of:*

*Fifteen thousand three hundred twenty-five dollars and no cents.....~~(\$15,325.00)~~*

*This proposal may be withdrawn if not accepted within 30 days.*

Authorized  
Signature:

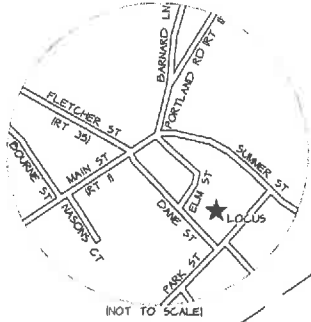


*Douglas Foglia, Jr., Vice Pres.*

**Phone: (207) 247-4186, 247-4461 Fax: (207) 247-6910**



LOCATION SKETCH



LEGEND

- N/F - NOW OR FORMERLY
- TM - TAX MAP
- IPF - IRON PIPE FOUND
- CIRF - CAPPED IRON ROD FOUND
- CIRS - CAPPED IRON ROD SET

REVISION NO.	DATE	REVISION PURPOSE

ELM STREET

DANE STREET

HARDY LANE

PARK STREET

N/F 6 ELM STREET LLC  
YCRD BOOK: 17066 PAGE: 521  
TM: 46/52

N/F 6 ELM STREET LLC  
YCRD BOOK: 17066 PAGE: 521  
TM: 46/53

N/F PETER J. AND MARY ELLEN VAN HEMEL  
YCRD BOOK: 15917 PAGE: 132  
TM: 46/84

N/F LAURA E. AND TODD E. WIMPFHEIMER  
YCRD BOOK: 15917 PAGE: 132  
TM: 45/39

N/F THOMAS G. AND SHANNON D. BARD  
YCRD BOOK: 10917 PAGE: 224  
TM: 45/40

N/F CATHERINE M. FATINA  
YCRD BOOK: 17314 PAGE: 664  
TM: 45/36

N/F LL BLOOD LLC  
YCRD BOOK: 16764 PAGE: 666  
TM: 45/71

N/F PAMELA S. MURDOUGH  
YCRD BOOK: 14522 PAGE: 907  
TM: 45/70

0.4 ACRES.  
16450' 50 FT.

ADUTTER'S GARAGE

STONE  
SEWER CONNECTION

LOCUS DEED REFERENCE

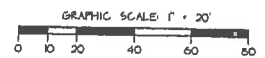
YORK COUNTY REGISTRY OF DEEDS (YCRD)  
BOOK: 16341 PAGE: 705

PLAN REFERENCES

1. LAND TO BE CONVEYED BY PATRICIA KOTLEWSKI, 19 SUMMERS STREET, KENNEDUNK, MAINE PERFORMED BY ANDREW E. BRADFORD LAND SURVEYING, INC., DATED MARCH 2006, AND RECORDED IN THE YCRD PLAN BOOK 348, PAGE 74.
2. 'CONVEYANCE OF LAND SURVEY', PREPARED FOR DANIEL J. LAPOINTE, MARGARET A. DEMPSEY, AND SUSAN LEE WARNER, PERFORMED BY TM LAND SURVEYORS, INC., DATED NOVEMBER 2006 AND RECORDED IN THE YCRD PLAN BOOK 333, PAGE 39.
3. 'EXHIBIT D, SEWER LINE LOCATION' PERFORMED BY LOWER VILLAGE SURVEY CO., LLC, DATED 02-22-2011.
4. 'PLAN SHOWING THE SNOWDOW PROPERTY', PERFORMED BY LOWER VILLAGE SURVEY CO., LLC, DATED 02-22-2011 AND DATED JULY 20, 1961.

NOTES

1. THE LAYOUT OF HARDY LANE IS DESCRIBED IN A DEED RECORDED AT THE YCRD BOOK: 85 PAGE: 262, AS BEING PARALLEL WITH JAMES KIMBALL JUN. FENCE ONE ROD AND AN HALF AND TWO FEET IN WIDTH.
2. THE LOCATION OF THE SEWER CONNECTION AND SEWER LINE IS TAKEN FROM PLAN REF. 3 AND WAS NOT FIELD LOCATED BY LIVINGSTON-HUGHES.



