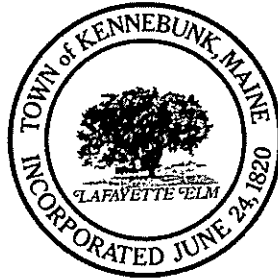


# Town of Kennebunk, Maine



## Planning Board

### MEETING MINUTES

March 28, 2022

### Zoom Teleconferencing Meeting

Present: Chris MacClinchy [Chair], Richard Smith [Vice Chair], David Smith [Secretary], Robert Metcalf [Member], Janice Vance [Member], Edward Trainer [Alternate], and Dan Kiley [Alternate];

Absent: None

Also Attending: Brittany Howard [Town Planner], William Ward, Jr. [Select Board Liaison]; Kendra Ramsell [Sebago Technics], Michael Tadema-Wielandt [Terradyn Consultants]; and Geoffrey Bowley [Applicant]

**1. Call to Order:** Chair and presiding officer C. MacClinchy called the meeting to order at 7:00pm on March 28, 2022 via Zoom teleconferencing in keeping with the Board's "Remote Meeting Policy" for COVID safety. There were five voting members present: C. MacClinchy, R. Smith, R. Metcalf, J. Vance, and D. Smith.

## 2. Agenda Items

- a. Preliminary Subdivision Review — Millstone Farm — 231 Alewife — Map 30 Lot 99**  
B. Howard introduced this topic, explaining that applicant seeks to create 9 residential lots on 15.78 acres. The minimum net lot area is 20,000 square feet and the existing lot area is 687,376 square feet. The zoning, Howard said, is "West Kennebunk Village Residential." The lots would be served by public water and private septic systems.

This application, Howard added, is complete for a preliminary level review. However, Howard also stated there are a few items that need to be added to the plan. She specifically called on the applicant to:

- Depict street trees, type and location;
- Show street lighting;
- Add a surveyor's stamp;

- Add drainage arrows;
- Provide confirmation that the Home Owners Association will conserve and maintain the “priority area” located at the back of the subdivision;
- Add a note stating that only certified organic pesticides and herbicides, etc., will be used on the site; and,
- Depict the house across the street since all structures within 200 feet of the site are meant to be shown on such plans.

B. Howard additionally reported that applicant requests a waiver of the hydrogeological assessment otherwise required by Planning Board Standards, Article 6.3.C.3.

Michael Tadema-Wielandt, representing the applicant, showed an aerial photo of the site with the layout of the proposed subdivision. The land is forested, has wetlands, and drains to the southeast into a stream. Even subtracting the wetlands and slopes, M. Tadema-Wielandt said, there is space for 29 lots on this property, although only 9 lots are proposed.

M. Tadema-Wielandt showed another aerial photo depicting the nine lots, the proposed roadway [“Millstone Lane”], and cul-de-sac. The roadway will be 25 feet wide and bordered by street lights and trees. The lots, he said, will be served by public water and private septic systems. Some 8 acres of open space will be left undeveloped at the rear of the site and owned/maintained by homeowners.

The applicant, M. Tadema-Wielandt added, is taking pains to avoid wetland intrusion. Lots #7 and #8 have large wetland areas, but are “purposefully oversized” to avoid construction on or fill in that zone.

Tadema-Wielandt justified the request for a waiver of the hydro- assessment requirement since public water will be used, not wells. He then welcomed Board questions and comments.

R. Smith called on the applicant to install medallions or markers on the ground to clearly mark wetland areas. He also asked if applicant intended to install trees on Lot #1 along Alewife Road. M. Tadema-Wielandt responded that many mature trees were already in place.

D. Kiley inquired whether cars exiting Millstone Lane would have adequate visibility for safe egress onto Alewife. Geoffrey Bowley, the applicant, explained that most of the entryway is clear of trees and there is good visibility. D. Kiley and D. Smith also called for a restriction of the use of non-organic fertilizers and pesticides, and C. MacClinchy reminded the Board that the applicant had already agreed to formally incorporate such limitation in the plan and homeowner documentation.

J. Vance questioned the location of the driveway serving Lot #1 and noted an error in the plan’s mention of the electric company serving the lots. Tadema-Wielandt agreed to make the correction.

E. Trainer urged the applicant to take steps to protect the site's drainage — particularly drainage on Lots #8 and #9. Trainer also voiced appreciation for applicant's decision to keep substantial acreage permanently vacant and undeveloped.

D. Smith concurred with R. Smith that ground markers or medallions would be important to delineate wetland areas. However, D. Smith additionally called on the applicant to "formally apprise" homeowners of the prohibition against filling wetlands or dumping yard waste in them. That prohibition, D. Smith said, should be spelled out clearly in homeowner documentation. Bowley and Tadema-Wielandt agreed.

D. Smith and R. Smith raised questions about drainage, and M. Tadema-Wielandt pointed out that the Town Engineer had largely agreed with the applicant's modeling and drainage plan. Tadema-Wielandt showed an aerial drainage diagram and illustrated how storm water was expected to drain.

R. Metcalf joined D. Smith and R. Smith in expressing concern about the delineation of wetlands and agreed that provisos about wetlands should be formally incorporated in homeowner documents. Trees along Millstone Lane, Metcalf suggested, should be spaced about 40 feet apart — 80 feet apart on the left side and, staggered, 80 feet apart on the right. Metcalf specifically recommended oaks and maples.

