

OLD ORCHARD BEACH PLANNING BOARD

Workshop Notice
 October 6, 2016 6:00 PM
 Town Council Chambers

<p>Call to Order at 6:03 pm</p>	<p>Call to Order</p>
<p>Roll Call: Vice Chair Linda Mailhot, Ryan Kelly, Eber Weinstein, Win Winch, Mike Fortunato. Absent: Chair Mark Koenigs. Staff: Town Planner, Jeffrey Hinderliter, Town Assistant Planner, Megan McLaughlin.</p>	
<p>Workshop Discussion</p>	
<p>APPROVAL OF MINUTES: 7/7/16, 8/4/16, 9/1/16, 9/8/16</p>	
<p>Town Planner Jeffrey Hinderliter has just received the material for Church Street LLC and Summerwinds II. Mr. Hinderliter gave BH2M some extra time to try and pull things together in getting a more complete packet. In the Board Members packets are the attachment of meeting minutes and the attachment of notes from the Department Heads, Wright Pierce and staff notes from the September meeting for each of these projects. These notes have been submitted to BH2M. Planning Board members should use these notes as a guideline when going through the application to make sure that these items have been addressed. Assistant Planner Megan McLaughlin put together some information for Summerwinds such as the 36” culvert and she has also reviewed some of the outstanding comments.</p>	
<p>Regular Business ITEM 1 Proposal: Major Subdivision and Site Plan: 40 unit condominium project Action: Final Plan review; Ruling Owner: Church Street LLC Location: 164 Saco Ave., MBL: 208-1-9, GB1 & R4</p> <p>Planner Hinderliter stated that Church Street is scheduled for final review. Had a Development Review Committee meeting and asked for sign off’s from Department Heads. The Fire Chiefs comments are basically the same for both Summerwinds and Church Street. The DPW Director signed off on the Church Street project and he is comfortable with the proposal.</p>	<p><u>ITEM 1</u></p>
<p>ITEM 2 Proposal: Conditional Use, Subdivision Amendment; Site Plan Amendment: 6 unit condominium expansion (Summerwinds II) Action: Preliminary Plan review and decision Owner: 180 Saco Avenue Development LLC Location: 180 Saco Ave., MBL: 208-1-1, GB1 & R4</p> <p>DPW Director would like to have more information. He has not signed off on this proposal. A request was sent to Code Official Dan Feeney to check the number of parking spaces in</p>	<p><u>ITEM 2</u></p>

Summerwinds shown on the plans and to have a report back from Codes.

Linda Mailhot asked if they had submitted the “as built” information, and Planner stated that they did submit that information.

Mike Fortunato asked about the requirement for road footage. Planner Hinderliter stated that it is 24’ if there are more than 15 units, and 20’ if there are 15 or under units. Summerwinds are asking for 18’ so they would require a waiver.

ITEM 3

Proposal: Conditional Use and Shoreland Nonconforming Structure

Expansion/Relocation/Replacement: Replace and expand single-family dwelling with the Residential Activity Shoreland Zone.

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

Owner: Ron Sabin

Location: 129 West Grand Ave., MBL: 319-12-5, R3 & RA

With this proposal, Planner Hinderliter stated that our Shoreland Zoning map shows a majority of Ocean Park located in the Shoreland Zone. That zoning map that was adopted in 2011-2012. Actually has Shoreland based on the highest annual tide. It impacts development in Ocean Park. Quite a bit of development that has happened would have required a Planning Board ordinance review. The reason is because a lot of the development (according to the Shoreland Zoning map) is actually considered non-conforming structures because they are within the setbacks of the Shoreland Zone. So whenever you want to expand, rebuild, replace, remove or relocate a non-conforming structure, you need the Planning Board’s authorization.

There was not much information about specific guidelines or applications. The ordinance does require a Conditional Use. The applicant wanted to go beyond the perimeters that the Planning Board has in terms of what they can permit for expansions. Typically you are only allowed to expand 30 % of the square footage or volume of a structure that is within the setback (within the 75-100 ft.) The potential owner wanted to expand more than that, so he went to the ZBA Board of Appeals and got a variance to expand beyond the 30% basically to double in size and to shift the structure so it is a little more conforming to the water setback than what it currently is.

