I own Council Chambers				
Call to Order: 7:00 pm		Call to Order		
Pledge of Allegiance		Pledge of Allegiance		
Roll Call: Win Winch, Linda Mailhot, Chair Eber Weinstein Absent: Mark Koenigs Staff Present: Jeffrey Hinderliter, Planner; Valdine Camire, Administrative Assistant; Megan McLaughlan, Assistant Planner.		Roll Call		
APPROVAL OF MINUTES: There were no minutes to approve.		Minutes		
Public Hearing				
ITEM 1 Proposal: Owner: Location:	Site Plan: Construct 4,000 sq. ft. equipment building Town of Old Orchard Beach 24 Manor St. (Waste Water Treatment Facility), MBL: 108-1-3, R3	ITEM 1		
There being no one speaking for or against the proposal, the Public Hearing closed at 7:01 pm.				
Regular Meeti	ng			
ITEM 2 Proposal: Action: Owner: Location:	Site Plan: Construct 4,000 sq. ft. equipment building Applicant Update; Final Review Town of Old Orchard Beach 24 Manor St. (Waste Water Treatment Facility), MBL: 108-1-3, R3	ITEM 2		
Jeffrey Hinderliter stated that at the October 2015 meeting the Planning Board members requested more information, primarily the site design plans. Engineering firm Woodard and Curran prepared some bid documents which gave further written details, also the building design and a site plan. The Planning Board had a site walk at the last meeting and at the workshop the members felt that with the initial review performed that evening that more information was needed. Specifically in regards to how the storm water system will be designed to handle the 25 year storm event. Also a revised site plan showing the proposed building setbacks, dimensions and any site improvements associated with the new proposal. Chris White, Old Orchard Beach Wastewater Superintendent consulted with the consulting engineer and provided the reply from them. The consulting engineer basically says that they do understand the need for a design system for the 25 year storm event which they will prepare, but will not have it in time for this month's meeting or December's meeting. The consulting engineer suggests for				

Public Hearing and Regular Meeting 12 November, 2015 - 7:00 PM Town Council Chambers

the Planning Board to consider if they are comfortable in issuing a condition of approval.

Jeffrey Hinderliter recommends that the Planning Board has 2 options:

- 1. Conditionally approve the application
- 2. Table until the stormwater plan and site plan are submitted to the Board.

If the Planning Board decides to approve the application, there are 2 conditions:

- 1. The stormwater management plan shall be designed for a 25 year storm event. The plan shall not be implemented until it receives approval from the Planning Office. Stormwater system shall be constructed before building occupancy.
- A revised site plan shall be prepared showing building setback, building dimensions and all proposed site improvements associated with the proposal. The construction associated with this proposal. The construction associated with this plan may not begin until after it receives planning staff approval.

Linda Mailhot would like to see those items in place before approving it, as opposed to a conditional approval.

Chair Weinstein would like to see some sort of storm water site plan with setbacks and dimensions.

Chris White told the Board Members that he has no problem taking the time to get details back to the Board Members. (Storm Water and Site Plans)

Win Winch made a motion to table this item until they get more information back. Seconded by Linda Mailhot.

Jeffrey Hinderliter called for the vote:

Win Winch - Agree Linda Mailhot - Agree Chair Weinstein - Agree VOTE

MOTION

(3-0)

ITEM 3

ITEM 3 Proposal:

Sawgrass Subdivision Amendment: Approved 40 unit condo

project modified into a 22 unit single family house lot project

Action: Applicant Update; Final Review

Owner: Sawgrass LLC

Location: Wild Dunes Way (Dunegrass Sections J & L- Sawgrass); MBL:

105A, Lot 1, PMUD

MOTION

Jason Vafiades, here representing Pine Ridge Realty (Barbara and Ronnie Boutet) introduced himself.

