

OLD ORCHARD BEACH PLANNING BOARD

Workshop Notice
 August 4, 2016 6:00 PM
 Town Council Chambers

Call to Order at 6:03 pm	Call to Order
Pledge to the Flag	
Roll Call: Chair Mark Koenigs, Vice Chair Linda Mailhot, Ryan Kelly, Eber Weinstein, Win Winch, Mike Fortunato. Absent: Laura Bolduc. Staff: Town Planner, Jeffrey Hinderliter, Town Assistant Planner, Megan McLaughlin.	
Workshop Discussion	
APPROVAL OF MINUTES: 7/7/16, 7/14/16	
Public Hearings (To be held on 8/11/16, 7:00 PM)	
<p>Proposal: Conditional Use: Accessory Dwelling Unit Owner: Frederick O'Neal Location: 15 Willow Ave., MBL: 204-3-48, R1</p> <p>Present: Mark, Mike, Linda, Ryan, Megan, Jeffrey. No abutters present. Site Walk opens at 5:30 PM Jeffrey introduces the PB members and discusses the purpose of the meeting and asks Frederick O'Neal (Rick) to describe his proposal. Rick shows the PB his home and the area exterior area associated with his accessory dwelling unit. The PB and Rick discuss the following:</p> <ul style="list-style-type: none"> • Accessory Dwelling Unit (ADU) will be on the ground floor of the home. The area to be converted includes garage space and unfinished basement. • A new garage is planned as well as a two story connection between the proposed garage and existing home. The connection will serve as the home and ADU common main entrance. The home will continue to have other accesses but the connection will serve as one of the main ones. • A majority of the proposed new construction adding to the footprint is the garage which is not part of the ADU. • Drainage was discussed and it's all pretty much taken care of with the existing development, which is relatively new, and the new proposal. Work exclusive to the ADU is primarily within the existing footprint. • Parking spot locations are identified and discussed. • The single electrical meter is discussed and Rick states there will only be one as required by the ordinance and points out the location. • The ADU square footage requirement was discussed. The PB looked at plans and Rick showed how the proposal meets the requirement. • The septic system was discussed. Rick said it was new and has the ability to accept additional wastewater from the ADU which is expected to be minimal. • It was asked if ADUs' can be rented- yes they can. Rick said the use will be for his mother-in-law. <p>People showed up to the site walk thinking it was for the Paradise Park Campground Zoning</p>	

<p>Amendment proposal. They were told it was not. They did not have comment on the proposed ADU. Site Walk closed at 5:55 PM</p>	
<p><u>ITEM 1</u> Proposal: Conditional Use: Accessory Dwelling Unit Owner: Frederick O’Neal Location: 15 Willow Ave., MBL: 204-3-48, R1</p> <p>The Board had a site walk at tonight’s workshop meeting. The applicant is looking to be able to have an accessory dwelling unit. We received no public comment on this. This proposal has been advertised for the public hearing as well as the site walk. The Planner will be recommending approval. Chair Koenigs will request that this agenda item #6 be moved up on the agenda at the August 11, 2016 meeting.</p>	<p><u>ITEM 1</u></p>
<p>Regular Business <u>ITEM 2</u> 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) Action: Discussion; Board action Owner: SRA Varieties Inc., D.B.A. Paul’s II Location: 141 Saco Ave., MBL: 311-1-10, GB2</p> <p>Planner Hinderliter stated that last month at the workshop he spoke to the applicants before the meeting and they told him that they are ready to submit their application but they just needed some extra time. Mr. Hinderliter told the applicants that he will be following the submission deadlines, but that he would ask the Planning Board for their advice. Mr. Hinderliter told the applicants that the Planning Board will not be taking up this agenda item at the next regular Planning Board meeting because it didn’t get submitted before the deadline, but that doesn’t mean that they should stop the progress and if possible get the information to the Planner as soon as possible. To date, he has received nothing from the applicants. Mr. Hinderliter recommends that the Board schedule an action for final review. If the Planning Board reviews the application, he would recommend that it not be approved. Mr. Hinderliter’s board action recommendation will be to schedule a final review. Eber Weinstein suggested to remove this application and start over. If the applicants do start over, they cannot apply for one year. They have submitted the amendment application, the issues that they haven’t addressed is the comments from the department heads. Chair Koenigs agrees that the Board Members should list out in the findings of facts as to why the board is denying it or removing it.</p>	<p><u>ITEM 2</u></p>
<p><u>ITEM 3</u> Proposal: Zoning District Amendment: Expand the Campground Overlay District over three parcels zoned R1 and GB1 (Paradise Park) Action: Discussion; Recommendation for Council Owner: Paradise Acquisitions LLC Location: 60 Portland Ave, MBL: 205-1-32; 58 Portland Ave, MBL: 205-1-30 (portion of);</p>	<p><u>ITEM 3</u></p>

