

**TOWN OF KENNEBUNK
CONSERVATION AND OPEN SPACE PLANNING COMMISSION
REGULAR MEETING 7/12/21
MINUTES**

CALL TO ORDER

On July 12, 2021 at 6:05 p.m., the meeting was called to order.

PRESENT: Nick Branchina, Todd Bridgeo, Jennifer Shack

WETLANDS MITIGATION ORDINANCE

Shack and Cain attended the Planning Board workshop on the ordinance. Shack proposed limiting the mitigation options to protection and payment of fees. This appeared to be acceptable to the Board. The Board discussed the possibility of there being different minimum square footage impacts to trigger the ordinance for single lots of record and developments due to the financial burden the mitigation requirement might place on families. When presented with this option during their meeting, Conservation Commission members rejected this idea as being too complicated. Shack will meet with the town planner to go over notes from the Planning Board workshop. The hope is to have the ordinance on the same ballot as the Comprehensive Plan in late 2021.

SITE PLANS/ DEVELOPMENTS

The Commission reviewed the following applications:

- 15 Longwood Drive: The Commission has already reviewed this application and has no comments on the revised plans.
- 60 Great Hill Road: The Commission has already reviewed this application and has no comments on the revised plans.

OTHER COMMITTEES/PROJECTS

Branchina updated the Commission on the progress made on the Comprehensive Plan.

OTHER BUSINESS

There was no other business.

The meeting adjourned at 6:45 pm.

ATTACHMENT

March 2, 2020

To: Planning Board, Chris Osterreider

From: Kennebunk Conservation Commission

RE: Reidson Development

The Conservation Commission is deeply concerned about the plans to run a road along Lake Brook and the addition of four home sites. We understand this project is only possible because the development in question lies within the Lower Village Business District and therefore has a 25-foot setback from the brook, rather than the 250 feet required elsewhere along the brook and indeed along most of our rivers and streams. This anomaly is due to the town's interest in business growth in Lower Village and the belief that this particular area was not threatened by development. We are especially concerned about Lots 2 and 4, which lie just above the 25-foot mark and well within the 250 feet the town has determined is needed to protect its rivers and streams.

The Commission's concern is enhanced by the following:

- The area is important for tidal wading birds and waterfowl.
- The marshes along the affected part of Lake Brook are home to the rare plant species and natural community of Saltmarsh False-Foxglove and therefore is of great natural importance.
- The Open Space Plan identifies Lake Brook as a High Value Priority Area.
- Maps of marsh migration for Kennebunk indicate that as sea level rises, the marsh will migrate outward from the brook. This development would inhibit the marsh's migration.

For all of these reasons, should there be no legal means to deny a permit, the Conservation Commission urges the Planning Board to ensure the development has the least impact possible. This includes eliminating Lots 2 and 4 from the development as it has the greatest impact on the resource. We also urge the Planning Board to apply the same standards as would be required in a Shoreland Zone Overlay District, most particularly by ensuring that the development:

- Will not result in damage to spawning grounds, fish, wildlife and plant habitats
- Will conserve shoreland vegetation
- Will conserve open space priority areas

Should the development go through, even in modified form, we urge the following:

- That the plans include a requirement that the septic systems be properly maintained, with regular inspections and pump outs.
- That the plans include a prohibition on the use of any pesticides on the properties.
- That the town require a site-specific environmental protection plan, to be reviewed by the Town Engineer, on how they intend to mitigate impacts. This plan should specify a schedule for regular inspections as well as what corrective actions will be taken in the event of a deficiency.

We thank you for your serious consideration of these issues.