SURVEY OF HARDY LANE LOCATION  
KENNEDUNK, MAINE  
MADE FOR  
OWNER OF RECORD  
**LAURA WIMPFHEIMER**  
22 DANE STREET, KENNEDUNK, MAINE 04046  
BY  
LIVINGSTON-HUGHES  
PROFESSIONAL LAND SURVEYING CORPORATION  
55 GUINEA ROAD, KENNEDUNKPORT, MAINE 04046

REVISION NO. DAVID L.J. HUGHES PLAN 2334 DATE 05-24-2011 DRAWN E.M. CHECKED C.M.H. FIELD BOOK: 036-33 FIELD SECT: 11-03

20-4-12

Doc# 2012024307  
Bk 16341 Ps 705 - 707  
Received York SS  
06/11/2012 1:00PM  
Debra L. Anderson  
Register of Deeds

After recording return to:  
Bergen & Parkinson, LLC JW  
62 Portland Road, Suite 25  
Kennebunk, ME 04043

3 p ↗

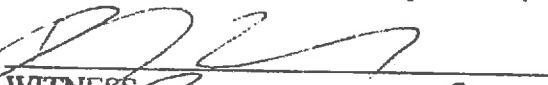
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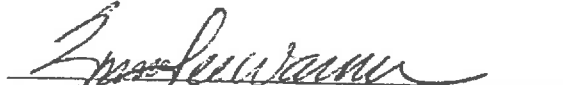

**WARRANTY DEED**

KNOW ALL PERSONS BY THESE PRESENTS, that SUSAN LEE WARNER, as to  
Parcels One and Two below, and HANS WARNER, as to Parcel Two below, FOR  
CONSIDERATION PAID, hereby grant to LAURA E. WIMPFHEIMER of 25 Casey Lane,  
Kennebunk, Maine, 04043, with WARRANTY COVENANTS, two certain lots or parcels of  
land, with any improvements thereon, located in the Town of Kennebunk, York County, Maine,  
being bounded and more particularly described as follows:

SEE EXHIBIT A ATTACHED HERETO AND  
INCORPORATED HEREIN BY REFERENCE

IN WITNESS WHEREOF, Susan Lee Warner and Hans Warner have hereunder set their  
hands and seals as of this 8th day of June, 2012.

  
WITNESS  
Bruce M. Reed  
(to both)


  
Susan Lee Warner  
  
Hans Warner

STATE OF MAINE  
York County, ss.

June 8, 2012

Personally appeared the above-named Susan Lee Warner and Hans Warner and  
acknowledged the foregoing instrument to be their free act and deed.

Before me

  
Attorney at Law/Notary Public  
Bruce M. Reed  
Bar # 3006

Maine R.E. Transfer Tax Paid

Exhibit A to Warranty Deed  
Susan Lee Warner and Hans Warner  
To  
Laura E. Wimpfheimer

Parcel One:

A certain lot or parcel of land with any improvements thereon situated southwesterly of the southwesterly sideline of Summer Street and on the northeasterly sideline of Hardy Lane (so-called) in the Town of Kennebunk, County of York and State of Maine and being more particularly described as follows:

Beginning at a point marked by an iron pipe driven into the center of an old wooden post at the most easterly corner land conveyed to Albert B. Wentworth, et al by two deeds, one dated July 5, 1961 and recorded in York County Registry Book 1461 Page 594 and the other dated September 24, 1973 and recorded in said Registry;

Thence South 61 degrees - 34 minutes - 00 seconds West along said Wentworth parcel fifty-one and forty-two hundredths (51.42) feet to the northeasterly corner of the lot herein conveyed, to a point where a #5 rebar with yellow cap, #2246, is to be set and THE TRUE POINT OF BEGINNING;

Thence continuing South 61 degrees - 34 minutes - 00 seconds West along said Wentworth parcel one hundred thirty and eight hundredths (130.08) feet to Hardy Lane (so-called) and a point;

