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

8 **Site Walk, October 3, 5:00 PM**

9 **Proposal: Site Plan Review: Campground expansion- 17 new campsites**  
10 **Owner: Seacoast RV Resort LLC**  
11 **Location: 1 Seacoast Ln (102-3-5) & Portland Ave (102-3-7); Zoning: CO and RD**  
12

13 The 10/3/19 site walk began at 5:00PM with Assistant Planner Foster. PB members present were Robin  
14 Dube, Chris Hitchcock, David Walker, and Chair Linda Mailhot. The Applicant Michael Mailhot and BH2M  
15 engineer Bill Thompson were present. Fire Chief Fred Lamontagne and Deputy Fire Chief Robert Slaving  
16 were also present. The PB went into the woods on the south side of the campground to see proposed  
17 sites 121-127. Fred mentioned adding a turnaround for sites 121-127 so an ambulance wouldn't need to  
18 back up 200' to reach the proposed drive. Bill Thompson stated there is one short turn around in the  
19 area of proposed sites 111-120 and that another turn around can be added. There are also rounded turn  
20 radius for emergency vehicle maneuvering. The PB went to the East side of the campground to see  
21 proposed sites 111-120. Bill reports the existing detention pond is doing what it is supposed to and DEP  
22 doesn't want any changes made and a soil filter is proposed to meet stormwater requirements. Bill plans  
23 to submit the complete application in a couple weeks.  
24  
25

26 **Public Hearing (To be held on 10/10/19, 6:30 PM)\***

27 **Proposal: Conditional Use: Installation of small cell antenna on utility pole**  
28 **Applicant: New Cingular Wireless PCS, LLC**  
29 **Location: Utility pole in private parking lot adjacent to First Street/Depot Square (206-32-1);**  
30 **Zoning: DD1**  
31

32 **CALL WORKSHOP TO ORDER 6:00 PM**  
33

34 **Regular Business\***

35 **ITEM 1**

36 **Proposal: Site Plan Review: Building rehab, add two units, one office, site improvements (e.g.,**  
37 **parking, landscaping)**  
38 **Action: Waiver Ruling; Final Ruling**  
39 **Owner: Trahan Apartments – OOB LLC**  
40 **Location: 68 East Grand Ave (304-6-1); Zoning: DD2, Shoreland GD and RP**  
41

42 Assistant Planner Michael Foster stated that last month the Applicant had requested a 30-day extension to  
43 get more support for their waivers. Since the last meeting the applicant met with Public Works Director  
44 Joseph Cooper to address some of their concerns. The main concerns were snow removal and there were  
45 some questions about a cobblestone planter that may be in the way of the sidewalk. Chris Duplantis who  
46 is representing the Applicant had provided some figures that show some new areas for snow storage as  
47 well as providing maneuverability diagrams and justification for the waivers. In regards to the parking  
48 waivers the reduction in the number of spaces will not create unsafe conditions for vehicles or  
49 pedestrians.

1 One of the things that Mr. Foster noticed looking at the maneuverability diagram that was submitted is the  
2 spot closest to the rear of the building (public safety also pointed this out) which shows that spot backing  
3 over the handicapped access isle and that is not legal. No less than one van accessible parking space shall  
4 be provided for each site. One of the issues with this is it is 3' wider so they will be working against  
5 trying to find 3 more feet. Chris Duplantis did some research for snow calculations to try to figure out  
6 how much snow can fit in some areas. They did designate some snow storage areas. One issue is an area  
7 they are showing as a potential area which is also where their trash bins are. They may still need a waiver  
8 for snow storage removal. The important piece to grant the waiver is that it cannot create unsafe  
9 conditions for vehicle or pedestrians.  
10 Site Plan Review allows the Applicant to ask for (2) 30 day extension. They have only asked for (1) 30  
11 day extension. They need to get all of their waivers or the project would be denied.  
12

13 **ITEM 2**

14 **Proposal: Conditional Use: Installation of small cell antenna on utility pole**  
15 **Action: Discussion; Final Ruling**  
16 **Applicant: New Cingular Wireless PCS, LLC**  
17 **Location: Utility pole in private parking lot adjacent to First Street/Depot Square (206-32-1);**  
18 **Zoning: DD1**  
19

20 Assistant Planner Michael Foster stated that there is nothing new with this proposal. Mr. Foster stated that  
21 the Planning Board had asked for an example of what this would consist of which was emailed to the  
22 members. Another item was #6 on the Conditional Use Standards they had omitted the word noise. This  
23 has recently been added in.  
24

25 **ITEM 3**

26 **Proposal: Site Plan Review: Wastewater Treatment Facility new administration building**  
27 **construction**  
28 **Action: Determination of Completeness, Schedule Site Walk and Public Hearing**  
29 **Owner: Town of Old Orchard Beach**  
30 **Location: 24 Manor Street (108-4-3); Zoning: R3**  
31

32 Assistant Planner Michael Foster stated that this is a proposal for a 3,211 sf. administration building.  
33 Municipal uses are permitted in the R-3 district. This will meet the setbacks. This is a fairly empty area  
34 there right now. The back portion, which is over 400' from this proposed building, is in the resource  
35 protection but there is no flood zone. May want to clarify why they had checked off #18 on the  
36 application, which indicates they are in a flood zone or subject to periodic flooding.  
37 Mr. Foster did not see a landscape plan, cost estimates and this also requires a schematic elevation of a  
38 proposed sign. There are buffering and screening requirements. They are proposing to put privacy slats in  
39 the existing fence and extending it. Need responses to the nine criteria. Staff recommends to determine  
40 this application complete subject to receiving the items that staff doesn't have. Schedule a site walk and  
41 public hearing.  
42

43 **ITEM 4**

44 **Proposal: Subdivision Amendment: Amend lot lines to combine lots and re-delineate lot lines**  
45 **Action: Rule on Amendment**  
46 **Owner: Daily Double, LLC**  
47 **Location: Sawgrass Subdivision, Blueberry Ln (105A-1-L); Zoning: PMUD**  
48

49 They are reducing the units from what was originally approved for the project. They are trying to combine  
50 2 lots (lots 9 & 10) to form a new lot 8. Also previously amended lots 2-6 they are re-delineated in the 4  
51 lots, which will be lots 2-5.