C. MacClinchy asked if a concrete culvert would be used as the Town Engineer had recommended, and M. Tadema-Wielandt replied in the affirmative. J. Vance inquired whether the applicant would be willing to post a permanent sign on the property admonishing homeowners to avoid contaminating wetlands and water resources. G. Bowley agreed to study the idea and get back to the Board.

G. Bowley, in turn, asked if he could preserve trees of a certain caliber as an alternative to planting new ones. R. Metcalf responded that "it might be an alternative", but was nevertheless adamant that there was good reason for planting new trees.

There being no other Board questions or comments, Board members and the applicant agreed to schedule a public hearing on April 25, 2022.

Motion: **Move that the Planning Board of the Town of Kennebunk consider the preliminary package for nine lots [at] 231 Alewife, Map 30 Lot 99, "Millstone Farm", to be complete.**

Moved: D. Smith

Second: R. Smith

Vote: **Roll call vote, 5 votes in favor, none opposed; the motion carried.**

**b. Sketch — Subdivision — Western Avenue — Map 72 Lots 164**

B. Howard next explained that applicant Great Hill Development, Inc. seeks to create three [3] residential lots on 5.41 acres on Western Avenue. The existing lot area is 235,659 square feet and the minimum net lot area per lot is 40,000 square feet. The zoning, Howard stated, is "Suburban Residential & Shoreland Overlay". The land is currently vacant. The site would use public water and sewer.

B. Howard reported that the applicant also seeks a waiver for road construction. She explained that the applicant proposes to install a T-turn and pave the roadway, while T-turns are only authorized on unpaved roads.

Kendra Ramsell, representing the applicant, showed an aerial diagram of the site and proposed lots. The land has considerable wetlands, she said, so the amount of buildable space is limited. A cul-de-sac with a 50-foot right of way would not be feasible, she added — hence the request for a waiver.

The lots, K. Ramsell explained, have unusual shapes because of a previous approval that was never permitted. Sebago Technics will devise a drainage plan, she said, and some 2,000 sq. feet of wetland fill may be needed for construction of the roadway. However, it is not clear whether any of the land under the proposed roadway is truly “wetland”, so applicant has called on the Army Corps of Engineers to opine. Substantial clearing of trees and vegetation will, in any event, be needed on Lots #1 and #3.

R. Smith questioned the wisdom of having multiple lots on this property. “At first look,” he said, “this should be a two-lot subdivision, not three.” R. Smith also posed a number of questions about drainage, and K. Ramsell explained how drainage currently occurs and why the project should not negatively impact or significantly alter drainage flows.

D. Kiley asked why a paved road was proposed, and K. Ramsell cited three reasons. A paved road, she said, will: (1) give added benefit to homeowners; (2) require less maintenance than a gravel road; and (3) be easier to keep clear in the winter.

J. Vance and E. Trainer agreed with R. Smith that “this is a challenging piece of property” [Vance]. Vance asked if the applicant or his representatives had spoken with the Fire Department, and K. Ramsell responded in the affirmative, stating that the proposed road design was based on the Fire Department’s template. Vance also inquired whether the property was in a flood zone or had vernal pools, and Ramsell answered these questions in the negative.

E. Trainer expressed the view that stronger justification was needed for a paved road and he called for detailed drainage plans. D. Smith asked for the eastern site distance, and K. Ramsell agreed to provide it. D. Smith posed additional questions about drainage, and Ramsell stated that applicant’s future submissions would provide drainage plan information in more detail.

D. Smith also observed that “Lot #3 is not in a great place,” and suggested that applicant consider changing that lot’s driveway and house locations. C. MacClinchy agreed that “three houses on this land look really tight.” MacClinchy found fault with the proposed roadway crossing wetland and the likelihood of needing extensive wetland fill. MacClinchy questioned whether the roadway could be moved. However, K. Ramsell answered both D. Smith and C. MacClinchy in the negative, explaining that her engineering group had looked at numerous permutations of the lots and roadway and this particular plan was best because of setback and lot width limitations.

Board members and the applicant’s representatives then agreed to hold a site walk on Saturday, April 9<sup>th</sup> at 8:00am. The Board asked B. Howard to provide applicant with a list

of property features — wetlands, the proposed roadway, etc. — to be marked for the site walk. The site walk, B. Howard observed, would also be open to the public.

### 3. Approval of Meeting Minutes

C. MacClinchy then led the Board in a page-by-page review of the minutes of its March 14, 2022 meeting. Several typos and errors were identified and corrected.

Motion: **Move that the Planning Board of the Town of Kennebunk approve the Minutes of March 14, 2022 meeting as corrected.**

Moved: R. Smith

Second: R. Metcalf

Vote: **Voice vote, 4 votes in favor, none opposed, 1 abstention [D. Smith had not attended the March 14<sup>th</sup> meeting]; the motion carried.**

### 4. Other Business

Board members next agreed to revert to in-person meetings beginning April 25, 2022. B. Howard reported that Town Hall was testing technology for “hybrid” meetings, which would permit in-person as well as Zoom participation. However, it is not clear if such meetings will be feasible. Howard also reported that COVID masks at in-person meetings would be optional.

### 5. Adjournment:

There being no further business, the Chair adjourned the meeting at 9:01pm.

Motion: **Move that the Planning Board of the Town of Kennebunk adjourn the meeting.**

Moved: D. Smith


Second: R. Smith

Vote: **Voice vote, 5 votes in favor, none opposed; the motion passed.**

Respectfully submitted,  
J. Schlagheck

Adopted by the Planning Board in its Meeting  
Of April 11, 2022

Signed by:

  
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PLANNING BOARD