Thence turning South 32 degrees - 01 minutes - 31 seconds East along the northeasterly sideline of said Hardy Lane one hundred twenty-seven and seventy-eight hundredths (127.78) feet to a granite stone at the intersection of land now or formerly of Bowdoin;

Thence turning North 60 degrees - 38 minutes - 40 seconds East along the land of said Bowdoin one hundred thirty (130) feet to remaining land of the Grantor herein and to a point where a #5 rebar with yellow cap, #2246, is to be set ;

Thence turning North 32 degrees - 03 minutes - 30 seconds West along remaining land of the Grantor herein one hundred twenty-five and sixty-eight hundredths (125.68) feet to THE TRUE POINT OF BEGINNING.

The above described lot or parcel of land with any improvements thereon contains sixteen thousand four hundred fifty-six (16,456) square feet and is depicted as "AREA TO BE CONVEYED" on a plan entitled "Conveyance of Land, 15 Summer Street, Kennebunk, Maine" prepared by TKM Land Surveyors, Inc. for Daniel T. LaPointe, Margaret A. Dempsey and Susan Lee Warner, dated November 2008 and recorded in the York County Registry of Deeds in Plan Book 333, Page 39.

Bearings are magnetic to the year 1961.

The above description, aside from the plan reference, was prepared by Timothy DeFilipp, PLS #2246 on February 19, 2008.

The subject premises is conveyed together with the benefit and subject to the terms and conditions of a certain Easement Deed to be recorded contemporaneously herewith from L.L. Blood, LLC to Grantor concerning a sewer line accessing the subject premises.

Meaning and intending to convey the same premises as being conveyed to Susan Lee Warner by Warranty Deed from Daniel J. Lapointe and Margaret A. Dempsey dated February 27, 2008 and recorded in the York County Registry of Deeds in Book 15362, Page 563.

**Parcel Two:**

A certain lot or parcel of land in the Town of Kennebunk, County of York and State of Maine and referenced above as a "way", being commonly known and designated as "Hardy Lane", so-called.

End of Document

Doc# 2012024306  
Bk 16341 Pg 703 - 704  
Received York SS  
06/11/2012 1:00PM  
Debra L. Anderson  
Register of Deeds

2 P → After recording return to:  
Bergen & Parkinson, LLC JW  
62 Portland Road, Suite 25  
Kennebunk, ME 04043

Space Above This Line For Recording Data

**WARRANTY DEED**

KNOW ALL PERSONS BY THESE PRESENTS, that HANS WARNER and SUSAN LEE WARNER, FOR CONSIDERATION PAID, hereby grant to LAURA E. WIMPFHEIMER AND TODD E. WIMPFHEIMER both of 25 Casey Lane, Kennebunk, Maine, 04043, with WARRANTY COVENANTS, as joint tenants, a certain lot or parcel of land, together with the buildings and improvements thereon, located in the Town of Kennebunk, York County, Maine, being bounded and more particularly described as follows:

SEE EXHIBIT A ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE

IN WITNESS WHEREOF, Hans Warner and Susan Lee Warner have hereunder set their hand and seal as of this 8th day of June, 2012.

WITNESS

*Bruce M. Read*  
(to both)

WITNESS

Hans Warner

Susan Lee Warner

STATE OF MAINE  
York County, ss.

June 8, 2012

Personally appeared the above-named Hans Warner and Susan Lee Warner and acknowledged the foregoing instrument to be their free act and deed.

