

<p>Ken Lafayette Friend of Old Orchard Beach and Lafayette Hotels. Thrilled about the project. Abutter at 38 Old Orchard Street, built it in 2004, the state of those buildings at that time was not great. The Friends of Old Orchard Beach have a goal of a year-round business environment for the downtown of Old Orchard Beach. We have built it and others have come.</p> <p>There have been two side grants that helped rebuild the downtown district. We were very transparent in that process and want that in this situation. We look forward to establishing a new relationship. At the site walk, Jeffrey the Architect has said many times that he has consulted with the neighbors. This is not true. No one has ever approached us about these plans. We feel the existing building should be taken into consideration.</p> <p>How close is the building going to be? How are they going to protect our building? We won't be able to get in-between with any repairs if the building is too close. Also the rain and snow would need to drain, where would that go? We had the ground compacted and analyzed to make a solid foundation. How would this project affect my foundation? How can I be assured that it won't compromise my property? What are the plans for removing the window and what would they replace it with? If something ever happened we wouldn't be able to get in and replace it. Looking at the plans, it seems as if the building would block our right of way. How will that be for tenants and utilities trying to access the back of that property? We look forward to this project and working with the builders.</p> <p>Harold Harrisburg owner of abutting property: We appreciate Mr. Lafayette's comments and agree with them. I have also been looking very closely at the pins and no one has put any pins in. No one has come to us and said, "This is what we want to do, this is how we want to do it or here is what we'll do for you." We had a walk through and the pins weren't in for that either. Nothing has been placed. It feels like someone is trying to hide something.</p> <p>Closed Public Hearing at 7:17pm</p>	
<p>Item 3 Proposal: Site Plan Review: Construct 50 X 100 Retail Building Owner: Ike Naim Location: 29 Old Orchard Street, MBL: 206-31-5</p> <p>Discussion closed at 7:18pm</p>	<p>ITEM 3</p>

<p>Approval of Meeting Minutes from 9/4/14, 9/11/14, 10/3/14, 10/9/14 Approval of September 4th minutes motioned by Win Winch and seconded by Mike Fortunato it passes with none opposed.</p> <p>September 11th Meeting Notes Remarks on the wrong date (Sept. 12 is wrong, actually Sept. 11), Item 2 has the incorrect text under the heading, Mark Koenig’s name is spelled incorrectly. Motion to table the notes.</p> <p>October 2, 2014 Meeting Notes Mark Koenigs asks if it was a real meeting. Eber asks if we can vote on it even if it wasn’t a real meeting. Jeffrey Hinderliter recommends we vote them into public record even if it was not an official meeting because of no quorum reached.</p> <p>October 9, 2014 Meeting Notes Mark Koenigs asks about the insertion of Jeffrey Hinderliter’s notes. Motion to accept the minutes by Mark Koenigs. Eber Weinstein abstains for lace of attendance.</p>	<p>Approval of Meeting Minutes</p> <p>Motion 4 Yes – 0 No</p> <p>Accepted without motion</p> <p>Motion 3 Yes – 1 Abstain – 0 No</p>
<p>Item 4 Proposal: Subdivision: Cluster Subdivision for Single-Family Homes Action: Continued Discussion, Next Steps Owner: Diversacorp LLC Location: 202 Portland Ave., MBL: 103-1-45</p> <p>Jeffrey Hinderliter: This packet is updated with most accurate information possible. I continued to receive more and more information. I can provide verbal comment since the changes would be more confusing than helpful. Originally this was 27 lots and we originally received the concept drawing as a horseshoe in October. What I recommended last time was to allow staff to work with the applicant on a redesign. We wanted to maintain density but preserve the brick home, the open space and the abutter right in the center (204 Portland Ave.) Val & Jeffrey met with the developer and developed 4 concepts to possibly appease all sides. What the concepts emphasize is the preservation of the brick house. We wanted to see what options there were for keeping that home. The open space would be non-developed areas for recreation, possibly some trails, a wildlife corridor and buffer the 204 Portland Ave home. The concepts were sent to the engineer, Bill Thompson. To make these concepts possible we would need a series of waivers. The Planning Board is able to grant waivers for a property that is in the public interest through the subdivision ordinance. We will consolidate all comments from this public hearing, the board and the abutters and get that to the applicant to help formalize their plan. We would recommend extending the public hearing and possibly another site walk. If the engineer and the board want to schedule a site walk in earlier December before any major snowfall.</p>	<p>ITEM 4</p>

