

MINUTES
OLD ORCHARD BEACH PLANNING BOARD
Workshop – 6:00 p.m.
December 1, 2011 Council Chambers – Town Hall

Present: Chair Win Winch, Mark Koenigs, Michael Russo. Staff: Jeffrey Hinderliter, Town Planner and Valdine Helstrom Secretary to Planning Board.

The meeting was called to Order 6:10 P.M.

ITEM 1

Proposal: Private Way Application: Access to 1 lot
Action: Public Hearing; Schedule final review
Owner: Matthew G. Chamberlin
Location: Homewood Boulevard, MBL: 403-17-13, R5 Zone

At the last meeting, the Planning Board scheduled a public hearing for this month. Mr. Hinderliter has talked with John Cunningham, lawyer on this issue.

Mr. Hinderliter stated to the Board Members that in his opinion, the most crucial issues are:

- 1.) Representing right, title or interest.
- 2.) Private Rights-are they an issue and if so how will they be approached.
- 3.) Future use/development off the private way-who will upgrade, prepare the maintenance agreement and perform maintenance and snow removal. Mr. Hinderliter suggested that the Board should advise the applicant on the next steps.

ITEM 2

Proposal: Conditional Use: Home Occupation. Use of personal kitchen for production of baked goods and canning for sale online and offsite
Action: Public Hearing; Final Review; Finding of Fact
Owner: Jocelyn Mertz
Location: 25 Evergreen Ave., MBL: 311-13-9, R2 Zone

Mr. Hinderliter stated to the Board that this item is a straight-forward proposal to conduct a Home Occupation. The Home Occupation will be to prepare baked and canned goods in the applicant's kitchen by the applicant. All sales will be off-site. It complies with Conditional Use and Home Occupation Standards. Applicable DHHS licenses have been secure, and Mr. Hinderliter believes that the Planning Board can approve this proposal.

ITEM 3

Proposal: Private Way Application: Access to 3 residential lots
Action: Review Private Way proposal; Determine next steps
Owner: Harry L. Smith
Location: 19 Smith Wheel Road, MBL: 210-1-11, R4 Zone

At the last meeting, the Planning Board requested the applicant submit a formal public way application so the Board can formally consider this proposal, including the subdivision road construction standard waiver requests. The Board should review subdivision road construction standards and see which ones the Board can waive or modify. The issue of required frontage and right-of-way width has been resolved so the 100' of frontage is not required (the lot existed before adoption of the frontage standard) and the 50' ROW width is not required (the ROW existed before 19 September 1989).

The Planning Board should review this proposal to see if it meets applicable standards in the Private Way Ordinance and decide on subdivision waiver requests.

ITEM 4

Proposal: Private Way Application: Access to 1 lot
Action: Consideration of Private Way proposal
Owner: Robert and Shirley Baggs
Location: Connecticut Avenue, MBL: 322-1-7, R3 Zone

Mr. Hinderliter stated that this proposal is to create a Private way to access one lot. Last month the proposal was introduced to the Planning Board but no action could be taken until a variance was secured. The Planning Board will begin its official review this month, On November 28th, the proposal was granted a variance for the ordinance standards mentioned in the applicants cover letter. The applicant will be required to show right, title or interest and that there is not private right issues. The Board should identify any outstanding issues and schedule a site walk and public hearing.

ITEM 5

Proposal: Site Plan Review Amendment to 2001 approval: Install fencing, adjust lot lines, construct vehicular access
Action: Determination of completeness; schedule public hearing & site walk
Owner: BBI Waste Industries
Location: 1 Vallee Lane, MBL: 107-2-28, ID Zone

BBI is proposing to amend a 2001 approved site plan by increasing the property size from 4-8 or 9 acres, construction of a driveway with a utility access easement and installation of fencing for improved security. The proposal is quite complete and those areas that are changing from the 2001 approval have been updated, including amended stormwater management and site plans. Mr. Hinderliter stated that this is a pretty straight forward proposal. The primary possible issue is the access construction of the access easement. We just need to be sure all legal agreements are in place and the proposed access, including construction is acceptable to all those who use it. Jeffrey thinks that the Planning Board can schedule a public hearing and site walk (if needed).

ITEM 6

Proposal: Conditional Use: Addition of 20 feet to existing radio antennae
Action: Determination of completeness; schedule public hearing & site walk
Owner: Town of Old Orchard Beach
Location: 136 Saco Ave. (Fire Department), MBL: 207-3-8, GB1 Zone

The Fire Dept is proposing a 20' addition to an existing communications antennae attached to a building. This proposal has been scheduled on several Planning Board agendas over the past few months. The applicant is now prepared to move forward. The primary issue for the board to consider is waiver of Wireless Telecom Facility standards. Mr. Hinderliter stated that he believes that the Board can move forward and schedule a public hearing and a site walk (if needed).

GOOD & WELFARE:

Jeffrey mentioned to the Board that we are in the process of getting Code of Ordinance books prepared for the Planning Board.

Mark Koenigs mentioned that he will not be at the next Planning Board meeting because he has another conflict.

ADJOURNMENT: 6:23 P.M.

WINTHROP WINCH, CHAIRMAN

I, Valdine Helstrom,, Secretary to the Planning Board of the Town of Old Orchard Beach, do hereby certify that the foregoing document consisting of three (3) pages is a true copy of the original minutes of the Planning Board Site Walk and Workshop December 1, 2011.

Valdine L. Helstrom