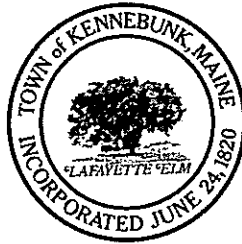


Town of Kennebunk, Maine



Site Plan Review Board

MEETING MINUTES

March 18, 2021

Zoom Teleconference Meeting, Kennebunk

Present: Gary Dugas [Chair], Jeanne Dunn [Vice Chair], Brenda Robinson [Secretary], Christopher Carroll [Member], Albert Kolff [Alternate], Brittany Howard [Staff Liaison], Wayne Berry [Select Board Liaison]

Absent: Paul Jackson [Member]

Also Attending: James & Krissy Cornier [Applicants], Henry Hess [Sebago Technics], Mary Turgeon [Gawron Turgeon Architects]

1. **Call to Order:** Chairman and presiding officer G. Dugas called the meeting to order at 7:06pm on March 18, 2021 via Zoom teleconferencing under the Governor's COVID-19 Executive Order and by request of the Town's Select Board. A. Kolff, alternate Board member, is acting with voting privilege.

2. Agenda Items

(1) **118 York Street – Map 62 Lot 43 – Demolition & Replacement of Dentist Office**

B. Howard offered the Board a brief overview: Applicant proposes to demolish the existing structure (a commercial building for dental care) after erecting a new building at the rear. While construction is ongoing, applicant will continue operating out of the existing building. Applicant specifically seeks three waivers: (1) parking lot location/design, (2) soils map of site, and (3) sidewalk buffer.

Howard additionally noted that applicant is using the site distance requirement from subdivision regulations. However, the site does not meet the requirements listed in the Site Plan Review site distance requirements [Article 11, Section

8.6.a]. Howard likewise affirmed that feedback on the project had already been obtained from the Fire Department, Police Department, and Public Services.

The Fire Department, she reported, issued the following comments:

- (a) Hydrant across Route 1 is sufficient for this application [NFPA 1 Chapter 18, 2018 Edition];
- (b) The building falls under NFPA 101, 2018 Edition, New Business Occ. and should be followed as appropriate; and,
- (c) Second floor exit should meet NFPA 101 38.2.4.4 (1) 2018 edition. The door thru the vestibule is ok as long as the door to the outside is marked as an exit.

The Police Department formally commented that it has no issues, concerns or comments regarding this project.

Public Services noted that there were some issues regarding drainage which were communicated to the Town Engineer.

The Conservation Commission comments were shared with the Board via email prior to this meeting.

Owner and applicant J. Cormier then addressed the Board, reaffirming that the new building will “primarily be used for dental care”.

H. Hess, project manager for the applicant, described the space in more detail. The new building will be two stories and have 27 parking spaces in the front, a screened dumpster area, existing signage (with the addition of one dentist’s name), and extensive landscaping. The existing building is to remain functional until the rear replacement structure is complete.

A. Kolff complimented the design team for their thorough plan and suggested that the Board address each of the sought-after waivers.

Soil Map

H. Hess informed the Board that, as the project will fundamentally use an existing site, applicant seeks a waiver to utilize a “medium-density” soil evaluation instead of the required “high density” version. The property’s soil conditions, he stated, will not change.

J. Cormier added that the project will undertake a geotechnical soil evaluation that is of higher quality than that mandated. The project, he assured Board members, will have independent, high-quality confirmation that the site can accommodate a 2-story building.

A. Kolff and G. Dugas deemed the soil map waiver to be “reasonable”.

Motion: J. Dunne moved that the Board accept the medium [density] soil test.

Second: A. Kolff

Vote: Motion carried with 5 votes in favor, none opposed.

Sidewalk Buffer

H. Hess next noted that Kennebunk's ordinance requires a 2-foot sidewalk buffer. However, such a buffer could be potentially detrimental to pedestrians and office visitors at this site, he said, given the layout and configuration of the proposed parking space.

The Board was generally in favor of this waiver and will vote on it at the next meeting. There were no concerns or comments.

Parking

H. Hess then observed that Kennebunk's ordinance requires parking be located at the side and/or rear of such a building. However, this project requires parking in the front if the existing structure is to be kept functional during the construction of the replacement building behind it. Applicant therefore seeks a waiver for "front" parking.

A. Kolff deemed the proposed parking area to be a "logical solution", and voiced concurrence with the parking waiver in principle. The Board was generally in favor of this waiver and will vote on it at the next meeting. There were no concerns or comments.