Mark Koenig: After walking the property, I think there are too many lots. There's lots along steep embankments by Milliken Mills Pond I would like to see go away. I appreciate the one road entrance and would recommend the front lots be taken away to create more of a setback. With storm water drainage in front instead of toward Milliken Mill Pond. I would like to see trees out front to keep that rural character. The nature and the character of this district when they wrote the ordinances needs to be preserved. I believe the density should be 75,000sf lots or 40,000sf lost with sewer. We need to respect the people who have lived here a long time and see this as a rural district. When I walked it, it was 5 p.m. so it was fairly dark. I went into the ravines and along the water and came out near Beachmont. I walked the whole property and nothing was staked. Someone mentioned the wetlands, but we would need to investigate that. The shoreline needs a setback of 75' from the pond.

Eber Weinstein: As long as the one-road goes, as long as the fire and police approve it, I think it's fine. I would like their approval ahead of time. I agree with the aesthetics.

Bill Thompson – Engineer for Diversacorp from BH2M. This site does have fingers of wetlands that narrow onto property lines. At this point in time we have topographic survey done, wetland mapping done and soil survey done. We have shown on this plan here 3 possible storm water collection ponds. Until we do the analysis of the roadways we won't know how much storm water drainage we will need. We will certainly meet the DEP standards of quality, quantity and mitigate any impact. Our next step will be to stake out the road and finish the quality test of soils. Because of the use of septic systems, we do have public water, we can use the smaller lot size, 20,000sf. We've developed little neighborhoods with the single road access, without impacting the abutting home and brick house. It has been recommended to the developer to gift that to the town. The grey shaded area is the parcel I would recommend. The plan is for 33 lots and we anticipate that we would lose a couple. When we finish the soils and see about the wetlands we will know more. Because of these spaces of open space, we do not feel we are impacting anything. We are planning for open trails surrounding the perimeter with buffer spaces around the development and setbacks from the street for the house. To protect the south, the vegetation that is there would protect Beachmont. We will need a storm water permit from the DEP. That will be submitted along with the preliminary packet to the town. We will be asking for some waivers, including sidewalks, curbs, narrower pavement, fire protection hydrants. We will have it staked out next week and do these soil test.

Mark Koenigs: So just to clarify, you would do an open strip along all three sides, which is allowing for trails. The Beachmont developer was looking to turn that over to the town just as open space once that development is built out.

<p>Eber: Thank you very much.</p>	
<p>Item 5 Proposal: To provide a recommendation to Town Council concerning the proposed Medical Marijuana Ordinance Amendments: Chapter 78 – ZONING, Article I – IN GENERAL, Section 78-1 – DEFINITIONS; Chapter 78 – ZONING, Article VI – DISTRICTS, Division 8 – GENERAL BUSINESS DISTRICT 1 (GB-1), Section 78-803 – CONDITIONAL USES; Chapter 78 – ZONING, Article VI – DISTRICTS, Division 16 – HISTORIC OVERLAY DISTRICT (HO), Section 78-1135 – PROHIBITED USES; Chapter 78 – ZONING, Article VII – CONDITIONAL USES, Division 2 – CONDITIONS, Section 78-1277 – MEDICAL MARIJUANA; Chapter 18 – BUSINESSES, Article XI – RESERVED, Sections 18-601 – 18-606 – Reserved; Appendix A – SCHEDULE OF LICENSE, PERMIT AND APPLICATION FEES – LICENSE ORDINANCE CATEGORIES Action: Review Proposed Amendments, Schedule Public Hearing and Ordinance Recommendation to be Held on December 11, 2014 Applicant: Town of Old Orchard Beach Location: General Business 1 Zoning District</p> <p>Jeffrey Hinderliter: Thank you Mr. Chairman. There is a handout with the proposed medical marijuana ordinances. The second document is a memo from myself to Larry Mead the Town Manager. I wanted to summarize the ordinance language and the creation of the ordinance. The third document is an analysis of zoning districts that were identified for use. Originally there were 4 districts proposed and analyzed, but only 3 are now on this analysis because the industrial district was considered inappropriate. Due to the lot size and the buildings that are already there, it wouldn't fit the intended uses of the medical marijuana facilities. That analysis includes a purpose statement to understand the intent of that district, what the current land use ordinances state, and what current units exist and are in use in those districts. Then the final document outlines where the proposed ordinance would allow the medical marijuana facilities to exist. A second document is an email from Pierre Bouteliere. Pierre has some valuable documents that should be reviewed with the proposed ordinances. I am recommending the public hearing be as soon as possible. Beyond the written comments that you have, we could also have oral comments. The recommended date is December 11th. I hope the memo will help to understand the creation of the ordinance and what the Planning Board's review process is. There are two ordinances prepared for amendment including chapter 78 which is part of the zoning ordinances and chapter 18 which part of the business license ordinance. By our ordinances, the Planning Board only has jurisdiction over chapter 78 to provide recommendations. Chapter 18 is included as a reference to the creation of Chapter 78 amendments. The Town Council can review the same ordinances as you but by ordinance they can't rule on it until you provide a recommendation.</p>	<p>ITEM 5</p>

