

OLD ORCHARD BEACH PLANNING BOARD

Workshop Notice

June 2, 2016 6:00 PM

Town Council Chambers

Call to Order at 6:05 pm	Call to Order
<p><b>Pledge to the Flag</b></p>	
<p><b>Roll Call:</b> Chair Mark Koenigs, Vice Chair Linda Mailhot, Ryan Kelly, Win Winch, Mike Fortunato. Absent: Eber Weinstein, Laura Bolduc. <b>Staff:</b> Town Planner, Jeffrey Hinderliter, Town Assistant Planner, Megan McLaughlin. Others Present: Chief, Dana Kelley, DPW Director, Marc Guimont.</p>	
<p><b>CALL TO ORDER (6:09 PM)</b></p> <p>Workshop Discussion</p>	
<p><b>APPROVAL OF MINUTES: 5/5/2016 and 5/12/2016</b></p>	
<p><b>ITEM 1</b></p> <p><b>Proposal:</b> 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><b>Action:</b> Discuss proposal; Board action</p> <p><b>Owner:</b> SRA Varieties Inc., D.B.A. Paul's II</p> <p><b>Location:</b> 141 Saco Ave., MBL: 311-1-10, GB2 District</p> <p>Planner Hinderliter informed the applicants to focus on the comments that they received from staff and other department heads.</p> <p>The applicants are aware of this Planning Board Workshop meeting and also the regular Planning Board meeting this month.</p> <p>No new information from the applicants. However the members have new information from Code Enforcement and DPW Director Marc Guimont.</p> <p>Mr. Guimont doesn't feel like he can review this unless the applicant submits a plan stating what they plan to do.</p> <p>Mr. Hinderliter stated that the Planning Board is concentrating on the use/conversion of some of the existing units going to year round. Currently 5 are permissible for year round and they are looking to change the remaining 7 for year round. A total of 12 year round rentals. Not proposing any on site changes.</p> <p>Mr. Hinderliter questioned whether Public Works will see any impacts as a result of this, keeping sidewalks clear etc. The concern that Mr. Guimont has is the driveway on Union Avenue.</p> <p>Chair Koenigs stated that there was a plan submitted in 2015 and was reviewed and approved in July of that year and is it in conformance with that plan before we make a further amendment to the year round use. He feels as if this is a code issue.</p> <p>Planner Hinderliter stated that there are possible components of the plan that could be considered but we would have to tie them specifically to the use change.</p> <p>Chief Kelley stated that he opposes this proposal for year round on the basis of the experience he has had over the years. These units were never designed for year round living.</p> <p>Chair Koenig stated that in the section non-conforming use, it comes down to subjective review and opinion as to whether or not we say it significantly impacts the neighborhood or the change is</p>	

