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3 **OLD ORCHARD BEACH PLANNING BOARD**
4 **December 5, 2019 6:00 PM (Workshop, Council Chambers)**
5 **MEETING MINUTES**

6 **PRESENT:**

7 Chair Linda Mailhot
8 Vice Chair Win Winch
9 David Walker
10 Marianne Hubert
11 Robin Dube

12
13 **ABSENT:**

14 Chris Hitchcock
15 Mark Koenigs

16
17 **STAFF PRESENT:**

18 Planner Jeffrey Hinderliter
19 Assistant Planner Michael Foster

20
21 CALL WORKSHOP TO ORDER 6:00 PM

22
23 **Regular Business***

24 **ITEM 1**

25 **Proposal: Conditional Use/Site Plan Review: Campground expansion- 17 new campsites**
26 **Action: Discussion; Final Ruling**
27 **Owner: Seacoast RV Resort LLC**
28 **Location: 1 Seacoast Ln (102-3-5) & Portland Ave (102-3-7); Zoning: CO and RD**
29

30 Assistant Planner Michael Foster stated that last month the Determination of Completion was made
31 subject to BH2M addressing some of Wright Pierce's comments. There are still some remaining
32 comments which are both general considerations and some more construction detail oriented information.
33 General consideration is recommended for the stormwater management report to have the updated hydro
34 cad results submitted.

35 There were some questions about the slope and Wright Pierce had recommended the applicant consider
36 some slope protection such as guardrails along Site Drive and Access Drive. Wright Pierce also
37 recommends the ONM plan be updated to follow the Towns most recent post construction stormwater
38 management plan. There was also mention of the review of the Performance Guarantee not being
39 completed yet.

40 Staff recommends that the Planning Board discuss the recommendation for slope protections. Staff also
41 recommends that responses to these items be provided and updated and if the Planning Board decides,
42 they can make a final approval and should be with the condition that the applicant address those items
43 and the comments from the Town Engineer/Town Planner satisfaction prior to the required pre-
44 construction meeting.

45 The responses for site plan criteria and conditional use standards are included if an approval is made.
46

47 **ITEM 2**

48 **Proposal: Conditional Use/Shoreland Zoning: Nonconforming structure replacement,**
49 **relocation and 30% expansion**
50 **Action: Discussion; Final Ruling**

1 **Owner: Don and Lynn Hoenig**
2 **Location: 17 Sandpiper Rd (324-6-6); Zoning: R3 and Shoreland RA**
3

4 Planner Jeffrey Hinderliter stated that this proposal was determined complete, subject to identifying the
5 flood zone on the site plan and adjusting the driveway on the site plan so it meets the minimum/maximum
6 width for single-family driveway standards. Both of these items have been completed. There are also a
7 number of abutter letters and every letter is supportive of this proposal.
8

9 **ITEM 3**

10 **Proposal: Conditional Use/Shoreland Zoning: Nonconforming structure 30% expansion**
11 **Action: Determination of Completeness; Schedule Site Walk and Public Hearing**
12 **Owner: Tom and Leigh Mundhenk**
13 **Location: 9 West Tioga (320-11-3); Zoning: R3 and Shoreland RA**
14

15 Assistant Planner Michael Foster stated that this proposal was tabled in October so that the owner could
16 provide a market analysis because there was some question of the town's value, which is all we have to
17 go by in assessing vs. what they had for a market value. This falls under the 30% expansion because they
18 are proposing to enclose a deck which would increase the volume and that is within 100 ft. of the highest
19 annual tide. The primary concern is with the floodplain conformance and whether or not this would fall
20 under the substantial improvement. Assessed value for 2018 for the structure was only \$104,500. It was a
21 2018 permit for a dormer addition which had the cost listed as \$75,000. This would put us over the 50%
22 of assessed value for the structure only. Just as an example, even if the market value for the structure
23 (only) for 2018 was \$45,500 more than the Town's assessment, which would make the structure value
24 \$150,000. With that previous improvement they would be at that 50% threshold. There are some
25 questions to other improvements that were done and permitted by a previous owner, which we do not
26 have amounts for and are more difficult to determine. To show fair market value, what was provided to us
27 is a price opinion from Ocean Park Realty. Staff understands that a broker's price opinion usually shows
28 some sort of an adjustment for how this value is figured out. Staff is wondering how these values are
29 actually determined. The most recent improvements that we have the figures for the \$75,000 were done
30 last year after it was sold.
31

32 David Walker stated that they could have paid for a Realtor to go out and do a market analysis which
33 would have been much simpler.
34

35 If the Planning Board is leaning towards a Determination of Completeness it is because it is in the
36 floodzone like other projects. Staff recommends that they submit required documentation that it will be
37 engineered to meet those flood development standards.

38 There was a vote at the October meeting regarding whether or not you can be impartial or not.
39

40 **ITEM 4**

41 **Proposal: Site Plan: Sketch Plan Review Retail building, Fueling Station, Self-Storage**
42 **Buildings**
43 **Action: Discussion; Recommendations**
44 **Owner: Colonial Motor Court LLC**
45 **Location: 15 Ocean Park Rd (210-10-3); Zoning: GB1**
46

47 Planner Hinderliter stated that the Owner has submitted a sketch plan.
48 This proposal is six fuel pumps (12 filling stations) retail store and six storage units.
49 Staff states that there will be four primary items that are associated with this with the Planning Board's
50 review.