Public Hearing and Regular Meeting 12 November, 2015 - 7:00 PM Town Council Chambers

The last approval was in 2008 for a 40 unit subdivision, part of the Dunegrass Complex. Back in 2012 they came before the Planning Board proposing a 22 unit single family detached project. They then came back in March of 2014 when the client tabled the project due to some legal issues. They are again back before the Planning Board hoping to get a conditional final approval based on staffing changes between March and current and they have incorporated changes into the plan. They do not have final approval sign offs from the town departments yet but the applicant gave them everything that they had requested.

VOTE

(3-0-1)

Chair Weinstein asked about the wastewater issues.

Jason Vafiades stated that as they approach 60 – 70% of what the design capacity was for that pump station, they re-evaluate how it is functioning. Actually doing a reduction of units that were previously approved to use that pump station. Pump station is designed for the full 589 units. Mr. Vifiades stated that they do not anticipate any capacity issues.

Jeffrey Hinderliter stated that the current unit count is about 334. This was all planned as part of the capacity. The problem that we need to work on are other agreements that are out there in these additional lots that weren't part of the 589 units and how to move forward with those proposals.

Chair Weinstein questioned whether the roads will be private vs public? Mr. Vifiades said that there is a note on the plans that the roads are intended to remain private. Trash collection and snow plowing will also be private. The right of way will be the responsibility of the homeowners association.

Chair Weinstein was concerned with the snow maintenance plan for the winter months.

Jeffrey Hinderliter stated that this is part of the MS4 requirement and it is also in the homeowners documents. When they plow the road they have a breakaway gate that they can open up.

Linda Mailhot wants to make sure that the staff is on board with the answers to the questions about street lighting, sidewalks etc. Also how does staff monitor the conditions? Jeffrey Hinderliter stated that there is a process in place for these conditions however the process can change when there is staff turnover. There are striped sidewalks that go around to intersecting points of the public ways.

Win Winch made a motion that they waive the 50' requirement for lots 11-12-13-16 & 19. 50' requirement of the curb line tangent to an intersecting local street. Seconded by Linda Mailhot with discussion.

She wants to make sure that staff doesn't have a problem with this waiver regarding health, safety, etc.

Jeffrey stated that the waivers were identified very early on, and even with the changes in staff, this has not been identified as one of the problems. Reducing

MOTION

Town council Chambers	1			
multiple curb cuts on Wild Dunes Way is one of the reasons why this waiver is				
required and also because it is private.				
Jeffrey Hinderliter called for the vote:	VOTE			
Win Winch - Yes	(3-0)			
Linda Mailhot - Yes	(3.5)			
Chair Weinstein – Yes				
Chair Wellistelli Tes				
Bill Thompson, BH2M introduced himself and stated that his client Dominator Golf, LLC, an abutter has not had an opportunity to review this proposal and would like the opportunity to review the plans. Dominic Pulgaris, owner of Dominator Golf, LLC stated that at a previous Planning Board meeting he asked how the development would affect the hillside on the side of the golf course and has not had anything produced to him. He stated that he is not against this development but he wants to make sure that this project will not negatively affect the golf course on his land.				
this project will not negatively affect the gon course on his land.				
Jason Vifiades stated that he understands the abutters concerns however this plan currently shows no impact to any abutting properties with grading or drainage issues. Mr. Pulgaris is concerned that the trees around the 6 th hole doesn't die.				
Conditions:				
 Hydrants located in the complex shall be serviced by a qualified party to meet NFPA Code. This would include flushing the hydrant and having a document stating that it was completed. This shall be done on an annual basis with the service report sent to the Fire Department. The applicant shall secure Old Orchard Beach Department Head approvals that all conditions they raised have been acceptably met before construction begins. Detailed snow maintenance plan shall be submitted and approved by Planning Staff before construction begins. 				
Town Engineer shall review plans and before construction begins and determine that vegetation adjacent to hole #6 be preserved.				
Linda Mailhot made a motion to approve subject to the 4 conditions stated. Seconded by Win Winch.	MOTION			
Jeffrey called for the vote:	VOTE			
Win Winch - Yes Linda Mailhot - Yes Chair Weinstein - Yes	(3-0)			

