

**Old Orchard Beach Design Review Committee Meeting Agenda  
Monday, December 6, 2010 at 6:00pm in Town Council Chambers**

<b>PLEDGE TO THE FLAG</b>	
<b>Meeting Called to Order at 6:27pm.</b>	
<b>ROLL CALL:</b> Don Comoletti, Ray Deleo, Kim Schwickrath and Shirley Holt (arrived late) <b>Absent:</b> Lee Koenigs. <b>Staff:</b> Mike Nugent, Code Enforcement Officer and Staci Grazioso, Planning Coordinator	
<b>APPROVAL OF MINUTES: August 2, 2010 Meeting Minutes</b> <b>Mr. Deleo</b> made a motion to accept the August 2, 2010 minutes <b>Ms. Schwickrath</b> seconded the motion	<b>MINUTES</b>
<b>Chairman Comoletti</b> moved the minutes to the end of the meeting.	
<b>ITEM 1:</b> Review application and determine Design Review Certificate recommendation for 11 East Grand Avenue, (MBL 306-3-3)	<b>ITEM 1</b>
<p><b>Chairman Comoletti</b> reviewed with the committee the actual application for 11 East Grand Avenue</p> <p><b>Mr. Nugent</b> explained he had a discussion with the applicant to let him know what the obligation of the committee was and his obligation as the applicant to facilitate the project.</p> <p><b>Chairman Comoletti</b> felt that after reviewing the various codes, including the new uniform building code, there are several things that do not fall under the responsibility of this committee. Although we have the responsibility to make a decision on demolition, the reality is the criteria that we are using is almost non-existing.</p> <p><b>Mr. Nugent</b> went on to explain that reviewing the criteria for demolish in regards to the DRC is trick and does not have much applicability, but it requires review by the committee.</p> <p><b>Chairman Comoletti</b> reiterated that there are no criteria. While the board all asked questions last week that he felt was all valid questions, he was unsure that as the codes are written right now that we really have any control.</p> <p><b>Mr. Deleo</b> pointed out to everyone that the applicant was present at the meeting last week and is not here this week. The applicant is going to spend \$20,000.00 to take those signs down, how much would it cost to put them in the condition that it could be usable or take care of violations?</p> <p><b>Mr. Nugent</b> responded that there was discussion with the former owner, and the management company gave them a figure of \$60,000 just to have things resolved.</p> <p><b>Chairman Comoletti</b> asked if some of the aspects of the building are even safe.</p> <p><b>Mr. Nugent</b> responded citing several engineering reports with the most recent from 2008. They are stating that the building is not going to fall down, but in order to use it many things would have to happen</p> <p><b>Chairman Comoletti</b> stated that in talking Mr. DeLeo, he felt that he has some issues with demolition of the building</p> <p><b>Mr. Deleo</b> felt that the applicant's desire to own the whole block. His concerned centered on what the applicant's plans for the property were once demolishing the buildings. He felt that the applicant is buying this property and not putting money in anything else, but understood there was nothing he could do about it.</p> <p><b>Chairman Comoletti</b> responded in saying that there is something that can be done. In the future any applicant will have to go in front of either DRC or another committee for one reason or another.</p> <p><b>Mr. Deleo</b> inquired as to whether the committee could put a stipulation in the certificate stating that the property could not be vacant for more than two (2) years. Mr. Deleo pointed out information regarding the applicant is looking for outside interest to come in here to build on the property.</p>	<b>Public Hearing</b>

<p><b>Mr. Nugent</b> explained that the owner is looking for a national hotel/food chain to purchase it, although McDonalds but like that and something with drive-through standards.</p> <p><b>Discussion ensued concerning abutting property owners.</b></p> <p><b>Chairman Comoletti</b> stated that he had private discussion with Sam Harrisburg, the owner's son, and he discussed building up condos, but he wanted to watch the market.</p> <p><b>Mr. Nugent</b> gave information regarding the Coastal Sand Dune rules which limit the ability for 7 story buildings.</p> <p><b>Chairman Comoletti</b> asked if the documents the committee had were the original application and staff notes.</p> <p><b>Mr. Nugent</b> concurred.</p> <p><b>The committee discussed whether or not the application was complete.</b></p> <p><b>Ms. Schwickrath</b> asked Mr. Nugent if there is a time frame from demolition to grading, as well as everything else.</p> <p><b>Mr. Nugent</b> replied that as soon as the demolition is complete the grading needs to happen.</p> <p><b>Mr. Deleo</b> asked if after the applicant purchased the property it becomes one, large commercial site or does it stay separate.</p> <p><b>Mr. Nugent</b> stated that he will have to check to see how the property is deeded.</p> <p><b>Mr. Deleo</b> asked if the applicant could privately develop the property into individual buildings once they come down.</p> <p><b>Mr. Nugent</b> answered that he would be limited to any of today's regulations.</p> <p><b>Ms. Schwickrath</b> felt that the applicant's property hasn't been kept up with. She then went on to discuss how the applicant put up the wrong signage before.</p> <p><b>Mr. Nugent</b> explained there will be language put on his certificate with dates stating when this part needs to be completed</p> <p><b>The committee then spoke of their concerns regarding whether the applicant does not follow what he is expected to do, and how this can be rectified.</b></p> <p><b>Mr. Nugent</b> explained that anytime the staff receives a complaint, it is followed up on. He told a story about a property on the pier that put a different type of roof than what should have been put on and they had to remove it and put the correct roofing back on.</p> <p><b>Chairman Comoletti</b> asked for a motion to accept the application with the inclusion of the latest staff notes as being complete.</p> <p><b>Ms. Schwickrath</b> moved to accept this application as complete with the staff notes added</p> <p><b>Mr. Deleo</b> seconded.</p> <p><b>Motion passes 3-0</b></p>	<p><b>Motion</b></p> <p><b>Vote</b></p>
<p><b>GOOD &amp; WELFARE</b></p>	
<p><b>Chairman Comoletti</b> felt there should be some changes as to how the ordinance is written, and the committee is going to get the opportunity to make changes to it in the near future. He felt it was difficult to be put in this position of knowing there are reasons why the town wants something, but not being able to due to ordinance restrictions.</p> <p><b>Mr. Nugent</b> explained the ordinance review committee will be reviewing this, and the committee should submit suggestions for language changes.</p> <p><b>Chairman Comoletti</b> stated that there should have been someone here this evening to represent the applicant, and felt it was not appropriate for staff to argue for the applicant.</p> <p><b>Motion to adjourn</b></p>	
<p><b>Meeting Adjourned at 6:48pm</b></p>	<p><b>ADJOURN</b></p>

*I, Staci Grazioso, Secretary to the Design Review Committee of the Town of Old Orchard Beach, do hereby certify that the foregoing document consisting of two (2) pages is a true copy of the original minutes of the Design Review Committee meeting of December 6, 2010.*