

**FALMOUTH PLANNING BOARD**  
**TUESDAY, JUNE 11, 2019**  
**MINUTES**

**MEMBERS PRESENT:** T. McKeon (Chair); J. Cole (Co-Chair); B. Kaplan; P. Kenlan; R. Jordan

**MEMBERS ABSENT:** D. Sinnett; J. Kelly

**STAFF PRESENT:** Dawn Emerson, Land Use Planner

Chair McKeon called the meeting to order at 6:33 p.m. He informed the Board and the Public that Item 2, Catherine Liberty project, had been tabled and asked for a formal motion to that effect. Mr. Cole moved to table the Item 2, Catherine Liberty – Field Road/Woodville Road. Mr. Jordan seconded. Motion passed 5-0.

**MINUTES:**

**Item 1** Approval of the May 7, 2019 minutes and site walk notes from May 21, 2019.

Mr. Kaplan moved to approve the minutes. Mr. Jordan seconded. Motion passed 5-0.

Mr. Kenlan moved to approve the site walk notes from the May 21, 2019 Homestead Acres Site Walk. Mr. Jordan seconded. Motion passed 3-0 (McKeon & Cole abstained)

**AGENDA ITEMS:**

**Item 2** Catherine Liberty – Field Road/Woodville Road – Request for Preliminary and Final Subdivision Approval for a 6-lot subdivision on Field and Woodville Roads. Map-lot R03-066, Zoned FFm, RCZO. (*TABLED*)

**Item 3** Kimberly & Adam Nemser – 5 Robinson Road – Request for Shoreland Zone Permit for a Proposed Dock consisting of a Pier, Ramp, and Float. Map-lot U05-006, Zoned RC, SZ-LR, RCZO, WVOD.

Tim Forrester, Atlantic Environmental, presented the project to the Board.

Chair McKeon opened the discussion to the Board for clarifying questions and comments.

Mr. Cole asked if the Helix anchors were the preferred strategy for the bottom conditions within this breach of Casco Bay. Mr. Forrester stated Helix anchors have become the way to go. They auger down, have an incredible hold strength, and can't be pulled up. He further explained that they can be left in with just an eyebolt sticking out; installation and removal is a onetime thing as opposed to mushroom anchors or granite blocks of which there is a lot more maintenance involved.

Mr. Cole then asked if seasonal maintenance of the float and anchor system leaves chains at the bottom. Mr. Forrester stated Custom Float Services would manage the install and takeout on a seasonal basis. Whether or not the chains remain on the Helix, is typically driven by how deep it is at the site. He further stated he suspected they would dismantle everything and re-attach in the Spring.

Chair McKeon asked if Mr. Forrester reviewed the conditions suggested by Staff and if he was amenable to these conditions. Mr. Forrester stated he did review them and saw no issues with them.

Chair McKeon stated that haul-out would require removal of vegetation on the shore. He then asked Mr. Forrester if he was agreeable to having no haul-out permitted. Chair McKeon clarified that he didn't want to see the dock hauled out over the bluff. Mr. Forrester stated that was not happening on this site. Chair McKeon asked if Mr. Forrester was agreeable to this being an additional condition. Mr. Forrester stated absolutely. Chair McKeon asked if he were walking below at high tide, could he get under the dock. Mr. Forrester stated yes. Chair McKeon asked if any neighbors had concerns. Mr. Forrester stated there was one neighbor that contacted the DEP with questions during the review process. He stated they responded to those questions, and there were no further inquiries. Mr. Forrester further stated that in response to comments from DMR, they changed the granite crib on the end.

**PUBLIC COMMENT: No public comments.**

Chair McKeon moved to approve the application as presented subject to conditions outline by Staff and the condition that the dock is not going to be hauled out at the end of the season over the land at the premises. Mr. Cole seconded. Motion passed 5-0.

**Item 4 Ocean View Retirement Community – 18 Blueberry Lane – Request for Final Site Plan and Subdivision Amendment for a Proposed Fitness Center. Map-lot U27-013-B/F, Zoned RB, OVRC, RCZO.**

Chris Wasileski, Ocean View Retirement Community, presented the application to the Board stating they have reduced the size of the footprint. He then introduced Rick Licht, Licht Environmental Services, who presented the specifics of the amendment.

Chair McKeon brought the discussion back to the Board for clarifying comments and questions.

Chair McKeon asked about the increase of 2 units, from 4 to 6, as it related to the decrease in parking spaces, 9 to 6 and if the applicant was concerned about this decrease. Mr. Licht stated the rationale for the decrease is structural. The foundation changed and 6 spaces was all they could fit in the basement.

Mr. Cole asked if the garage base was dedicated only to the 6 units. Mr. Licht stated yes.

Chair McKeon asked if the fitness center was changing in size at all. Mr. Wasileski and Mr. Licht stated there would be a reduction, from around 6100 sf to 5100 sf. Chair McKeon then stated it seemed that this was turning into more of a residential building than a fitness center. Mr. Licht stated the fitness center was going to be the focus of the building with 2 floors of residences above that.

Chair McKeon asked what the square footage comparison in the building was between the amount dedicated to residential and the amount dedicated to the fitness center.

Mr. Licht stated the overall reduction was 27,159 sf to 17,591 sf overall. Mr. Wasileski elaborated that they were going from 4 to 6 units which an average of 1150 sf to 1300 sf per unit. Based on 1300 sf per unit, they are adding 2600 sf total adding to that the reduction of net square footage of 1,000 sf from the fitness center floor area. He further stated that construction costs have motivated these changes.

Mr. Cole asked if the prior design had units above the fitness center. Mr. Wasileski stated yes.

Mr. Jordan asked if there were any updates to the Master Plan as he remembers this being discussed at the Council level. Chair McKeon stated he was hesitant to approve anything further without the applicant presenting a new Master Plan to the Town Council.

Mr. Licht explained that they have an application to present at the July meeting which consists of internal changes to the Legacy Memory Care facility and does not affect the Master Plan.

Chair McKeon acknowledged this and asked the applicant if they were willing to wait until the August meeting to present the LMC amendment as they are the only item on the agenda for July, which would be a simple administrative action item.

Mr. Wasileski stated that since Mr. Licht would be away for that meeting, he was pondering that same issue. He asked if he could reach out to Staff after discussing it with his superior. He further stated he would be happy to take the Board members on a tour of Ocean View at any time.

Mr. Wasileski and the Board discussed the Ocean View Retirement Community Master Plan and possible updates to this as directed by the Town Council.

Mr. Jordan moved to approve the application subject to the conditions in Staff memo provided at this meeting. Mr. Cole seconded. Motion passed 5-0.

## **Item 5 Other Business**

Chair McKeon asked Staff the status of the exactation issue raised by Mr. Sinnett at a previous meeting. Staff stated they have heard from the Town attorney who is still working on the issue and have no updates at this time. Chair McKeon stated he would wait to discuss the issue when they hear back from the Town attorney. He gave the Board a little bit of background on the use of impact fees stating that it's a tool available to them, and they could impose an Impact Fee as a result of the ongoing developments. He also has concerns about implementing this without Council input. He felt that the Board needs to learn more about the possibility of assessing impact fees. The Board had a brief discussion on this topic.

Meeting adjourned at 7:23 p.m.

Recording Secretary,  
Lisa Sangillo