Mark Koenigs: I read the documents and memos and Pierre's note. I am prepared to talk as a board as to where we go next. One question I had was who drafted this? It's based on Town of York and their town attorney that helped them draft their ordinance, who has also helped us draft ours. GB1, GB2 and RD zones were considered in the analysis. GB1 is the one the selected as allowing this conditional use. Thereby excluding it as a conditional use in the GB2 and RD zones. The only district that I can't see in here is the PMUD. Why was that excluded since it's already a mixed use district? It is one of the biggest areas in town and not yet developed.

Jeffrey Hinderliter: It was one that was considered very early on, when we were looking at this, the PMUD has a lot of uses available. But when you look at the pattern of use is really residential and municipal property. The PMUD really covers Dunegrass, our schools and the ballpark.

Mark Koenig: I understand that, but this is a mixed use district. You basically limit it to only one area where there aren't very many areas to build. Without tearing down an existing house to build for instance, along Saco Ave. This limits the availability of medical use that could benefit the older population in town by limiting it to one zone. My question is what am I judging it on? Is it just because one person decided on this zone or are we going to discuss it as a community and decide where we want these things built and be comfortable with it? It sounds like it was discounted.

Jeffrey Hinderliter: It was considered, but given the existing PMUD patterns it just didn't seem like a good fit. Though there are a lot of uses that are permissible in the district. We did the same with the industrial district.

Mark Koenig: The other question is, what about the GB2? There are a number of locations that are being underutilized in this district, including our downtown district. There are people willing to use it and willing to promote. Why aren't we considering that in our ordinance? Right along Saco Ave from the police department and is highly visible. The proposed applicant is showing a building that is very secure. It's not like people can just go in and buy stuff. I've done some on-line research, I understand there are only so many dispensaries that are allowed in the state of Maine. Why are we limiting this if there aren't any left to be developed unless the law changes?

Jeffrey Hinderliter: Yes, that's the reason. It's trying to be ahead of things. It's not a statute that there will only be 8 dispensaries allowed in the state of Maine instead of 10. We are trying to deal with this use now ahead of time so we don't have to go through this again.

