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3 **OLD ORCHARD BEACH PLANNING BOARD**
4 **WORKSHOP**
5 **March 1, 2018 6:00 PM (Council Chambers)**
6

7 CALL WORKSHOP TO ORDER 6:00 pm.
8

9 **Roll Call:** Dave Walker, Vice Chair Win Winch, Mark Koenigs and Robin Dube.
10 **Absent:** Chair Linda Mailhot, Gary Gannon, Marc Guimont.
11 **Staff Present:** Planner Jeffery Hinderliter, Assistant Planner Megan McLaughlin.
12

13 **Regular Business***

14 **ITEM 1**

15 **Proposal:** Subdivision Amendment: Amend Subdivision Plan David Deshaies Ross Road to create 1 lot
16 **Action:** Discussion; Ruling
17 **Owner:** David Deshaies
18 **Location:** Ross Rd., MBL: 105-2-16
19

20 **ITEM 2**

21 **Proposal:** Private Way Application
22 **Action:** Discussion; Ruling
23 **Owner:** David Deshaies
24 **Location:** Ross Rd., MBL: 105-2-16
25

26 Planner Hinderliter stated that the waiver request has been submitted. If the Planning Board decides not to grant the
27 waiver, then it basically puts an end to this proposal.
28

29 Planner Hinderliter recommends that the Planning Board table this, because if the waiver isn't granted then the applicant
30 will be looking to going to the ZBA for a reduction of the lot size.
31

32 The Public Works Director is comfortable with the site distance. However there are certain standards for site differences.
33

34 **ITEM 3**

35 **Proposal:** Subdivision Amendment: Amend "8 Lots at Wild Dunes Way" Subdivision to add 9th lot
36 **Action:** Discussion; Ruling
37 **Owner:** Dominator Golf LLC
38 **Location:** Wild Dunes Way; MBL: 105A-200 (portion of)
39

40 Planner Hinderliter stated that these are all single lots that have direct access to Wild Dunes Way.

41 This is still considered a subdivision amendment which requires Planning Board Approval.

42 We have not received Wright Pierce comments for this new submission yet.

43 The developments in Dunegrass that are not part of the originally approved sections are going away from the intent and
44 vision of Dunegrass so it is creating a few issues.

45 Planner Hinderliter recommended to the Planning Board to read through the bullet points in the memo.

46 There are too many items that are unresolved such as sidewalks.
47

48 **ITEM 4**

49 **Proposal:** Ordinance Amendments: Consideration of zoning ordinance amendments associated with
50 contractor businesses in the Rural District
51 **Action:** Discussion; Schedule Public Hearing
52 **Applicant:** Town of Old Orchard Beach
53 **Location:** RD Zoning District
54

1 Staff will have some updates for the Board members on this item. Intern Griffin Kmon has been working on this. The
2 frack tank may already be permissible to go out there without any ordinance changes. There is a land use called
3 public/private utilities facility. When you read the definition it includes sewer and is associated with the transmission and
4 distribution of sewer.
5 Staff is more convinced that that use could actually could be permissible as a conditional use.
6

7 **ITEM 5**

8 **Proposal: Ordinance Amendments: Medical Marijuana Storefronts**

9 **Action: Discussion**

10 **Applicant: Town of Old Orchard Beach**

11
12 Planner Hinderliter stated that the Town Council recently enacted a moratorium for medical marijuana storefronts.
13 What the Planning Board is instructed to do is to develop some kind of standard associated with marijuana storefronts.
14 What staff did was break down the key points of the moratorium and the Planning Board's responsibilities.
15 We are not dealing with recreational marijuana. Planner Hinderliter stated that these are not dispensaries, these are legal
16 storefronts because it falls under a caregiver and is something that we currently do not regulate under our medical
17 marijuana ordinance. The caregiver has to go through the state to get their license and can have up to 5 patients with the
18 fifth slot that can be a rotating slot.
19 The council has concerns related with public safety and welfare, including but not limited to potential effects on
20 neighborhoods and potential adverse effects on the Town's tourism industry. For medical marijuana we decided to have it
21 located in the GB-1 and Industrial zone.
22

23 **ITEM 6**

24 **Proposal: Site Plan Review: Demo existing building and construct new 7,225 sq. ft. retail building including**
25 **associated parking, sidewalks and other site improvements**

26 **Action: Discussion; Determination of Completeness; Schedule Site Walk; Schedule Public Hearing**

27 **Applicant: Zaremba Group**

28 **Location: 19 Heath St., MBL: 309-9-33, DD2**
29

30 Assistant Planner Megan McLaughlin gave an overview. This is for the General Dollar and they are coming forward with
31 their full proposal. Planning to demolish the existing building and construct approximately a 7,000 sf. building and 30
32 parking spaces. Because it is in the DD-2 it is also going before the DRC this coming Monday. We received comments
33 from staff and Wright Pierce. We also got the responses to the 9 site plan review criteria. They also gave us a landscaping
34 plan.
35

36 **ITEM 7**

37 **Proposal: Major Subdivision: 9 lot residential subdivision (Red Oak Phase III)**

38 **Action: Preliminary Plan Review/Determination of Completeness; Schedule Site Walk and Public Hearing**

39 **Owner: Mark & Claire Bureau**

40 **Location: 141 Portland Ave, MBL: 104-2-2**
41

42 Planning Board saw this in 2017 as a sketch plan, then brought the preliminary plan back in July of 2017 and also in
43 November 2017. And now the preliminary plan is back again for 2018.
44 They have addressed their issues with DEP and ended up changing a few things. They are proposing 9 lots and there is
45 currently 4 lots on that road which were approved in 2004-2005 timeframe. The last lot they just finished in the summer
46 of 2016.
47 The new submission has the responses from Wright Pierce however we do not have the comments back as of yet.
48 The responses to the 14 subdivision criteria require a few things that they need to update.
49 Things that still need to be addressed:
50

- They had issues with the FEMA map because this is in a flood zone.
- Maine Water has some questions
- Assessing staff states that this is in a designated tree growth area.
- Wright Pierce comments.

53
54

1 **ITEM 8**

2 **Proposal:** Major Subdivision and Site Plan: 40 unit condominium project

3 **Action:** Re-approval Vote

4 **Owner:** Church Street LLC

5 **Location:** 164 Saco Ave., MBL: 208-1-9, GB1 & R4

6
7 This was approved just over 2 year ago. The initial approvals ran out however nothing has changed with this proposal.
8 They are just coming back to the Planning Board to get re-approval.
9

10 **Certificate of Appropriateness**

11 **ITEM 9**

12 **Proposal:** Demo existing building and construct new 7,225 sq. ft. retail building including associated parking,
13 sidewalks and other site improvements

14 **Action:** Certificate of Appropriateness Ruling

15 **Applicant:** Zarembo Group

16 **Location:** 19 Heath St., MBL: 309-9-33, DD2

17
18 Approving Design Review Certificate of Appropriateness.
19

20 **Other Business**

- 21 1. Findings of Fact signatures: Cherry Hills Subdivision Amendment; 18 Tioga 30% Shoreland Expansion
22

23 **ADJOURNMENT 6:46 PM**

24
25 *I, Valdine Camire, Administrative Assistant to the Planning Board of the Town of Old Orchard Beach, do*
26 *hereby certify that the foregoing document consisting of Three (3) pages is a true copy of the original minutes*
27 *of the Planning Board Meeting of March 1, 2018.*
28

29 

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