contacted Jeffr proposal has cl	Conditional Use/Relocation of Non-Conforming Structures: Remove two detached residential units and replace with one residential duplex. Consideration of Amended Proposal Estate of Stanley Weinstein Et Al 2 Puffin St., MBL: 303-7-2, BRD and Limited Commercial Districts iter stated that this item has been tabled, however the owner rey and wanted it to be on the agenda. He stated that this nanged a bit so they intended to submit a different version of the was tabled. Jeffrey Hinderliter has not received any information as on at this time.	ITEM 4
did not meet a Hinderliter a w	Conditional Use (Home Occupation): Establish bakery within existing accessory structure Ruling Ruling on Application: Table/Withdrawal 165 Portland Ave., MBL: 103-6-4, RD Aurphy who is proposing this bakery with an on-site retail sales Il of the home occupation requirements. The applicant gave Mr. ithdrawal letter and they intend to bring the proposal back in Mr. Murphy was here for this meeting but had to leave.	ITEM 5
Win Winch made a motion to vote on the withdrawal per the owner's request, seconded by Linda Mailhot.		MOTION
Jeffrey Hinderliter called for the vote:		<u>VOTE</u>
Win Winch – Yes Linda Mailhot – Yes Chair Weinstein - Yes		<u>(3-0)</u>
ITEM 6		<u>ITEM 6</u>

Public Hearing and Regular Meeting 12 November, 2015 - 7:00 PM Town Council Chambers

Proposal: To provide a recommendation to Town Council concerning the

proposal to allow Cafes as a Conditional Use within the General Business District 2 (GB 2). Amendments: Chapter 78 – ZONING,

Article VI – DISTRICTS, Division 9 – GENERAL BUSINESS DISTRICT 2 (GB-2), Section 78-833. – CONDITIONAL USES.

Action: Review Proposed Amendments, Schedule Public Hearing and

Ordinance Recommendation to be Held on 10 December 2015

Owner Toni Maestre had a hairdressing business called curl up a dye which was previously a restaurant. She has had this building on the market for some time and a lot of the people who are looking at this are interested in the food service type businesses. However, this is not permissible in this district. The best option is to look into a zoning change.

Evaluation of this proposal, the use that could fit the best in this district is a café. Because this is a change to Chapter 78, it requires a Planning Board recommendation to the council, then the council would go through their procedure for an ordinance change parking for cafes.

Chair Weinstein questioned if there is any ordinance discussing parking requirements for cafes.

Jeffrey stated that there is nothing specific however, they would have to comply with some kind of parking requirements because it is a part of the Condition Use Review. We can also add parking standards into the parking requirements. Owner Toni Maestre introduced herself and she stated that she is looking to change the ordinance to allow this usage. It ran for over 30 years as a restaurant at one time and was licensed for 36 seating capacity when she bought the property. There are approximately 9-10 parking spaces and parking was never an issue.

A public hearing was set for December 10, 2015.

ITEM 7

Proposal: Conditional Use (Home Occupation): Establish off-site delivery

conditional use home occupation Establish off-site delivery

catering business existing accessory structure

Action: Discussion; Determination of Completeness; Schedule Site

Walk and Public Hearing

Owner: Kathi Russman

Location: 163 Portland Ave., MBL: 103-6-604, RD

Jeffrey Hinderliter got an email from the applicant, and it looks like this may be withdrawn.

Win Winch made a motion to table it item, seconded by Linda Mailhot.

Jeffrey Hinderliter called for the vote:

