

NOTICE OF PUBLIC HEARING  
MUNICIPAL OFFICERS OF THE TOWN OF  
OLD ORCHARD BEACH

The Municipal Officers of the Town of Old Orchard Beach, Maine hereby give Public Notice that there will be a Public Hearing held at the Town Hall, Council Chambers, on September 18<sup>th</sup>, 2018 at 6:30 p.m. to consider the following:

Shall the Town Council of the Town of Old Orchard Beach amend the Town of Old Orchard Beach Code of Ordinances as follows: Amendment to Chapter 78-Zoning, Article VI-Districts, Division 12-Rural District, Section 78-963-Conditional Uses; Amendment to Chapter 78, Article VII-Conditional Uses, Division 2-Conditions, Section 78-1278-Contractor Storage Yard 1, by adopting the underscored language.

CHAPTER 78 AMENDMENTS – CONTRACTOR STORAGE  
YARD 1

Ch. 78, Article VI, Districts and Article VII, Conditional Uses  
(September 2018 Council)  
(10 May 2018, PB Vote Version)

Amendment to Chapter 78, Article VI, Division 12 – Rural District,  
Section 78-963 – Conditional Uses (new language underlined):

(19) Contractor storage yard 1, only those parcels of land with road frontage along Portland Ave between the Ross Rd/Portland Ave Intersection and the Old Orchard Beach/Scarborough Town Boundary.

Amendment to Chapter 78, Article VII, Division 2 - Conditions,  
Section 18-1278 – Contractor Storage Yard 1 (new language underlined):

Sec. 78-1278 – Contractor storage yard 1

A contractor storage yard 1 may be permitted in the Rural District for parcels of land with road frontage on Portland Ave between

the Ross Rd/Portland Ave Intersection and the Old Orchard Beach/Scarborough Town Line, provided the following conditions are met to the satisfaction of the planning board:

(A) Minimum Required Information

(1) A scaled site plan that show the following information:

- a. Storage areas for materials and equipment.
- b. Parking and maintenance areas for business vehicles.
- c. Location of buildings and structures on the site.
- d. Vehicular circulation on the site, including points of access to the site from public roads, loading and unloading areas, employee and customer parking.
- e. Landscaping and buffer areas.
- f. Exterior lighting plan, including location, fixtures and specifications.

(2) Description of all vehicles, trailers and equipment stored, maintained or used by the business on the property.

(3) Description and quantity of all fuel and chemicals stored on the property.

(4) Description and quantity of all materials stored on the property.

(5) Description how business complies with the “Contractor Storage Yard 1” definition (see Chapter 78, Article I

(6) Any other information as might be reasonably required by the Planning Board to assist with making a thorough evaluation of the proposal.

## (B) Minimum Development Requirements

(1) Driveway entrances from the street to parking and storage areas shall not be located within fifty (50) feet of any adjacent property boundary line. Driveways used exclusively for the residence shall be exempted from this standard.

(2) The outdoor storage and parking of vehicles and equipment shall be setback a minimum fifty (50) feet from the front property line and twenty-five (25) feet from the side and rear property lines. Vehicles used exclusively for residence parking shall be exempted from this standard.

(3) All parking and storage areas shall be visually blocked from both the street and abutting properties by a solid fence and either an earth barrier or vegetative plantings. Vehicles used exclusively for residence parking shall be exempted from this standard.

(4) The storage area and/or associated accessory structures must be located in the rear yard area of the residential unit.

(5) Each lot shall be a minimum of one (1) acre.

(6) An owner occupied residence must be maintained on the same lot as the contractor storage yard 1.

(7) Compliance with applicable Rural District Performance Standards, Sec. 78-965.

(8) Compliance with applicable sound standards in Chapter 26, Article II.

(9) Compliance with applicable Chapter 78, Article VII Performance Standards.

### (C) Other Review Criteria

(1) Scale of operation. The Planning Board may limit the scale of proposed operations so as to prevent adverse impacts on adjacent property.

(2) Hours of operation. The Planning Board may limit and set hours of operation for on-site activities so as to prevent adverse impacts on adjacent property.

(3) Size and number of vehicles and equipment. The Planning Board may limit the size (gross weight, length, wheelbase) and number of vehicles and equipment so as to prevent adverse impacts on adjacent property.

(4) Traffic on and off site. The Planning Board may limit the traffic generated by the contractor storage yard 1 so as to prevent adverse impacts on adjacent property.

(5) Materials stored on site. The Planning Board may limit the type and quantity of materials stored on site so as to prevent adverse impacts on adjacent property. All materials likely to produce odors or dust shall be contained so as to prevent adverse impacts on adjacent property.

Per Order of the Municipal Officers this 4<sup>th</sup> day of September, 2018.

A True Copy  
Attest:

s/Kim M. McLaughlin  
Kim M. McLaughlin, Town Clerk