

OLD ORCHARD BEACH PLANNING BOARD

Regular Meeting
 May 12, 2016 - 7:00 PM
 Town Council Chambers

<p>Call to Order at 7:00 pm</p>	<p>Call to Order</p>
<p>Pledge to the Flag</p>	
<p>Roll Call: Chair Mark Koenigs, Vice Chair Linda Mailhot, Ryan Kelley, Eber Weinstein, Win Winch. Absent: Mike Fortunato, Laura Bolduc. Staff: Jeffrey Hinderliter, Planner; Megan McLaughlin; Assistant Planner. Others Present: DPW Director, Marc Guimond.</p>	
<p>APPROVAL OF MINUTES: 4/7/16, 4/14/16</p> <p>4/7/16 Workshop meeting minutes: Linda Mailhot brought up the fact that on the first page, the 6th bullet down was a duplicate. The duplicate should be removed. Win Winch made a motion to approve the April 7, 2016 workshop meeting minutes with duplicate removed, seconded by Eber Weinstein.</p> <p>4/14/16 Regular meeting minutes: Linda Mailhot stated that we should strike absent from the roll call. Page 5 is not clear under other business. Need to add Planning Board Procedures. And also add Town Planner update on Village at Pond View Woods. Under unanimous vote, there are only 5 voting members. Should read (5-0) instead of (7-0) Linda Mailhot moved to approve the April 14, 2016 meeting minutes with changes, seconded by Eber Weinstein.</p>	<p>MOTION VOTE (5-0)</p> <p>MOTION VOTE (5-0)</p>
<p>ITEM 1</p> <p>Proposal: Conditional Use Amendment of Approved Plan/Appeals from Restrictions on Nonconforming Uses (Overnight Cabins): Change use of 7 units from seasonal to year-round (currently 5 year-round use for a total of 12)</p> <p>Action: Discuss proposal; Board action</p> <p>Owner: SRA Varieties Inc., D.B.A. Paul's II</p> <p>Location: 141 Saco Ave., MBL: 311-1-10, GB2 District</p> <p>Town Planner Hinderliter gave a brief update on this proposal. The applicants were not able to come to this meeting. Planner Hinderliter's recommendation was to table this item without prejudice. Win Winch moved to table this item without prejudice, seconded by Linda Mailhot.</p> <p><i>Planner Jeffrey Hinderliter called for the vote:</i></p> <p>Ryan Kelley – Yes Win Winch – Yes Eber Weinstein – Yes Vice Chair Mailhot – Yes Chair Koenigs – Yes</p>	<p><u>ITEM 1</u></p> <p><u>MOTION</u></p> <p><u>VOTE</u> <u>(5-0)</u></p>

<p>ITEM 2 Proposal: Site Plan: Dunkin Donuts- Construct 2080 sq. ft. building and associated parking</p> <p>Action: Findings of Fact review and signature Applicant: JFJ Holdings, LLC Location: 14 Ocean Park Rd, MBL: 210-1-6, GB1</p> <p>Planner Hinderliter gave a brief update: The Planning Board signed the Findings of Facts at the May 5, 2016 workshop meeting. There were no votes taken (not necessary) This was just a formality of signing the Planning Boards decision. Chair Koenigs added that the application is complete and approved with the conditions and they are going forth with the project.</p>	<p><u>ITEM 2</u></p>
<p>ITEM 3 Proposal: Site Plan Amendment: Dunkin Donuts delivery times condition change</p> <p>Action: Findings of Fact review and signature Applicant: JFJ Holdings, LLC Location: 14 Ocean Park Rd, MBL: 210-1-6, GB1</p> <p>Same response as Item 2.</p>	<p><u>ITEM 3</u></p>
<p>ITEM 4 Proposal: Major Subdivision: 8 Lot Residential Subdivision</p> <p>Action: Findings of Fact review and signature Owner: Dominator Golf LLC Location: Various locations along Wild Dunes Way (Dunegrass), MBL: 107-2-1, PMUD</p> <p>Planner Hinderliter gave a brief update: The Planning Board signed the decision that they made back in February/March of 2016. The Findings of Facts were prepared. The Planning Board was comfortable with the presentation of the Findings of Facts and they were signed. Chair Koenigs added that the actual plans are to be signed tonight.</p>	<p><u>ITEM 4</u></p>
<p>ITEM 5 Discussion and Action: Planning Board Revised Rules and Procedures</p> <p>Chair Koenigs stated that the Planning Board made some revisions to the Rules and Procedures and made a consensus vote at the workshop meeting.</p> <p>Win Winch made a motion to accept the Planning Board Revised Rules and Procedures. Seconded by Linda Mailhot for discussion.</p> <p>Linda Mailhot added that Item 8.2 under Conflicts of Interests isn't clear. Chair Koenigs agreed that there is a clear conflict of interest. After much discussion by the Board Members, Win Winch and Linda Mailhot both removed their previous motion.</p>	<p><u>ITEM 5</u></p>

waivers is if are you are actually granting a variance.