Win Winch – Yes

MOTION

VOTE

<u>(3-0)</u>

Linda Mailhot –	Yes	
Chair Weinsteir		
ITEM 8		<u>ITEM 8</u>
Proposal:	Major Subdivision: 8 Lot Residential Subdivision	
Action:	Preliminary Subdivision Review; Schedule Site Walk and Public	
	Hearing	
Owner:	Dominator Golf LLC	
Location:	Various locations along Wild Dunes Way (Dunegrass),	
	MBL: 107-2-1, PMUD	
	,	
Bill Thompson, Members and p subdivision that		
that with a woo	require that we manage the increased run off. Will accomplish oded buffer. The 8 lots are on the land owned by Dominator Golf	
•	e all on the frontage of the existing roads of Wild Dunes Way. nnect to a pressure sewer on the Westerly side. They will have	
	as a letter from Maine Water indicating their capacity and erve. Water service coming in from the streets to the lots. Wright	
Pierce has aske	d for more detail on the pressure sewer and grading plan. Storm	
water report fro		
within the right	of way so there is no impact with the development.	
Linda Mailhot a	sked about an existing building on lot #2 that needs to be	
relocated. Dom		
•	ots with the least amount of infrastructure.	
	a asked Mr. Hinderliter when you have a buffer zone, how much	
	sidered open space and how much is considered to be built	
	the definition of lot coverage. Jeffrey Hinderliter will get back to	
	that question. They would like to start in the Spring.	
	nbers set up a public hearing on December 10, 2015. And a site	
walk on Decem	ber 3, 2015 at 5:30 pm.	
Design Review	Certificates	
		ITEM 9
ITEM 9		<u></u>

Public Hearing and Regular Meeting 12 November, 2015 - 7:00 PM Town Council Chambers

Proposal: Parking lot buffer plan

Action: Certificate of Appropriateness Decision

Owner: Good Shepard Parish

Location: 6 Saco Ave., MBL: 206-30-1, DD-2

The original proposal was for the demolition of the building and the creation of a parking lot. The DRC decided to split the proposal into 2. The DRC accepted the proposal for removal of the building and the Planning Board accepted the DRC's recommendation. The part that remains is the parking lot buffer. The parking lot plan was submitted to the DRC and they felt like they would like more information was needed before they provided a recommendation. The DRC tabled it so we do not have a recommendation on the parking lot at this time. Chair Weinstein asked if Mr. Hinderliter could find out how many times an item can be tabled.

The Planning Board recommended to take no action on this proposal at this time.

Other Business

1. Cherry Hills Pump Station Update

2. Orchard Estates Update

Cherry Hill: This is still serviced by the temporary pump station. Jeffrey stated that there are 2 things:

The gallons per minute and the 40 unit, whenever one of those are exceeded then he permanent pump station should be constructed.

Chair Weinstein asked when they put up the bond, did that include the pump station. Jeffrey will get back to the Board on this issue.

As part of the conditions when they approved this, they were supposed to give a monthly report.

Orchard Estates: Jeffrey Hinderliter has met with the developers, construction foreman and abutters that had concerns. The Engineer from Wright Pierce was out on site. It is moving along quite quickly. They have divided it into 2 sections for construction purposes. They are concentration on the side of Portland Avenue currently. It has been cleared for the infrastructure, the sewer and water is in. They are currently installing the storm water systems and are going to have base coat down next week which is Phase 1. They are also doing underground electrical. Phase 2 is scheduled to be worked on in the Spring with completion by the summertime. A model home will be placed on the first lot around mid-December. There are a lot of interested potential buyers due to the design. The owners have a design professional to evaluate the brick house. Trying to determine if the building is structurally sound. In the process of the submitting the report.

Other Business

Public Hearing and Regular Meeting 12 November, 2015 - 7:00 PM Town Council Chambers

Jeffrey Hinderliter met with one abutter who is a homeowner in Beachmont and	
he was concerned how close this development is to his property. Mr. Hinderliter sat down with this abutter and explained the process to him and he seemed to	
be satisfied.	
Mr. Hinderliter also spoke with another abutter who owns a house in the middle	
of the development. He met with her and the construction foreman. One of the	
issues is the encroachment of the storm water system on her property. Mr.	
Hinderliter will continue to work on this issue with possible re-working of some	
of those drainage issues. One of the questions is whether the culvert should be closer to where the road is going in.	
closer to where the road is going in.	
	Good & Welfare
	A.I
Adjournment at 8:55pm	Adjournment

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 nine (9) pages is a true copy of the original minutes of the Planning Board Meeting of November 12,, 2015.

Valdine Lanire