<p>Mark Koenig: Do we know where they are in the state of Maine?</p> <p>Jeffrey Hinderliter: I do know that, and I can get that information to you.</p> <p>Eber Weinstein: Since the ordinance proposed is very similar to the one in York. Do you know if there have been any legal problems with that one? Any lawsuits or anything?</p> <p>Jeffrey Hinderliter: That is something I need to do more research on.</p> <p>Larry Mead, Town Manager: It was voted on in November, but it wasn't implemented yet because it had to go through the town ballot.</p> <p>Eber Weinstein: In section 78: 12-77 (reads it). It doesn't override any state laws? Even though this may be repetitive, we cannot override the state's authorization. We cannot violate state statutes or federal law. We cannot make illegal laws.</p> <p>Jeffrey Hinderliter: That's a bit of a tough one Mr. Chairman because as you see in the memo, our Town Manager, Police Chief and myself went to the state, Ms. Dagastino. One of our specific questions was can we sit in front of you with this ordinance and get comment? Unlike the DEP, which is really hands on, the state really...</p> <p>Eber Weinstein: Should be speak to the town attorney? I really want a clause in there that we aren't overriding other authorities. I think it's important.</p> <p>Mark Koenig: I know we went through things like this and here you haven't provided uses that are prohibited. I was curious as to why? We've had painfully unclear ordinances before. This one clearly states medical facilities, which leaves it open for someone to say 'This is a medical facility'? Since the PMUD allows medical facilities wouldn't that be allowed?</p> <p>Jeffrey Hinderliter: The definitions of medical marijuana are going into the same definitions for medical facilities and these are separate from what a medical facility is defined as. When the use is not identified as permissible by our ordinance it is automatically not permissible. The reason we identified it as specifically prohibited in the HO district is because it overlays the GB1 and DD1 district. If it makes the board more comfortable, it would make a lengthy ordinance, but we could specify that it is a prohibited use in all other districts.</p> <p>Win Winch motions to set the public hearing date for December 11th, 2014. Seconded by Mark Koenig.</p> <p>Eber Weinstein: Any one opposed? It carries 4-0</p>	<p style="text-align: center;">Motion</p>
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<p>Item 6 Proposal: Site Plan Review: Construct 50 X 100 Retail Building Owner: Ike Naim Location: 36 Old Orchard Street, MBL: 205-3-8</p> <p>Mark Koenig: In the last meeting we had on this we made comment that we needed to have the site plan before we could have a good dialog. We didn't get that. We were shown a plan but it was beyond the submission deadline. I would like to hear what the applicant has proposed. Jeffrey Halferty, Weger Architects: Thank you for your consideration. We've had BH2M help us with our survey. We do have a complete application that we are prepared to present. We feel the architecture is in compliance with DD1 zone Old Orchard Street. We have a modest architecture that we feel works to the existing buildings.</p> <p>Jeffrey Hinderliter: The applicant received a recommendation of approval and certificate of appropriateness from the Design Review Committee. They have conditional approval stating that any changes to the exterior and the applicant would have to go back to the DRC. It was reviewed and well received by the DRC. The DRC is more aesthetics, but here we get more into the engineering details. What I am going to recommend is that this item be tabled until we receive that information. I highly recommend that the applicant work with the neighbors to come to an agreement before the formal submission.</p> <p>Motion to Table by Win Winch and seconded by Mark Koenig.</p> <p>Jeffrey Hinderliter calls the vote: Mike Fortunato – Yes Win Winch – Yes Mark Koenig – Yes Eber Weinstein - Yes</p>	<p style="text-align: center;">4 Yes – 0 No</p> <p style="text-align: center;">ITEM 6</p> <p style="text-align: center;">Motion</p> <p style="text-align: center;">4 Yes – 0 No</p>
<p>Item 7 Proposal: Site Plan Review: Construct 50 X 100 Retail Building Action: Site Walk Report, Discussion, Schedule Final Review Owner: Ike Naim Location: 29 Old Orchard Street, MBL: 206-31-5</p> <p>Jeff Halferty: Same comments. We have worked with this parcel to respond to existing limitations. We have a complete proposal that we feel meets the design criteria. We feel confident that we are responding properly to the design review criteria. We will stake that property tomorrow or Monday.</p> <p>Mark Koenig: References in the original application refer to the BH2M report referring to water quality, but I haven't seen it.</p>	<p style="text-align: center;">ITEM 7</p>

Jeff Halferty: We are doing test pits on Monday. We have BH2M to work on the civil survey to create a drainage plan. We are going to get that full report next week.

Mark Koenig: When we went through the site walk it looked like a jog around to accommodate an existing egress.

Jeff Halferty: We've responded to it on the plan. (Holds up plan for the board to see.)

Mark Koenig: So it's not an easement, it's just so that they don't open the door and hit a brick wall.

Jeff Halferty: It does enable them to get out of 27 Old Orchard Street. So, yes, we've respected that. We had to create a key to respond to that.

Mark Koenig: Last time you responded with a single story building, but you were going to build the footings and foundation to support a second story.

