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3 **OLD ORCHARD BEACH PLANNING BOARD**
4 **May 2, 2019 6:00 PM (Workshop, Council Chambers)**
5 **May 2, 2019 5:30 PM (Site Walk)**
6 **MEETING MINUTES**
7

8 Note: The purpose of the Workshop is for the Planning Board to receive packets and an agenda item
9 update from staff
10

11 **Site Walk May 2**

12 **5:30 PM**

13 **Proposal: Minor Subdivision: 2 Duplex (4 residential apartment units)**

14 **Owner: Earle Enterprises, LLC**

15 **Location: 4 Smithwheel Rd, MBL: 210-2-16; Zoning: R4**
16

17 Present: Maryanne Hubert, David Walker, Chris Hitchcock, Vice Chair Win Winch, chair Linda Mailhot

18 Begins: 5:35 PM
19

20 The following is a summary of the site walk:

- 21 • Planner Jeffrey Hinderliter intro's discusses the site walk purpose and introduces the proposal
- 22 • The property owners agent discusses and shows the proposal including identifying the purpose of
- 23 the stakes, driveway, parking area and building location
- 24 • The proposed buffer adjacent to the condo complex is discussed including the fence, vegetation to
- 25 remain and proposed vegetation locations
- 26 • Questions about what buffer will remain, what's proposed, recommended new buffer, impacts to
- 27 condo
- 28 • Discussed land area by condo where it appears the condo folks use land that is owned by Earle
- 29 Enterprises
- 30 • PB and engineer discus parking areas and stormwater systems
- 31 • Discussion about potential use of Ervin Ave as vehicle access
- 32 • Review proposed driveway locations on Smithwheel
- 33 • Buffer area and driveway off Smithwheel was focus of PB comments
34

35 Site Walk ends: 5:50 PM
36

37 **CALL WORKSHOP TO ORDER**
38

39 **Public Hearings Notice (To be held on 5/9/19, 6:30 PM)***

40 **ITEM 1**

41 **Proposal: Minor Subdivision: 2 Duplex (4 residential apartment units)**

42 **Owner: Earle Enterprises, LLC**

43 **Location: 4 Smithwheel Rd, MBL: 210-2-16; Zoning: R4**
44

45 **Regular Business***

46 **ITEM 2**

47 **Proposal: Major Subdivision: 5 Unit Condominium Building**

48 **Action: Final Ruling**

49 **Owner: SJ Peacock Builders**

50 **Location: 21 Union Ave, MBL: 315-15-3; Zoning NC-2**

1
2 The Board approved the Preliminary Plan at the April meeting.
3 The Applicant has 6 months to file their final plan, however the Board doesn't need to make their final
4 decision at this Month's meeting.

5 The Board has requested:

- 6 • Formal lease agreements to be prepared and presented to the Board
- 7 • Snow storage lease agreement
- 8 • Submission on the plan to show how vehicles will maneuver around the 2 parking spaces.
- 9 • The Ability to Serve letter from Maine Water
- 10 • The response to the April 1, 2019 Wright Pierce comments

11
12 We still do not have the lease agreements.

13 Chair Mailhot added that she doesn't feel that a lease agreement is a long term and appropriate way to
14 deal with those issues.

15 Planner Hinderliter stated that the one thing that is changing is the form of ownership. It was an apartment
16 building and now condominiums.

17 The Condominiums could also bring seasonal rentals.

18 If they reduced this to one unit this would solve a lot of problems.

19
20 Planner Hinderliter suggested that the applicants should bring a plan back that addresses the Board's
21 concerns. The Board thinks that the only way that they can do this is by reducing the number of units to 4.

22 **ITEM 3**

23
24 **Proposal: Minor Subdivision: 2 Duplex (4 residential apartment units)**
25 **Action: Determination of Completeness; Ruling on Preliminary Plan**
26 **Owner: Earle Enterprises, LLC**
27 **Location: 4 Smithwheel Rd, MBL: 210-2-16; Zoning: R4**

28
29 The Board just had a site walk, next week there will be a Public Hearing and this is also subject to a
30 determination of completeness. Had the site walk to see how the waivers would work.