The Planning Board still needs to review it as a Conditional Use Application (12 Criteria) and Shoreland Zoning standards.

We picked out all of the Shoreland standards that are most applicable to these sorts of proposals and gave them to the applicant and asked the applicant to address these individually, so it is sort of a custom made application.

A couple of things to think about when reviewing this application:

- Does it meet the 12 Conditional Use Review Criteria.
- Does it meet the Shoreland Zoning Standards.

However, the applicant already went through the ZBA process and are allowed to go beyond the 30% and can make it a little more conforming.

Win Winch mentioned that State overrides local appeals, so we may have to get a legal opinion.

Planner Hinderliter stated that one of the first Shoreland Zoning Standards that the Planning Board is supposed to rule on is if the structure is going to become less non-conforming or more non-conforming. The Planning Board is not supposed to approve something that is to become more non-conforming.

ITEM 3

Eber Weinstein asked about the setbacks.
Planner Hinderliter stated that the setbacks are more of a local control and this is what ZBA approved.

Planner Hinderliter stated that the second thing that the Planning Board is supposed to typically review is the 30% rule and the square footage. The 30% rule applies to anything that is not conforming. The only thing that the PB is supposed to approve by rule is to approve 30% of what exists in that setback and square footage.

Workshop Items

1. Paradise Park Update

Planner Hinderliter went through all of the campground applications that were part of the 2004 submission. One of the purposes was to find out if there were any inconsistencies or similarities to what Paradise Park is dealing with. Hidden Pines Campground has an area that was not part of the 2004 registration that was allowed to expand back in 2009. The only difference is that it was permissible in the RD District where Paradise Park is in the R-2 District.

Planner Hinderliter has solid questions in regards to this and will send that out to our attorney tomorrow and will ask for a reply by Thursday.

2. Design Standards

Planner Hinderliter has created a memo that includes questions for Board Members to think about. The recommendation is to begin with this memo and this is where we begin to create our own custom standards. He has also included the Design Standards from Seattle Washington and Portland Oregon for reference where a lot of progressive planning has been happening out west.

And finally he has included our official zoning map and also included is the map that the Comprehensive Commission has worked on and developed for what could be our future zoning map. These maps are important to find out how much of the areas we regulate for design.

The Future Land Use map would be a good tool to use because this is where the Design Standards will apply at some point in the future.

There may be a little controversy involved so it may be a good idea to invite stakeholders, business owners etc. and invite them to a workshop.

The Design Review Committee would also like to be involved.

Things to think about are:

- Do we really want to regulate window replacement?
- Things beyond Design Review/building design such as threshold and will it be all new non-residential, single family additions etc.

Vice Chair Mailhot sees this as a visioning process.

She suggested that what she finds helpful in the visioning process is to identify the basic questions first and then once you have answered the basic questions, then you can get to the details that branch out from these basic questions

- What is the intent
- Where – locations
- What – what do we want to regulate to make it more attractive.
- Certain qualities – distinctions (outside planters)

<p>GOOD AND WELFARE</p> <p>There was a couple of issues that Chair Koenigs brought up at the last meeting. There was an issue with an oil truck that has been sitting at Pauls II (SRA Varieties, Inc) located at 141 Saco Avenue and also the dumpster issue. Mr. Hinderliter brought this to the attention of the Code Official Dan Feeney. Mr. Feeney informed the property owners that they must move the oil truck from the property. If it is not moved by October 15, 2016, a verbal warning will be put in writing on Monday, October 17, 2016 as a violation. As for the dumpster, we monitor it weekly and continue to do so. Mike Fortunato asked what the purpose of having the oil truck moved. Is it because it is a commercial vehicle? Mr. Hinderliter stated that it may be in the ordinance standards but will find out the official reason.</p>	
<p>ADJOURNMENT</p> <p>LINDA MAILHOT, VICE CHAIR</p>	
<p>Meeting adjourned at 6:57 pm</p>	<p>Adjournment</p>

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 Four (4) pages is a true copy of the original minutes of the Planning Board Meeting of October 3, 2016.

Valdine Camire