

PLANNING BOARD MEETING
Monday, August 24, 2009 at 6:00pm
Town Hall Council Chambers

ROLL CALL: **Board:** Win Winch, Eber Weinstein, Tianna Higgins, Karen Anderson, Mark Koenigs. **Absent:** Don Cote. **Staff:** Jessica Wagner, Gary Lamb. **Public:** John Bird, Liz Gotthelf, Gary Curtis.

CALLED TO ORDER at 6:00pm

ITEM 1: Discussion of draft marina performance standards for OOB zoning ordinance.

Mr. Winch stated that we are here to develop standards for marinas, required by LD 1119.

Mr. Lamb stated that we need to adopt standards that are at least as strict as those of Saco. We do not want another working group at this time to review standards for marinas. We will review what we've done so far, discuss what you would like done and then perhaps set a date for the public hearing. Our goal is to meet the criteria specified in LD 1119. The draft that the Board is reviewing this evening was put together by the Saco Bay Working Group in one meeting. We are not just saying marinas are prohibited and we do not need performance standards, because this is not "creating standards" as required by LD 1119. We can come back and change this ordinance at a later date, as we can all other sections of Ordinance

Mr. Bird stated that he disagrees that prohibition is not meeting the standards of LD 1119.

Mr. Lamb stated that he has discussed this with the town attorney, and he believes that by creating actual standards, we are closer to completing the requirements of LD 1119 without leaving any loopholes.

Mr. Curtis stated that one of the reasons we approved this draft is because we did not want to give Saco an opportunity to say that we have not met the letter of the law. No one can make plans for any bay developments until the current moratorium expires on December 18, 2009. As a committee, we want to get words in an ordinance that meet the law by September 10th. We can always come back and amend the standards after we have this accepted as ordinance. We need to have laws that are "at least as strong as Saco's" in order to be in compliance. We are under some considerable time constraints. If September 10th comes, and we don't have any standards in effect, that may leave room for Saco to rebut.

Mr. Lamb stated that about 3/4ths of this document came from Saco's marina standards. He then read through the draft document.

The Board discussed items within the document. Suggested changes were documented, and the amendments would be inserted into the draft before the Public Hearing.

Mr. Weinstein stated it seems very impractical to have a marina out there. If we had a harbor master, would it make sense to allow moorings? A mooring requires much less maintenance than a marina.

Mr. Lamb stated that that we would need standards for moorings. It is too early for that to be in the ordinance. When we revisit this ordinance, we may look at mooring standards at that time.

Mr. Winch scheduled a public hearing at 6:30pm on September 3, 2009.

Mr. Richard Redmond, OOB Pier stated that he has seven moorings off of the Old Orchard Beach Pier. We had a dock out there and we had plans to extend the Pier. If these plans came back, would it fall under the marina standards?

Mr. Lamb stated that we need to look at the approvals for the moorings and possible Pier extension, and see if there was a sunset on your approvals for those plans. He stated that this was a good point.

Mr. Redmond added that when he put his moorings out there, I checked with the town and they told me there was no harbor master.

Mr. Lamb stated that there will be an official public hearing and vote to make a recommendation to Council on September 3, 2009. The suggestions and changes made tonight will be reflected in the draft reviewed at the Planning Board public hearing.

ADJOURNMENT at 7:10pm

I, Jessica Wagner, Secretary to the Planning Board 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 Planning Board Meeting of August 24, 2009.