31 The applicants have 3 waivers.

- 32 • Reduce the minimum driveway spacing from 125' down to 90'.
- 33 • Reduce the offset from the intersection. Required to be 100' proposing to reduce that to 60'.
- 34 • Reduce the isle width for the 90 degree parking internal from 25' to 20'.

35 Also a 4th waiver

- 36 • Reduce the offset separation between the existing driveway on the parcel to Irvin Avenue from
37 100' to 90'

38
39 The Planning Board recommended a no cut buffer. The only new buffer is a 6' fence that they will be
40 putting up. There are a number of Wright Pierce comments. Planner Hinderliter recommended that the
41 Board review the comments.

42 **ITEM 4**

43
44 **Proposal: Conditional Use: Accessory Dwelling Unit**
45 **Action: Final Ruling**
46 **Owner: The Village at Pond View Woods, LLC**
47 **Location: 206 Portland Ave, MBL: 103-1-432; Zoning RD**

48
49 They have submitted a revision to the Red Brick House. It looks much more like a single family dwelling.
50 This is still an Accessory Dwelling Unit with 1 family home. They also have a septic plan. The Board

1 should make a decision by ordinance.
2

3 **ITEM 5**

4 **Proposal:** Subdivision Amendment (Eastern Trail Estates): Adjust shared property line for
5 lots 17 & 18
6 **Action:** Ruling on Amendment
7 **Owner:** Ross Road LLC
8 **Location:** Mary’s Way, MBL: 107-1-417 & 418; Zoning RD
9

10 This proposal is for an adjustment to the property lines. This is because one of the structures was placed
11 in the setback. They are looking to adjust their property line so lot #17 can meet the setback standard.
12 Planner Hinderliter stated that he met with one of the developers, Kevin Beaulieu and asked him if he had
13 addressed the outstanding issues. He indicated that they did and wrote an email regarding this.
14 Assistant Planner Mike Foster, Jaime Wallace from Wright Pierce and Kevin Beaulieu did a site
15 inspection after the memo was sent and there is some contradictory information. Mr. Beaulieu indicated
16 that the erosion control measures were put up in December on these sites. In reviewing pictures in the
17 Wright Pierce memo dated April 29, 2019, you can clearly see that there weren’t any erosion control
18 measures out there. Assistant Planner Michael Foster stated that there were some berms around the
19 culvert which had been breached and no silt fencing on any of the sites. Mr. Foster also added that Mr.
20 Beaulieu stated that some of those were not his anymore.
21

22 **ITEM 6**

23 **Proposal:** Conditional Use: Installation of small cell antenna on utility pole
24 **Action:** Determination of Completeness; Schedule Site Walk and Public Hearing
25 **Owner:** Public Right-of Way; Applicant: New Cingular Wireless PCS, LLC
26 **Location:** Utility pole in public right-of-way adjacent to First Street/Depot Square; Zoning
27 DD1
28

29 Assistant Planner Foster said that they have some questions about the pole if it is in the Town R.O.W. or
30 not is located in parking lot that is part of the Subway property. One of the things that was recommended
31 is to get verification of that because it is right on the line. One of the recommendations is for them to
32 provide a survey showing that it is located within the Town R.O.W.
33

34 **Sign Findings of Fact**

- 35 • Minor Subdivision; 189 Saco Ave; Donald Bouchard
 - 36 • Site Plan: 9 East Grand Ave
- 37

38 **Other Business**

39
40 David Walker asked if the Comprehensive Plan could get back on the Agenda at some point.
41
42

43 **ADJOURNMENT 6:50 PM**

44
45 ***Note: Workshop Agenda Public Hearings and Regular Business items are for discussion purposes**
46 **only. Formal decisions on these items are not made until the Regular Meeting.**
47

48 *I, Valdine Camire, Administrative Assistant to the Planning Board of the Town of Old Orchard*
49 *Beach, do hereby certify that the foregoing document consisting of Three (3) is a true copy of the*
50 *original minutes of the Planning Board Workshop Meeting of May 2, 2019.*

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Waldine L. Anire