Jeff Halferty: That's right, we've designed the structure and the footings to accommodate a second floor.

Mark Koenig: I would probably make that a condition of approval so that we can make sure you can comply with that. The zoning codes with setbacks in Old Orchard Beach have zero setbacks to the sidewalks and adjoining buildings. In general, how is it that the Planning Board has any role in this?

Jeffrey Hinderliter: One thing the Planning Board is responsible for it looking at the impacts both on-site and off-site. There still could be impact to abutters that could pose a dangerous or unwanted consequence. As was brought up before, the foundation would have to be done properly with no impact to the other building. So, an evaluation of the soils to predict impact to abutting properties. Dan, our code officer, is active in looking at these issues as well. Within the site plan review criteria, we have the ability to make adjustments.

Mark Koenig: It says in their application for Site Plan Review: Chapter 78 2-16. The criteria are listed 1-9 in their application. Are you saying #9 which is about "said proposal will not have an adverse effect on property values" is how we decide on a proposal?

Jeffrey Hinderliter: The intent of the ordinance or the guiding principle of it, you'll see, within the purpose statement preserves the safety, health and general welfare of the town. So, the abutters would be considered part of the town. It gives us credence to look into these issues.

<p>Eber Weinstein: Relative to that, I was wondering if you could give us a plot plan that shows existing structures and how close this building comes to the existing lot lines. Just the 4 buildings around that shows their lot lines. To give us an idea of what we are working with.</p> <p>Motion to Table by Mike Fortunato and seconded by Win Winch</p> <p>Jeffrey Hinderliter calls the vote: Mike Fortunato – Yes Win Winch – Yes Mark Koenigs – Yes Eber Weinstein - Yes</p>	<p style="text-align: center;">Motion</p> <p style="text-align: center;">4 Yes – 0 No</p>
<p>Item 8 Proposal: Subdivision and Conditional Use: Establish 26 free-standing condominiums Action: Discussion Owner: Dominator Golf Inc. Location: Wild Dunes Way, Adjacent to Dunegrass Section C, MBL: 105A-1-200</p> <p>Jeffrey Hinderliter: I wanted to give an update on this proposal moving forward. If you look at this project as a PMUD zoned project, with PMUD standards, this density is not permissible. Clusters are allowed anywhere in town. So I am looking at this as a cluster subdivision. What makes this different from the most recent cluster subdivision approvals is that it has public sewer & water. Which means they are not bound by 20,000sf requirement. So they can reduce the lots size quite a bit to get the density proposed. So, in preparation for their December submission, they have spoken to the neighbors. It was good to hear that the Developer had a meeting at Dunegrass for the neighbors. The zoning analysis would need to be done in preparation for December.</p> <p>Win Winch: The total unit count stays the same?</p> <p>Jeffrey Hinderliter: Last time I spoke to the developer they wanted to increase 2-3 units. If you look at Dunegrass, it really has developed in a clustered subdivision style keeping with the character of Dunegrass.</p> <p>Eber Weinstein: This was originally open space? Is that going to be a problem with the DEP? Does this count towards the 589 unit approval?</p> <p>Jeffrey Hinderliter: If you go back to the 1988 DEP approvals, the open space was originally part of golf course. This parcel was originally the ninth hole. That is a question for the applicant. As per the attorney letter, this goes beyond the amount of units originally approved at 589. We have to look at what is being amended and see that it is something drastically different. I think it will require a traffic engineer, and the impact on neighborhood.</p>	<p style="text-align: center;">ITEM 8</p>