1  
2 **ITEM 5**

3 **Proposal:** Conditional Use: Appeals from restrictions on nonconforming uses- resume multi-  
4 family residential use (4 units) and add ground floor commercial use  
5 **Action:** Discussion; Determination of Completeness, Schedule Site Walk and Public Hearing  
6 **Owner:** Coastal Parking LLC  
7 **Location:** 7 Temple Ave (324-15-10); Zoning: NC1  
8

9 The original non-conforming structure was demolished on 3/28/13 and the previous use was for five  
10 seasonal units and it is considered a non-conforming structure based on shoreland zoning and underlying  
11 NC-1 district space and bulk requirements. The ordinance states that should any non-conforming structure  
12 or portion should be demolished for any reason other than destruction or damage beyond the owners  
13 control, it may be replaced within a period of 2 years or thereafter conform to this chapter. The appeals  
14 from restrictions of non-conforming which allows a non-conforming use to be carried on for a  
15 period of 2 years but less than 10 years. This has been six years. One issue that Staff found with  
16 proposing this is a non-conforming use to fall under the 10 year limit allowed, is that the Appeals from  
17 Restrictions, under non conforming uses applies to the non-conforming use but not a non-conforming  
18 structure, which is only allowed for a rebuild within a 2-year period. They still need to meet two parking  
19 spots per residential units, which would require eight parking spots, total. The application lists four  
20 existing parking spots with only four proposed parking spots. Therefore, if they wanted residential, it  
21 would require some sort of waiver for four parking spaces.  
22

23 **ITEM 6**

24 **Proposal:** Conditional Use/Shoreland Zoning: Nonconforming structure 30% expansion  
25 **Action:** Determination of Completeness; Schedule Site Walk and Public Hearing  
26 **Owner:** Beth Gilman  
27 **Location:** 2 Captain's Rd (102-3-2); Zoning: Shoreland RP  
28

29 They are proposing to move a deck in this area and build a new addition further back from the wetland  
30 than the deck is. Currently the deck and structure is 45' 10" from the wetland area and they are increasing  
31 it to 55' 10". Staff would like for the Applicant to submit the volume calculations. The Applicant will  
32 also need DEP permitting as well.  
33 To determine this application complete, we would just have to make it is subject to receiving the other  
34 items requested.  
35

36 **ITEM 7**

37 **Proposal:** Conditional Use/Shoreland Zoning: Nonconforming structure 30% expansion  
38 **Action:** Determination of Completeness; Schedule Site Walk and Public Hearing  
39 **Owner:** Tom and Leigh Mundhenk  
40 **Location:** 9 West Tioga (320-11-3); Zoning: R3 and Shoreland RA  
41

42 Upon initial review, this is in the flood zone. Earlier this year there was a large dormer addition, which  
43 now makes them fall under a substantial improvement because this is over 50% market value of the  
44 house. So with anything they added now, they would have to bring the structure up to flood standards.  
45 There was a question whether if the lowest floor was a foot above the flood line. In addition, even if they  
46 were still above it they would still have to bring what is supporting that structure up to flood standards.  
47 Staff added that if the Applicant wants this item tabled until they can provide additional information and  
48 to show that they are in compliance or if they do not want to move forward it could be pulled from further  
49 review. They also asked about replacing the deck where they are doing the sunroom. If they wanted to  
50 replace the deck, it would also fall under substantial improvement but there is something if codes deems it

1 unsafe they would be able to replace the deck without it counting as a substantial improvement and it  
2 would be to the minimal extent necessary.

3  
4 **ITEM 8**

5 **Proposal:** Conditional Use/Shoreland Zoning: Nonconforming structure replacement and 30%  
6 expansion

7 **Action:** Determination of Completeness; Schedule Site Walk and Public Hearing

8 **Owner:** Jerry and Pam Scheinfeldt

9 **Location:** 13 Oceana Ave (321-15-2); Zoning: R3 and Shoreland RA

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11 This is not in the required Shoreland Zoning setback, it is not in the flood zone so this will not require a  
12 Conditional Use by the Planning Board. This will be off of the agenda.

13  
14 **ITEM 9**

15 **Proposal:** Conditional Use/Shoreland Zoning: Nonconforming structure replacement and 30%  
16 expansion

17 **Action:** Determination of Completeness; Schedule Site Walk and Public Hearing

18 **Owner:** George and Mary Moszynski

19 **Location:** 13 Hampton Ave (319-2-4); Zoning: R3 and Shoreland RA

20  
21 This is a demo and rebuild, single family structure. This is within 100' of the highest annual tide. Need  
22 more information to determine the application complete. Need plans and volume calculations for the  
23 existing structure. Staff is recommending a site walk. It appears that there is more room on the lot to be  
24 relocated to increase its distance from the water setback to the greatest practical extent and still be able to  
25 meet that rear setback.

26  
27 **Other Business**

28  
29 **ADJOURNMENT**

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.**

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34  
35 *I, Valdine Camire, Administrative Assistant to the Planning Board of the Town of Old Orchard*  
36 *Beach, do hereby certify that the foregoing document consisting of Four (4) is a true copy of the*  
37 *original minutes of the Planning Board Workshop Meeting of October 3, 2019.*

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