Before me,

Attorney at Law/Notary Public

*Bruce M. Read*  
Bar # 3006

Maine R.E. Transfer Tax Paid

Exhibit A to Warranty Deed  
Hans and Susan Lee Warner  
To  
Laura E. and Todd E. Wimpfheimer

A certain lot or parcel with all the buildings and improvements thereon, situated in the Town of Kennebunk, County of York and State of Maine and being the same premises described in a certain Warranty Deed from Elliot R. and Elizabeth A. Green to Thomas J. Reagan III and Patricia L. Reagan dated November 4, 1988 and recorded in the York Registry of Deeds in Book 4895, Page 21, said premises being described verbatim in said aforementioned deed as follows:

“A certain lot or parcel of land with the buildings thereon situated in said Kennebunk, on the Northeasterly side of Dane Street at number 22 in the present numbering of said Street, and bounded as follows: On the Southwest by Dane Street; and Northwest by land formerly of Charles H. Cole, now of Robert T. Cole, said boundary being that established by exchange of deeds between Robert T. Cole and Leon A. and Esther D. Bradley, dated October 3, 1961 and recorded in the York Registry of Deeds, Book 1460, Page 445 and 446; on the Northeast by a private way belonging to the abutters thereon; on the Southeast by land formerly of William Titcomb, now of Edward T. Newall.”

Said premises are now or formerly abutted on the northwest by land of Cyrus and Jean Hamlin and on the Southeast by land of Kennebunk Station, Inc.

This conveyance is made subject to and with the benefit of the terms and conditions of two certain Easement Deeds to be recorded contemporaneously herewith, one to L.L. Blood, LLC and the other to Pamela Shangraw concerning a sewer line crossing the subject premises.

Meaning and intending to convey the same premises as conveyed by Warranty Deed from Thomas J. Reagan, III and Patricia L. Reagan to Hans Warner and Susan Lee Warner dated April 26, 1991 and recorded in the York County Registry of Deeds in Book 5685, Page 313.

Also conveying unto Laura E. Wimpfheimer only, any interest we may have in common with others in and to the aforesaid way hereinabove referenced.

End of Document

3 p ↗  
After recording return to:  
Bergen & Parkinson, LLC JW  
62 Portland Road, Suite 25  
Kennebunk, ME 04043

Space Above This Line For Recording Data

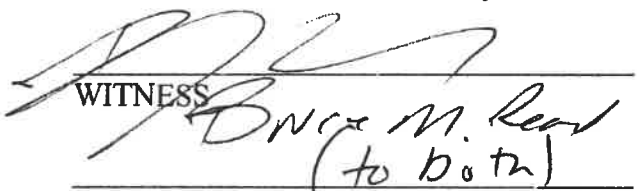
**WARRANTY DEED**



KNOW ALL PERSONS BY THESE PRESENTS, that **SUSAN LEE WARNER**, as to  
Parcels One and Two below, and **HANS WARNER**, as to Parcel Two below, FOR  
CONSIDERATION PAID, hereby grant to **LAURA E. WIMPFHEIMER** of 25 Casey Lane,  
Kennebunk, Maine, 04043, with **WARRANTY COVENANTS**, two certain lots or parcels of  
land, with any improvements thereon, located in the Town of Kennebunk, York County, Maine,  
being bounded and more particularly described as follows:

SEE EXHIBIT A ATTACHED HERETO AND  
INCORPORATED HEREIN BY REFERENCE

IN WITNESS WHEREOF, Susan Lee Warner and Hans Warner have hereunder set their  
hands and seals as of this 8th day of June, 2012.

Maine R.E. Transfer Tax Paid

WITNESS  
  
Bruce M. Reed  
(to both)  
WITNESS

  
Susan Lee Warner  
  
Hans Warner

STATE OF MAINE  
York County, ss.

June 8, 2012

Personally appeared the above-named Susan Lee Warner and Hans Warner and  
acknowledged the foregoing instrument to be their free act and deed.


Before me,  
  
Attorney at Law/Notary Public  
Bruce M. Reed  
Bar # 3006

Exhibit A to Warranty Deed  
Susan Lee Warner and Hans Warner  
To  
Laura E. Wimpfheimer

**Parcel One:**

A certain lot or parcel of land with any improvements thereon situated southwesterly of the southwesterly sideline of Summer Street and on the northeasterly sideline of Hardy Lane (so-called) in the Town of Kennebunk, County of York and State of Maine and being more particularly described as follows:

Beginning at a point marked by an iron pipe driven into the center of an old wooden post at the most easterly corner land conveyed to Albert B. Wentworth, et al by two deeds, one dated July 5, 1961 and recorded in York County Registry Book 1461 Page 594 and the other dated September 24, 1973 and recorded in said Registry;