<p>Mark Koenigs: Along with the rest of the board members my worry is about the open space and density. I want that included in consideration and I want to see the open space in each section. If this cluster development balances out the open space that was used up by the single family homes that could be a positive. In that development there should be 35%, which should be because of the wetlands, trees, and water shed.</p> <p>Jeffrey Hinderliter: If I recall that DEP requirement, it says you must have that certain percentage and the golf course “could be” considered as open space.</p> <p>Mark Koenigs: My personal opinion is that the golf course, not being open to the public and not having trees, is not real open space. Because they restrict the use of that for golf, it isn’t open space.</p>	
<p>Item 9 Proposal: Subdivision Amendment: Ownership Change; Removal of Sidewalk on one Side of Road; Removal of 800 Feet of Road; Reducing Lot Count from 28 to 27; Removal of Second Road Access (Waiver Required); Reduction of Street Lighting from 2 to 1 per lot; Construct Two Lot Private Way Action: Consideration of Amendment, Schedule Final Review Owner: BBI Properties LLC Location: Castle Estates Subdivision, Cascade Road, MBL: 103-4-4&7, 105-4-7</p> <p>Jeffrey Hinderliter: For item 9 & 10 the owner requested that we table it.</p> <p>Motion to table by Win Winch and seconded by Mike Fortunato.</p> <p>Jeffrey Hinderliter calls the vote: Mike Fortunato – Yes Win Winch – Yes Mark Koenigs – Yes Eber Weinstein - Yes</p>	<p>ITEM 9</p> <p>Motion</p> <p>4 Yes – 0 No</p>
<p>Item 10 Proposal: Private Way: Construct a Private Way to Access Two Residential Lots Action: Discussion, Schedule Site Walk and Public Hearing Owner: BBI Properties LLC Location: Castle Estates Subdivision, Cascade Road, MBL: 105-4-7-28&2</p> <p>Motion to table by Win Winch and seconded by Mike Fortunato.</p> <p>Jeffrey Hinderliter calls the vote: Mike Fortunato – Yes Win Winch – Yes</p>	<p>ITEM 10</p> <p>Motion</p>

<p>Mark Koenigs – Yes Eber Weinstein - Yes</p>	<p>4 Yes – 0 No</p>
<p>Item 11 Proposal: Establish a 3rd Dwelling Unit, Lodging Unit or Accessory Dwelling Unit, Appeals From Restrictions on Nonconforming Uses Action: Discussion, Provide Recommendation Owner: Thomas Smith III Location: 183 Temple Ave., MBL: 211-2-22</p> <p>Thomas Smith III: I have been working with Mr. Hinderliter. I want to answer any questions.</p> <p>Jeffrey Hinderliter: I have been working with Mr. Smith. Dan and I have been speaking with Mr. Smith. We really have tried to work through the ordinance to establish the proper use. Currently it is two dwellings and a catering business on the ground floor. There isn't much information on it at this point, we have to gather more information for a complete application. He would like to establish a third accessory dwelling unit where the catering business was. According to the appeals from restrictions on non-conforming uses, Tom and I have to work out a few more details, but it seems this project meets code. We have done this before with properties near Washington Ave. So we would go from a catering business use to an accessory dwelling use.</p> <p>Win Winch: By-to-by it is more in keeping with the neighborhood which is residential.</p> <p>Jeffrey Hinderliter: As part of the application Mr. Smith will show how he clearly meets this standard, it's just not part of your packet yet. The one question I did have was about the accessory dwelling unit. But to address that question we need to first address the restrictions on non-conforming uses.</p> <p>Eber Weinstein: They're in an R2 District, right?</p> <p>Jeffrey Hinderliter: Yes. Oddly enough, R1 allows accessory dwelling, R3 allows accessory dwelling but R2 doesn't. Which then makes it a non-conforming use.</p> <p>Eber Weinstein: This says that a non-conforming use can change to another non-conforming use. As long as there is no adverse effect on subject or adjacent properties.</p> <p>Thomas Smith III: In the interest of moving things forward, I did speak to my neighbors like Mr. Hinderliter said.</p>	<p>ITEM 11</p>
<p>Item 12</p>	<p>ITEM 12</p>