1 Landscaping and buffering, off site traffic impacts, on site traffic impacts, vehicle maneuvering and
2 stormwater management.
3 Chair Mailhot stated that she believes that the fuel pumps should be in the back and the retail building
4 should be in the front because these are prime RV spots. There are no places in town to park either a truck
5 pulling a travel trailer or a fifth wheel or a motor home or a motor home pulling an automobile. There is
6 a real need for this in our Town.
7

8 Planner Hinderliter stated that there are a few additional items:

- 9 1. Without a doubt, this will be a popular stop off for RV's and trucks. Parking ordinance standards
10 do not include standards specific to parking and maneuvering of these large vehicles but we need
11 to be clear on how these vehicles will enter and exit the property, location and availability of
12 parking, how they will access the fuel pumps including the real possibility of a que building up
13 and interfering with traffic on Ocean Park Rd. A few vehicle sizes to consider (in length)- RV
14 fifth wheel with pickup truck at 34'; Class A self-contained motor home at 30'; Tractor and
15 semitrailer at 65'. Que length, on and exit/entrance turning radius, on-site maneuvering, type of
16 user (e.g., unfamiliar with area), etc. must be carefully planned. The sketch plan shows three 10 x
17 55 truck and RV spaces- will this be enough? Another problem is the location of the three
18 spaces- if full they will block one of the access ways. People may drive around the building to
19 find the access blocked, and then maneuver to change directions while other vehicles are
20 attempting the same. Now the impacts mentioned above may not happen most of the time but it
21 is a good chance they will during June – August. So, now is the time to consider these impacts
22 and find the best plan to address.
- 23 2. Moving the building to the front of the property and fuel pumps towards the rear may be a good
24 solution to some of the concerns mentioned above. This will most certainly help with the real
25 possibility of traffic interference on Ocean Park Rd. Also, the building in the front will offer a
26 much better appearance compared to fuel pump island and parking. Because this is the primary
27 gateway to OOB, appearance should be an important consideration.
- 28 3. The proposal shows a propane filling station. We will need more details on this- tanks, how will it
29 be dispensed, is it for delivery or on-site filling, etc.?
30

31 Chair Mailhot stated that this property is so close to the Smithwheel intersection and it abuts the OOB
32 Campground property which is in the intersection. This would be ideal if we could get MDOT to agree to
33 put a traffic light in this area. The traffic light would serve Smithwheel, entrance in the OOB
34 Campground and an entrance into this gas station.
35

36 Planner Hinderliter stated that the Applicant has to get a traffic analysis. Staff is recommending getting a
37 traffic analysis. This will all be reviewed through the traffic movement permit.
38

39 Robin Dube is concerned about all of the traffic analysis being done in that area and the Town is paying
40 for it.
41

42 Planner Hinderliter stated that although this is just a sketch plan, there is enough to provide a fairly decent
43 analysis. However we do need additional information. For instance, their entrance/exit access needs to be
44 100 ft. from an arterial and collector within that distance. Therefore, they will have to seek a waiver.
45

46 There are four primary overall items the PB should consider: Landscaping and Buffering, Off-Site Traffic
47 Impacts, On-Site Vehicle Maneuvering, and Stormwater Management. At this point, the proposal is
48 offered to the PB as a sketch plan so more details will be addressed and submitted. This is a good
49 opportunity for the PB to offer recommendations. No formal action is necessary at this time.
50
51

1 **ITEM 5**
2 **Proposal: Zoning Map Amendment: Change portion of the Industrial zoning district to the**
3 **Rural zoning district**
4 **Action: Discussion; Schedule Public Hearing**
5 **Owner: Mezoian Development, LLC**
6 **Location: Ross Rd (105-2-7); Current Zoning: RD and ID**
7

8 Planner Hinderliter stated that they are looking to re-zone a portion of that large partial (86) acres from
9 Industrial to Rural.

10 This entire lot is supposed to be in the Rural District, there is no Industrial according to our Future Land
11 Use Plan Map. This totally meets what the Comprehensive Plan states.

12
13 The letter of authorization states: “Any zoning change should be conditioned on Mezoian Development
14 LLC purchasing the land and should not go into effect until title is transferred.”

15 If this condition was not applied would the property owner still authorize the applicant to pursue the
16 zoning change.

17 Planner Hinderliter believes that this matter needs to be cleared up in writing so we know the current
18 property owners’ authorization of the applicant moving forward is not conditional. They still need
19 that question answered before they move forward.

20
21 **Other Business**

22
23 **ADJOURNMENT 6:45 PM**

24
25 *I, Valdine Camire, Administrative Assistant to the Planning Board of the Town of Old Orchard*
26 *Beach, do hereby certify that the foregoing document consisting of Four (4) is a true copy of the*
27 *original minutes of the Planning Board Workshop Meeting of December 5, 2019.*
28

29 

30
31 ***Note: Workshop Agenda Public Hearings and Regular Business items are for discussion purposes**
32 **only. Formal decisions on these items are not made until the Regular Meeting.**
33