<p>significant.</p> <p>Chair Koenigs requested to talk to the Business License Department to get a summary of how many seasonal and year round units are on the licensing records for the last 12 years on that site.</p>	
<p><b>ITEM 2</b></p> <p><b>Proposal:</b>     <b>Zoning District Amendment: Expand the Campground Overlay District over three parcels zoned R1 and GB1 (Paradise Park)</b></p> <p><b>Action:</b>       <b>Discussion; Schedule Public Hearing</b></p> <p><b>Owner:</b>       <b>Paradise Acquisitions LLC</b></p> <p><b>Location:</b>    <b>60 Portland Ave, MBL: 205-1-32; 58 Portland Ave, MBL: 205-1-30 (portion of); 50 Adelaide Rd, MBL: 106-2-2 (portion of)</b></p> <p>The applicants are looking for an overlay district amendment. Planner Hinderliter pointed out to the members that there was a land transfer back in 2000 and the property lines had moved so the tax maps were incorrect. Planner Hinderliter was invited by the campground owners to take a tour of their campground last year and they discussed some of their overall plans for the expanded overlay district amendment.</p> <p>In the applicable ordinance section, this does deal with Chapter 78 (our zoning ordinances) it falls under the Planning Boards jurisdiction to review and to provide a recommendation to the Council. Ultimately the Council rules on the proposal.</p> <p>The Planning Boards function is to review the proposal, to hold a public hearing and to provide a recommendation. This meeting is to review the Campground Overlay District <u>only</u> at this time.</p> <p>There is a concept (however the board members are not voting on the concept at this time). In order for that concept to come to fruition, the campground overlay expansion needs to be approved first. This concept includes approximately 18 addition campsites. There is an access road that will link to the full campsite.</p> <p>Chair Koenigs asked about the cul-de-sac. Planner Hinderliter stated that this was a subdivision that was approved a while ago. Some of these lots have been combined and the subdivision never worked out. Where the cul-de-sac comes in there were two lots and Paradise Park Campground is either in the process or have purchased that area as part of their campground.</p> <p>The Comprehensive Plan is discussing further extending the CO Districts in certain areas, no longer making them an overlay but making them a formal district because the overlay confuses things.</p>	
<p><b>ITEM 3</b></p> <p><b>Proposal:</b>     <b>Major Subdivision and Site Plan: 40 unit condominium project</b></p> <p><b>Action:</b>       <b>Preliminary Plan Review: Schedule Site Walk and Public Hearing</b></p> <p><b>Applicant:</b>    <b>Church Street LLC</b></p> <p><b>Location:</b>    <b>164 Saco Ave., MBL: 208-1-9, GB1 &amp; R4</b></p> <p>This is the former St. Luke’s Church. 40 Units, 2 egress points. Planner Hinderliter stated that the Board will be getting staff comments at a later date. Chair Koenigs would like to get these comments back prior to the Planning Board workshop meeting in July. This is also going out for peer review. They talked about a redwood tree on that land that they would like to see preserved.</p>	

<p>Chair Koenigs suggested that on these bigger subdivisions, the Board Members delegate certain aspects of the review to help facilitate a more thorough review. One thing to remember is that there are 2 zoning districts.</p> <p>Chair Koenigs mentioned that he is working on locating trails with GIS Consultant Tom Burns. He will collect as much trail information as he can throughout the whole community and he will share it with the Planning Department. There are trails behind Jameson Schools that connect with these properties. The owners are talking about putting their own trails in just for the people in the Condo Association and not for the public. Chair Koenigs feels that if there is open land on the property he feels that we should get a consensus from the property owners to allow for easements on sharing/connecting these trails.</p> <p>Vice Chair Mailhot was concerned with the privacy of the homeowners.</p>	
<p><b>ITEM 4</b></p> <p><b>Proposal:</b> Subdivision Amendment: Creation of connecting road between Juniper and Kapok, lot line change</p> <p><b>Action:</b> Pre-application Review; Schedule Site Walk and Public Hearing (if necessary)</p> <p><b>Owner:</b> HP Developers LLC</p> <p><b>Location:</b> Juniper and Kapok Streets (Homewood Park), MBL: 402-2-4,5,6,7. R5</p> <p>Planner Hinderliter mentioned that with this proposal, they have Mike Gotto as the Engineer. There has been a lot of staff work with Mr. Gotto and it all relates to the future development of the undeveloped portions of Homewood Park.</p> <p>This is the first phase and they are proposing to build a road and sidewalks. The part between Kapok and Juniper Streets that cross is under the Planning Board’s jurisdiction. This did not exist prior to this proposal. This proposal provides a 50’ ROW strip of land to that connection street, and to do that it requires the adjustments of some of the lot lines.</p> <p>Planner Hinderliter recommended that the Planning Board members go through the material and read the cover letter.</p> <p>Chair Koenigs would like to see what the requirements are for the road and if they are conforming to our new standards.</p> <p>Mr. Gotto stated that in Chapter 50 Division 4 it lays out a specific process for which these roads could go through a process with the council to get accepted if we build it to a standard that the staff accepts. This is the process that they are working towards and looking how best to do the drainage. There will be full design plans for the roads including sidewalks and streetlights before they start and to be reviewed by staff. Mr. Gotto stated that they are working on how best to do the drainage and making sure that they design this appropriately.</p> <p>Staff will have peer review.</p>	
<p><b>Design Review Certificates</b></p> <p><b>ITEM 1</b></p> <p><b>Proposal:</b> Parking lot buffer plan</p> <p><b>Action:</b> Certificate of Appropriateness Decision</p> <p><b>Owner:</b> Good Shepard Parish</p> <p><b>Location:</b> 6 Saco Ave., MBL: 206-30-1, DD-2</p> <p>Planner Hinderliter stated that last summer this proposal was to demolish the parsonage and to construct the parking lot. Because it is within one of the Design Review Districts (DRC) it falls under the Design Review Committee’s jurisdiction. It has been questioned with how much jurisdiction DRC actually has because DRC’s standards deal with buildings and not parking lots.</p>	