Fire Department Considerations

B. Robinson joined the meeting after technical difficulties and questioned the Fire Department's maneuverability on the premises. H. Hess offered a diagram confirming the ability of a fire truck to satisfactorily enter, serve, and exit the property.

C. Carroll and A. Kolff questioned whether a sprinkler system would be installed, and M. Turgeon observed that a fire suppression system was not envisioned as it is not a Town requirement. Kolff nevertheless urged applicant to consider a sprinkler system for safety as well as insurance purposes.

B. Robinson questioned egress on the second level and suggested that the Fire Department's comments about the second floor be addressed by applicant before a public hearing.

Use of the Upstairs Space

C. Carroll and B. Robinson also inquired whether the building's upstairs space would have residential use. M. Turgeon replied that the building is meant to have commercial use exclusively. However, B. Robinson sought more clarification about the second floor and the potential longer-term impact of limited parking.

If, Robinson observed, applicant one day sought to convert the unfinished “attic space” [approximately 40%] on the second floor into usable office space, the property could not accommodate additional parking.

Board members therefore charged applicant to be aware of the limitations which an eventual approval – if granted – would inherently have because additional parking could not be approved given wetland and other considerations.

Wetland Encroachment

G. Dugas next questioned the project’s immediate wetland impact. H. Hess reported that there is a 25-foot setback and some grading and feathering impact. However, he was adamant that the project would not encroach on the wetlands just the buffer. Dugas asked that the wetland buffer area be shown on plans.

Outdoor Lighting and Impervious Encroachment

B. Robinson recommended that outdoor lighting in the back of the new building be considered for security and insurance reasons. Robinson also observed that there appeared to be encroachment on applicant’s property by adjacent, municipal bus parking.

Next Steps

As the proposed waivers (other than the soil test) require public hearing, presiding officer Dugas proceeded to schedule site-walk and public-hearing dates. B. Howard informed the Board that only virtual site walks are permitted at this time, and explained how video, still photography, and telephone cameras can be used for such a “visit” on a Zoom platform. Howard also explained the need for sufficient time to organize a public hearing, notify abutters, as well as post the hearing date in newspapers.

H. Hess and the Board therefore agreed to a virtual site walk on Thursday, March 25th at 7:00pm and a public hearing on Thursday, April 8th at 7:00pm (this was rescheduled for April 15).

B. Howard then summarized the concerns and issues raised the Board at today’s meeting which applicant and his representatives should address prior to the public hearing:

- (1) Talk with Fire Chief about fire access and respond to Fire Department comments about the second floor;
- (2) Show parking counts/breakdown with proposed uses in a table on the plan;
- (3) Respond to Conservation Commission comments;
- (4) Respond to Town Engineer comments;
- (5) Show wetland buffer area on plans;

- (6) Consider concerns about rear external lighting;
- (7) Consider the merits of a sprinkler system; and,
- (8) Add the new dumpster plan to the plan set.

G. Dugas thanked applicant and his representatives for their thorough presentation. The Board, he stated, will vote on the other waivers at the public hearing.

3. Other Business

(1) 171 Port Road – Parking Agreements

B. Howard reminded the Board that it wanted to tie parking at this location to the project's final approval but after discussion with the Town engineer, code officer, and site plan chair, parking was tied to the building permit. The Town's Code Enforcement Officer, she reported, is meeting with the architect tomorrow to discuss the matter. Howard will keep the Board apprised of those discussions.

A. Kolff noted that two trees (previously approved for removal) are still in place at this site. B. Howard will check with the Code Officer on the matter.

4. Adjournment: There being no further business, the Chairman adjourned the meeting at 8:44pm.

Motion: B. Robinson moved to adjourn.

Second: C, Carroll

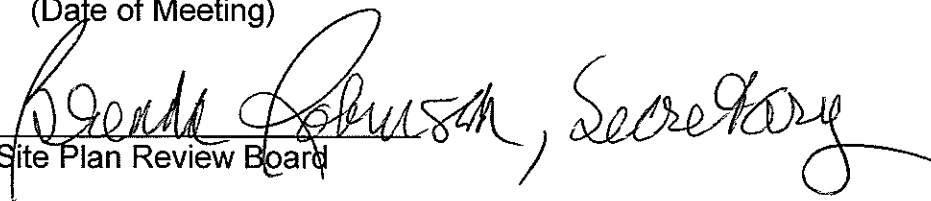
Vote: Motion carried with 5 votes in favor, none against.

Respectfully submitted by,
J. Schlagheck

Adopted by the Planning Board in the meeting

Of: April 15, 2021
(Date of Meeting)

Signed by


Site Plan Review Board