<p>Proposal: Replace windows and siding at Old Orchard Beach Town Hall Action: Review application; Certificate of Appropriateness Decision Owner: Town of Old Orchard Beach Location: 1 Portland Ave., MBL: 205-2-1</p> <p>Motion to approve Certificate of Appropriateness by Win Winch and seconded by Mike Fortunato.</p> <p>Jeffrey Hinderliter calls the vote: Mike Fortunato – Yes Win Winch – Yes Mark Koenigs – Yes Eber Weinstein - Yes</p>	<p style="text-align: center;">Motion</p> <p style="text-align: center;">4 Yes – 0 No</p>
<p>Item 13 Proposal: Site Plan Review: Construct 50 X 100 Retail Building Owner: Ike Naim Location: 36 Old Orchard Street, MBL: 205-3-8</p> <p>Motion to Table by Win Winch seconded by Mark Koenigs</p> <p>Jeffrey Hinderliter calls the vote: Mike Fortunato – Yes Win Winch – Yes Mark Koenigs – Yes Eber Weinstein - Yes</p>	<p style="text-align: center;">ITEM 13</p> <p style="text-align: center;">Motion</p> <p style="text-align: center;">4 Yes – 0 No</p>
<p>Item 14 Proposal: Site Plan Review: Construct 50 X 100 Retail Building Owner: Ike Naim Location: 29 Old Orchard Street, MBL: 206-31-5</p> <p>Motion to Table by Mark Koenigs seconded by Win Winch</p> <p>Jeffrey Hinderliter calls the vote: Mike Fortunato – Yes Win Winch – Yes Mark Koenigs – Yes Eber Weinstein - Yes</p>	<p style="text-align: center;">ITEM 14</p> <p style="text-align: center;">Motion</p> <p style="text-align: center;">4 Yes – 0 No</p>
<p>Item 15 Proposal: Façade improvements (windows, siding, trim) Action: Review application; Certificate of Appropriateness Decision Owner: Lucky Five LLC Location: 4 West Grand Ave., MBL: 307-3-3</p> <p>Motion to approve Certificate of Appropriateness by Mark Koenigs and seconded by Win Winch</p> <p>Jeffrey Hinderliter calls the vote:</p>	<p style="text-align: center;">ITEM 15</p> <p style="text-align: center;">Motion</p>

<p>Mike Fortunato – Yes Win Winch – Yes Mark Koenigs – Yes Eber Weinstein - Yes</p>	<p>4 Yes – 0 No</p>
<p>Item 16 Proposal: Demolish existing motel and replace with new motel on same footprint Action: Review application; recommendations; Certificate of Appropriateness Recommendation Owner: Samco Inc. Location: 2 Harrisburg St., MBL: 306-4-6</p> <p>Jeffrey Hinderliter: The DRC requested more information from the architect on this item for their next meeting on the 1st of December. I recommend we table based on the DRC not actually approving this yet. It will be on your agenda for December.</p> <p>Harold Harrisburg: The DRC did not give a Certificate of Appropriateness, but this has been going on for three months. We need to start construction soon so I would request an approval to start construction. The DRC was looking for things for the roofing, siding, which come later. We know we have to take the top two floors off and get the pool set into the foundation. We would still go back to the DRC, but it would save time to get your approval now so we don't have to wait for that.</p> <p>Jeffrey Hinderliter: I don't see a problem with that. I would recommend that construction cannot commence until the Design Review Committee gives it a favorable recommendation for the Certificate of Appropriateness.</p> <p>Motion to give conditional approval of the Certificate of Appropriateness pending the DRC approval with the condition that they cannot proceed with construction until such approval by Win Winch. Seconded by Mike Fortunato.</p> <p>Jeffrey Hinderliter calls the vote: Mike Fortunato – Yes Win Winch – Yes Mark Koenigs – Yes Eber Weinstein - Yes</p>	<p>ITEM 16</p> <p>Motion</p> <p>4 Yes – 0 No</p>
<p>Other Business</p>	
<p>Good & Welfare</p> <p>Mark Koenigs: I know you have been busy Jeffrey, but we were supposed to have a joint workshop with the Comprehensive Plan Committee.</p>	

<p>Jeffrey Hinderliter: My intention was to put it together for tonight, but I saw the agenda and thought it was too much. If we could schedule a special meeting. I would be flexible with that.</p> <p>Mark Koenigs: I know we wanted it televised and so that it could go out on the internet.</p> <p>Jeffrey Hinderliter: We had a bus trip on Sunday that we did. I have a land use exercise for them. We'll have a good template for our land use plan.</p>	
ADJOURNMENT 9:17pm	ADJOURNMENT

*I, Molly Phillips, Secretary to the Planning Board of the Town of Old Orchard Beach, do hereby certify that the foregoing document consisting of 15 pages is a true copy of the original minutes of the Planning Board Meeting of **November 13, 2014.***

Molly Phillips