This proposal has gone to the DRC several times. One of the problems has been that some of the DRC members do not seem to be comfortable with a parking lot. Last fall DRC decided this application needed to be divided into two. One was for the demolition of the structure (which they recommended approval) the other one was for the parking lot buffer. They were ok with the demolition, however the parking lot buffer remained. The buffer plan was given to DRC with a separate proposal. The DRC was ok with the buffer itself, however they had questions on the curbing and lighting. Code authorized the parking lot buffer plan to go forward without the DRC approval. Mr. Hinderliter told the church to hold off doing anything in the parking lot until they get DRC approval, recommendation and the Planning Board approval.

The two remaining items are the lighting and the curb. This is going to the DRC and hopefully will have a recommendation for the Planning Board.

This is in the DD-2 Zone.

Planner Hinderliter explained that if this is associated with just the church parking they are allowed to not be considered to be commercial. If you make the spaces available for over 10 days it is commercial if it is under 10 days it is just a regular parking lot.

**Other Business**

**ITEM 1  
 Ordinance discussion**

Chair Koenigs stated that Planner Hinderliter prepared a summary based on the original summary list of the 6 bullet headings of things that the Planning Board members brainstormed on at the last workshop and he put together an ordinance packet.

Planner Hinderliter stated that he has concentrated on putting the ordinances together that they have on the books with one change – Subdivision: in the amended provision he included (page 4) statutory language for amendments.

These are all ordinances that we currently have adopted and is the bases for the Planning Board to begin their discussions on what they should and should not do. He also added that he suggests to briefly review each ordinance and figure out the intent and the purpose behind the ordinance and identify the problems and then think about what they want to do and how to proceed. They can begin the discussion with aspects from restrictions on non-conforming uses and begin the discussion on that.

Waivers: One of the questions we see most often are waivers that are most associated with sidewalks, width of roads (usually the width of the improved surface typically 24’ width, common waivers go down to 20’) and also the center septic systems for cluster developments. We have seen a couple of road grade changes, waiver requests, exterior lighting, and minimum lot size to go down to a reduced lot size but still conform with our ordinances.

Mr. Hinderliter also stated that they have a waiver standard that does apply to our streets, sidewalks and other public place ordinance in Chapter 50.

Chair Koenigs suggested that Mr. Hinderliter and Megan McLaughlin continue to search for information that has to do with clear cut changes and update the ordinances.

**Design Review Certificates**

**ITEM 1  
 Proposal: Parking lot buffer plan**

<b>Action:</b> Certificate of Appropriateness Decision <b>Owner:</b> Good Shepard Parish <b>Location:</b> 6 Saco Ave., MBL: 206-30-1, DD-2	
Good & Welfare  The Planning Board members were emailed the Watershed Management Plan for the Goosefare Brook. This was emailed as part of the management plan and they distributed this information to all Planning Board members, Town Councilors and all stake holders so that this plan can be adopted and implemented. This plan has a 15 year outlook. There is a cost associated with this spread out over 15 years. Megan McLaughlin stated that they are applying for a 319 Grant through the EPA. If they get it it would be effective in 2017 and there are action items in there that they are hoping to achieve with the grant money. They are splitting this with Saco. She added that we are having our consultant write up what our piece of it will be. There is also talk that there is the possibility of waiving the fees for people in Ocean Park to connect to the sewer if it is available to them.	
ADJOURNMENT  MARK KOENIGS, CHAIRMAN	
Meeting adjourned at 7:37 pm	<b>Adjournment</b>

*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 June 2, 2016.*

*Valdine Camire*