Thence South 61 degrees - 34 minutes - 00 seconds West along said Wentworth parcel fifty-one and forty-two hundredths (51.42) feet to the northeasterly corner of the lot herein conveyed, to a point where a #5 rebar with yellow cap, #2246, is to be set and THE TRUE POINT OF BEGINNING;

Thence continuing South 61 degrees - 34 minutes - 00 seconds West along said Wentworth parcel one hundred thirty and eight hundredths (130.08) feet to Hardy Lane (so-called) and a point;

Thence turning South 32 degrees - 01 minutes - 31 seconds East along the northeasterly sideline of said Hardy Lane one hundred twenty-seven and seventy-eight hundredths (127.78) feet to a granite stone at the intersection of land now or formerly of Bowdoin;

Thence turning North 60 degrees - 38 minutes - 40 seconds East along the land of said Bowdoin one hundred thirty (130) feet to remaining land of the Grantor herein and to a point where a #5 rebar with yellow cap, #2246, is to be set ;

Thence turning North 32 degrees - 03 minutes - 30 seconds West along remaining land of the Grantor herein one hundred twenty-five and sixty-eight hundredths (125.68) feet to THE TRUE POINT OF BEGINNING.

The above described lot or parcel of land with any improvements thereon contains sixteen thousand four hundred fifty-six (16,456) square feet and is depicted as "AREA TO BE CONVEYED" on a plan entitled "Conveyance of Land, 15 Summer Street, Kennebunk, Maine" prepared by TKM Land Surveyors, Inc. for Daniel T. LaPointe, Margaret A. Dempsey and Susan Lee Warner, dated November 2008 and recorded in the York County Registry of Deeds in Plan Book 333, Page 39.

Bearings are magnetic to the year 1961.

The above description, aside from the plan reference, was prepared by Timothy DeFilipp, PLS #2246 on February 19, 2008.

The subject premises is conveyed together with the benefit and subject to the terms and conditions of a certain Easement Deed to be recorded contemporaneously herewith from L.L. Blood, LLC to Grantor concerning a sewer line accessing the subject premises.



Meaning and intending to convey the same premises as being conveyed to Susan Lee Warner by Warranty Deed from Daniel J. Lapointe and Margaret A. Dempsey dated February 27, 2008 and recorded in the York County Registry of Deeds in Book 15362, Page 563.

**Parcel Two:**

A certain lot or parcel of land in the Town of Kennebunk, County of York and State of Maine and referenced above as a "way", being commonly known and designated as "Hardy Lane", so-called.

End of Document

RECEIVED

JUL 21 2020

# Steve Dalzell

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Frances Smith  
Chair of the Town of Kennebunk Historic Preservation Commission  
% Merton Brown, Town Clerk

21<sup>st</sup> July 2020

Dear Francis

Application 20-H-12, Proposed construction of a Driveway

I am sending you this note and the accompanying enclosures in the hope that they may be of some assistance to the Commission as it considers the above application.

Firstly, a little background: Late last week I was trying to identify some wild flowers that grow along both sides of our border with 22 Dane Street, the Wimpfheimer's property. One of the two plants was clearly *Impatiens Pallida*, which turns out to be a protected plant in Maine. We then asked the University of Maine Cooperative Extension what the implications of this discovery would be if we wished to put a driveway through the area where the plants are growing. The enclosed print-outs of the e-mail exchange gives their answers to this question and also one about building a driveway through an area infested with Japanese Knotweed.

We asked the question about Japanese Knotweed for two reasons. Firstly, there is a large clump of the weed on the proposed route towards Park Street. Secondly, the suggestion the Mrs. Wimpfheimer's engineer had advised against going towards Elm Street because of the presence of Knotweed is 'economical with la verite', to quote a British politician. It so happens that I spoke to the engineer when he made his site visit and he made it clear that he had only been asked to consider the Park Street route. In any case, it is clear from Mr. Wertheim's response that Japanese Knotweed is no obstruction.