Eber Weinstein asked are waivers for Findings of Facts regulated by the State?

Mr. Hinderliter stated that it is different than this discussion however he will look into that language.

5. Meeting Consistency:

For site walks and public hearings. It would be good to have procedures that reflect each of the Conditional Use Site Plan and Subdivisions.

6. House Keeping:

Old references to things that don't exist anymore.

Planner Hinderliter said that he and Megan McLaughlin, Assistant Town Planner have been actively working on Dunegrass regarding pump stations, checking road and sidewalk acceptances.

Planner Hinderliter also mentioned that he gave the Comprehensive Plan a Future Land Use assignment to members at their last meeting. He added that It looks like we may have different zoning districts and he has developed some new zoning districts.

Planner Hinderliter offered for the Planning Board Members to look at it so he will be mailing it out to the members.

Good & Welfare

Chair Koenigs gave some announcements:

On May 18, 2016 there will be an informational meeting concerning the School Street extension as part of the Old Orchard Beach to Eastern Trail Corridor Trail that will be held at the Old Orchard Police Department from 7:00 pm – 9:00 pm. The purpose of this meeting is to discuss the concerns of the residents about the use of the trail and how the Police Department can better deal and respond to those concerns raised at the Conservation Committee Meeting.

On May 25, 2016 the Eastern Trail Alliance Annual Meeting will be discussing “Closing the Gap” and will be held at the Clambake Restaurant in Scarborough from 5:30 pm – 7:30 pm. This will be an informational meeting on closing the gap on the Eastern Trail that goes through Scarborough into South Portland. They have information on their website at eastertrail.org. regarding this meeting. RSVP.

Public Works Director Marc Guimond spoke about the Village at Pond View Woods.

Mr. Guimond is concerned with the culvert that goes across Portland Avenue that looks like it had rotted on the downstream end. He stated that the situation this winter was not safe. The developers had put in a ditched system from their entry road, going northwesterly and it was very steep. Mr. Guimond spoke with the developer and they eventually agreed that it should be a piped system. They piped it with a 15” pipe and set a manhole at the corner of the Schaafsma property. At that point the town has a culvert that goes across Portland Road which is not in good condition and a smaller size than what the developer put in so the pipe needs to be replaced. They reached an agreement that it is an old culvert and the town will replace the culvert this summer.

Chair Koenigs read Condition #9 from that project:

The Applicant and/or owner shall work with the Town Engineer regarding the drainage along Portland Avenue and access along the shoulder of the westerly side of Portland Avenue. A note concerning the 24” drain shall be adjusted. Final approval of all changes will be the responsibility

<p>of the Public Works Director. Marc Guimond stated that they had 2 Engineers involved in that project. One was Bill Thompson from BH2M Engineering who did the analysis and design. Then the developer decided to change engineers and hired Sebago Technics. They have since gone through the analysis and size of the pipe. The Public Works agreed to match the size that they put in up to the manhole. It will be black plastic pipe. Eber Weinstein’s concern is that they have adequate flow.</p> <p>Chair Koenig’s stated that there were 10 conditions to this subdivision and the notes were updated to reflect the conditions. Chair Koenigs read note #7 regarding the old brick house: <i>A note shall be added to the plan to be sure the Historical Society style of the house is preserved. The actual note that was added says lot #32 which is the lot where the house sits and/or future owner of the existing house shall maintain existing exterior features to preserve the historical style of the home.</i></p>	
<p>ADJOURNMENT</p> <p>MARK KOENIGS, CHAIR</p>	
<p>Meeting adjourned at 7:40 pm</p>	<p>Adjournment</p>

I, Valdine Camire, Administrative Assistant to the Planning Board of the Town of Old Orchard Beach, do hereby certify that the foregoing document consisting of Five (5) pages is a true copy of the original minutes of the Planning Board Meeting of May 12, 2016.

Valdine Camire