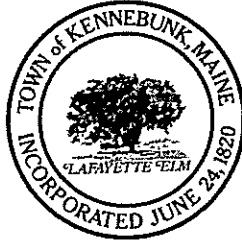


# Town of Kennebunk, Maine



## Staff Review Committee

### MEETING MINUTES

March 17, 2021

### Zoom Teleconference Meeting, Kennebunk

Voting staff in attendance: Brian Paul (Codes Office), Robert Mackenzie (Police Department), Bryan Laverriere (Public Services), and Brittany Howard (Town Planner)

Also in attendance: Chris Osterrieder (Town Engineer), Frank Kunkel (Codes Office), Eric O'Brien (Police Department), John Golembiewski (Applicant)

1. **Call to Order:** B. Howard called the meeting to order at 1:32pm on March 17, 2021 via Zoom teleconferencing under the Governor's COVID-19 Executive Order and by request of the Town's Select Board.

## 2. Agenda Items

### 169 Port Road – Map 89 Lot 84 – Scooter Rental

B. Howard introduced the applicant John Golembiewski to give an overview of the project. Golembiewski stated he is proposing to put in a 40 foot trailer as a scooters rental on the property for 21 scooters. The container will be wrapped in wood, there will be lighting inside, and smoke detectors. The hours of operation will be from 9am to 6pm. The business was already located in town on Route 9. They are proposing a new stop sign as well as speed bumps in the parking lot.

At this time Howard opened the meeting up to staff to ask questions. B. Laverriere asked about storage of the scooters; they will be stored in the containers at night and displayed along the patio during the day. There will also be no overnight rentals. B. Howard went over the concerns/questions submitted from the Fire Department:

1. Are the scooters going to be refilled onsite, if so how much fuel will be stored? J. Golembiewski stated there will be no refueling onsite. They will be fueled at the local fueling station. The only storage onsite will be what is in the tank.

2. The doors located on the end of the container, will they be covered with the siding? J. Golembiewski stated they will be removed and replaced with an ADA compliant door.
3. Are customers going to be able to go inside the container? What are the emergency contingency plans? J. Golembiewski stated there will be two fire extinguishers, smoke and CO2 detectors, a land line phone, and emergency lighting. Scooters will come out in the morning, customers will then go inside the container to watch a safety video and be able to purchase small items such as sun block, water, etc.
4. For overnight storage of the scooters is there going to be a ventilation system? J. Golembiewski stated the containers come installed with vents, the plan is to install a blower to exhaust anything that may accumulate which will be linked to the emergency lights.

C. Osterrieder asked about the availability of parking on the site for those that leave their vehicles. J. Golembiewski then went through the parking break down for the site for each use and the repaved parking area. Osterrieder asked for a parking break down to be submitted.

B. Howard brought up a concern that she has received from an abutter regarding the height of the structure. The container will not be taller than the existing arborvitaes surrounding the cell phone tower.

B. Paul brought up concerns over venting in the structure and suggested a design professional be consulted to review the air flow within the container.

**Town of Kennebunk**  
**Minor Site Plan**  
***Staff Review Committee***

FINDINGS OF FACT

1. Project Name: Scooter Rental
2. Date of Action Taken: March, 17, 2021
3. Site Location: 169 Port Road
4. Zoning District: Lower Village Business
5. Lot Size: 2.44 acres
6. Building Size: 360 sq. ft. container
7. Assessor's Map: 89 Lot: 84
8. Existing Property Owner: 169 Port Road LLC
9. Proposed Property Owner: 169 Port Road LLC
10. Applicant: John Golembiewski

11. The applicant has shown legal interest in the property by **deed**.
12. The Kennebunk Staff Review Committee has reviewed the above noted proposal utilizing the set of approval criteria in Article 11, Section 8 of the Kennebunk Zoning Ordinance as summarized below and determined:

**Approval Criterion # 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.

**Criterion is: met X, not met \_\_\_\_, or not applicable \_\_\_\_ with the following conditions, waivers, and/or comments: none**

Motioned by Brian Paul, seconded by Robert Mackenzie, motion passed 4-0

**Approval Criterion # 2**

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

**Criterion is: met X, not met \_\_\_\_, or not applicable \_\_\_\_ with the following conditions, waivers, and/or comments: none**

Motioned by Brian Paul, seconded by Robert Mackenzie, motion passed 4-0

**Approval Criterion # 3**

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

**Criterion is: met X, not met \_\_\_\_, or not applicable \_\_\_\_ with the following conditions, waivers, and/or comments: The area is already flat however the applicant will install a six inch gravel base to keep the structure level and keep any rodents out.**

Motioned by Brian Paul, seconded by Robert Mackenzie, motion passed 4-0

**Approval Criterion # 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.

**Criterion is: met \_\_\_\_, not met \_\_\_\_, or not applicable X with the following conditions, waivers, and/or comments: The application is not proposing any changes to the surface drainage.**