<p>50 Adelaide Rd, MBL: 106-2-2 (portion of)</p> <p>Planner Hinderliter stated that this proposal is for a recommendation to the council. Mr. Hinderliter devoted a lot of time on this issue. We have received quite a few public comments as well as Planning Board comments and staff comments from the July meetings and did the best that they could to answer the approximate 30 questions. A lot of the comments stated that this was a non-conforming use and a non-conforming lot. Mr. Hinderliter stated that that wasn't correct, but it was at one time. The town went through a big revision in their ordinances to adopt the Campground Overlay Districts. As long as existing campgrounds registered their campgrounds on or before April 1st 2004 they would be considered conforming. So it is conforming.</p> <p>Mr. Hinderliter showed the Board Members a map that seems to have been part of the campground registration process. It includes one of the lots that is currently proposed to go into the Campground Overlay District. It would appear that that lot may have been omitted from the zoning standards from being included on the zoning map but not from their application.</p> <p>Mr. Hinderliter went on to say that if this area was not included and it would be a new campground overlay, then the 100 ft. buffer (in his opinion) does apply, it pretty much makes this almost undevelopable for camp site purposes.</p> <p>Mr. Hinderliter recommends that the Board Members read his memo.</p> <p>Mr. Hinderliter also recommends contacting our town attorney for guidance on this proposal. All agreed.</p> <p>Chair Koenigs had gotten a letter addressed to him in regards to this proposal from David J. Jones, Attorneys at Law. He will give this letter back to Mr. Hinderliter to be sent to all Board Members. Mr. Hinderliter offered to send this letter to the public who were at the meeting tonight.</p>	
<p><u>ITEM 4</u> Proposal: Major Subdivision and Site Plan: 40 unit condominium project Action: Preliminary Plan review and decision; Schedule Final Review Owner: Church Street LLC Location: 164 Saco Ave., MBL: 208-1-9, GB1 & R4</p> <p>This proposal is at the preliminary plan decision phase so the Planning Board can make a recommendation to accept the preliminary plan with conditions or however they would like to proceed. Chair Koenigs asked when the Board will have the peer review comments from Wright Pierce. Megan McLaughlin stated that we should have those at the next meeting.</p> <p>Ryan Kelly asked about item #3 in the submission packet. It says the hours of operation, construction for Phase 2 only is between 8:00 am - ? Megan McLaughlin thinks that it was meant to say before 8:00 am. They will ask the applicant.</p> <p>Mike Fortunato asked what the setbacks are for these units. The side setbacks are 15' and the front and rear are 20'. He also asked if there was any snow storage requirements and there are none.</p> <p>Megan McLaughlin stated that as far as stormwater, they still need to fix a few things.</p>	<p><u>ITEM 4</u></p>
<p><u>ITEM 5</u></p>	<p><u>ITEM 5</u></p>

<p>Proposal: Subdivision Amendment: Creation of connecting road between Juniper and Kapok, lot line change Action: Amendment decision Owner: HP Developers LLC Location: Juniper and Kapok Streets (Homewood Park), MBL: 402-2-4,5,6,7, R5</p> <p>This proposal was tabled at the last meeting because the applicant had to make some changes. The changes are now presented to the Board Members and what they will be looking at is the adjustment to the property.</p>	
<p><u>ITEM 6</u> Proposal: Conditional Use: Accessory Dwelling Unit Action: Final Ruling Owner: Frederick O’Neal Location: 15 Willow Ave., MBL: 204-3-48, R1</p>	<p><u>ITEM 6</u></p>
<p><u>ITEM 7</u> Proposal: Conditional Use, Subdivision Amendment; Site Plan Amendment: 6 unit condominium expansion (Summerwinds II) Action: Preliminary Plan Review; Schedule Site Walk and Public Hearing Owner: Saulnier Development Location: 180 Saco Ave., MBL: 208-1-1, GB1 & R4</p> <p>Planner Hinderliter stated that we have a new submission, however we do not have Stephanie Hubbard’s updated comments from Wright Pierce as a result of that and it will not come until September. We have already had some public comment on this proposal and all of the comments have been quite positive except for an email from a lady that has some concerns.</p>	<p><u>ITEM 7</u></p>
<p>Other Business</p> <p>Planner Hinderliter stated that the Board will get back to the workshops in September.</p> <p>Lawsuits are still on going with Dunegrass.</p> <p>The status on Dunkin Donuts is that they came in for their building permit. Eber Weinstein stated that they have been cutting a lot of trees in Cherry Hills. Megan McLaughlin is getting her thesis published.</p>	
<p>ADJOURNMENT</p> <p>MARK KOENIGS, CHAIRMAN</p>	
<p>Meeting adjourned at 7:03 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 Four (4) pages is a true copy of the original minutes of the Planning Board Meeting of August 4, 2016.

Waldine Amire