On a slightly separate matter, I think it is worth pointing out that there is plenty of room to put a driveway accessing the 'landlocked' lot on the western side of the house at 22 Dane Street, which would have only a very limited impact on the abutting properties. When the two fallen trees were cleared from the land locked lot a short while ago, a very large tracked vehicle was able to use this route with no adverse consequences.

I hope this is helpful to the Commission and look forward to attending the meeting on July 27

Yours sincerely



Naval Architect and Yacht Designer

Fwd: New submission from Gardening Questions : 4870/vmhealey@gmail.com

Virginia Healey <vmhealey@gmail.com>  
To: Stephen Dalzell <stevedalzell@gmail.com>

20 July 2020 at 18:00

----- Forwarded message -----

From: Frank Wertheim <frank.wertheim@maine.edu>  
Date: Mon, Jul 20, 2020, 3:29 PM  
Subject: Re: New submission from Gardening Questions : 4870/vmhealey@gmail.com  
To: <vmhealey@gmail.com>  
Cc: Cindy Eves-Thomas <cindy.evesthomas@maine.edu>, Mary Michaud <mary.j.michaud@maine.edu>, Rebecca Long <rebecca.j.long@maine.edu>, Elizabeth Stanley <elizabeth.stanley@maine.edu>, Caragh Fitzgerald <cfitzgerald@maine.edu>, Mary Wicklund <mary.wicklund@maine.edu>

Thank you for your question.

While there is no legal reason you could not put your driveway where the rare plant (which you identify as Pale Jewelweed, *Impatiens pallida*), is currently growing, if you have an alternative suitable location for your driveway that would certainly be preferable and help maintain a species which is classified as rare and of concern.

There is no reason why a driveway can't be located where the invasive Japanese Knotweed, *Fallopia japonica* is located. An excavator preparing the site for paving would be able to remove the majority plants, roots and rhizomes. Any remnants of roots and rhizomes would try and regrow but they would not be able to penetrate an asphalt driveway. One way we recommend control of this plant without herbicides is to smother it by cutting it back and covering the ground which it occupies with something thick such as carpet remnants which prevent the resprouting. Certainly if a carpet remnant can stop its regrowth then an asphalt driveway also can.

Thanks for your concern and care of rare plants.

Frank Wertheim

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**University of Maine Cooperative Extension buildings are CLOSED until Further Notice in an effort to ensure the health and safety of the community, and to help stem the spread of the coronavirus. However, please note that UMaine Extension is operating and staff are working remotely from their home offices.**

Visit [Growing Maine Gardeners](#) to discover [HEW](#) online trainings and opportunities to connect with UMaine Extension staff.

**Check out our COVID-19 Farmer Resources:** Farm and Seafood Product Directory, FAQ's, Resource List, Survey of COVID-19 Impacts, and Weekly Farmer to Farmer Zoom Chats.

Frank S. Wertheim  
Extension Educator, Agriculture/Horticulture  
University of Maine Cooperative Extension  
York County Office  
15 Oak Street, Suite 302  
Springvale, ME 04083  
phone: 207-324-2814 or 1-800-287-1535 (in state)  
email: frank.wertheim@maine.edu  
web: www.extension.umaine.edu

[Quoted text hidden]

4870/vmhealey@gmail.com

20 July 2020 at 14:59

Stephen Dalzell <stevemdazell@gmail.com>  
To: frank.werthelm@maine.edu

Agriculture Hi Frank  
Thank you for getting back to Virginia so quickly.  
The plant in question is *Impatiens Pallida*. We have a few of these growing among a lot of *Impatiens Capensis*. *Impatiens Pallida* is listed as 'S2' on the Maine Dept. of Agriculture, Conservation and Forestry MNAP page.  
I have attached a picture of each below.  
The second question, which you may have missed, is "Would there be any reason not to put a driveway through an area infested with 'bamboo', Japanese Knotweed?"  
Thanks  
Steve

2 attachments



*Impatiens Capensis*.JPG  
5446K



*Impatiens Pallida*.JPG  
4971K