Motioned by Brian Paul, seconded by Robert Mackenzie, motion passed 4-0

**Approval Criterion # 5**

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

**Criterion is: met \_\_\_\_, not met \_\_\_\_, or not applicable X with the following conditions, waivers, and/or comments: They will be using the restroom in the office above the laundromat.**

Motioned by Brian Paul, seconded by Robert Mackenzie, motion passed 4-0

**Approval Criterion # 6**

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

**Criterion is: met X, not met \_\_\_\_, or not applicable \_\_\_\_ with the following conditions, waivers, and/or comments: none**

Motioned by Brian Paul, seconded by Robert Mackenzie, motion passed 4-0

**Approval Criterion # 7**

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

**Criterion is: met X, not met \_\_\_\_, or not applicable \_\_\_\_ with the following conditions, waivers, and/or comments: none**

Motioned by Robert Mackenzie, seconded by Brian Paul, motion passed 4-0

**Approval Criterion # 8**

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

**Criterion is: met X, not met \_\_\_\_, or not applicable \_\_\_\_ with the following conditions, waivers, and/or comments: none**

Motioned by Robert Mackenzie, seconded by Brian Paul, motion passed 4-0

**Approval Criterion # 9**

Exterior lighting does not adversely affect neighboring properties or streets.

**Criterion is: met     , not met     , or not applicable X with the following conditions, waivers, and/or comments: The applicant is proposing the same exterior lighting that is already onsite.**

Motioned by Brian Paul, seconded by Robert Mackenzie, motion passed 4-0

**Approval Criterion # 10**

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

**Criterion is: met X, not met     , or not applicable      with the following conditions, waivers, and/or comments: The applicant explained that the power will be coming from building three above the laundromat. The power will come out the back of the building, come down the wall, come across the fence to a Shoreline power hook-up and disconnect.**

Motioned by Bryan Laverriere, seconded by Robert Mackenzie, motion passed 4-0

13. In their review, the Committee finds that the criteria of Article 11, Section 8 of the Zoning Ordinance:

- Have been met or are not applicable
- X Have been met with the conditions and/or waivers noted: Subject to mechanical ventilation system drawn up by a design professional. Access door (ADA compliant instead of the existing container doors.
- Have not been met (list criteria not met) or are not applicable

Based upon the information above, the Committee therefore:

- X approves the Site Plan.
- approves the Site Plan with conditions **which are to be completed & evidence filed in the Planning Office no later than sixty (60) days after plan approval; and prior to permit.**
- denies the Site Plan.

Motioned by Brian Paul, seconded by Robert Mackenzie, motion passed 4-0

14. PLEASE NOTE THAT THE FOLLOWING APPLY:

- AFTER SITE PLAN APPROVAL AND PRIOR TO OCCUPANCY, THE APPLICANT MUST RECEIVE A CHANGE OF USE PERMIT AND OCCUPANCY PERMIT FROM THE CEO.
- A BUILDING PERMIT SHALL NOT BE ISSUED BY THE CODE ENFORCEMENT OFFICER UNTIL THE APPLICANT FILES A PERFORMANCE GUARANTEE IN CONFORMANCE WITH ARTICLE 11. SECTION 10. (ZONING).

15. This approval is dependent upon, and limited to, the proposals and plans contained in this application and supporting documents submitted and affirmed by the applicant, as well as any oral representations made to the Board during the final review of the project. Any variation from

the plans, proposals and supporting documents is subject to review and approval by the Site Plan Review Board, except for de minimus changes, which the Town Planner may approve.

Project Details:

- Hours of operation: 9am – 6pm
- Number of Scooters: 21 scooters (20 for rental/1 for business use)
- Scooters will be stored inside overnight and in the parking lot during the day.
- Container wrapped with pine board and batten.
- Scooters will not be fueled onsite, only fuel storage on site will be gas inside the scooters
- Installation of stop and sign and speed bumps.
- Smoke & CO2 detectors will be installed, 2 fire extinguishers, 2 sets of emergency lights, and a landline phone.
- Applicant shall submit a new parking break down and a new drawing showing the new paved section out back.

Voting staff in attendance: Brian Paul, Robert Mackenzie, Bryan Laverriere, and Brittany Howard  
Other staff in attendance: Chris Osterrieder, Frank Kunkel, and Eric O'Brien

**\*A Building Permit is Required from the Code Enforcement Officer in order to complete this approval**

Signed as approved by the Staff Review Committee this 17th day of March, 2021

\_\_\_\_\_  
Town Planner

\_\_\_\_\_  
Date

**3. Adjournment:** There being no further business, the B. Howard adjourned the meeting at 1:28 pm.

Respectfully submitted by,  
B. Howard

Adopted by the Staff Review Committee at it's the meeting

of July 22, 2021,

Signed by

  
\_\_\_\_\_  
Staff Review Committee