

1 OLD ORCHARD BEACH PLANNING BOARD
2 Public Hearing & Regular Meeting
3 February 13, 2020 6:30 PM
4 Town Council Chambers
5 MEETING MINUTES
6

7 **CALL MEETING TO ORDER**

8
9 **PLEDGE TO THE FLAG**

10
11 **ROLL CALL:**

12 Present: David Walker, Robin Dube, Chris Hitchcock, Mark Koenigs, Vice Chair Win Winch and Chair Linda
13 Mailhot.

14 Absent: Maryann Hubert.

15
16 Noted by Chair: Maryann Hubert is absent so Chris Hitchcock will be a full voting member at this meeting
17 tonight.

18
19 **Selection of Vice Chair and Chair:**

20 **MOTION:**

21 Win Winch nominated Linda Mailhot as Planning Board Chair, seconded by Robin Dube.
22

23 **VOTE:**

24 Chris Hitchcock: Yes

25 Win Winch: Yes

26 Robin Dube: Yes

27 David Walker: Yes
28

29 **PASSES**

30 (4-0)
31

32 **MOTION:**

33 Chris Hitchcock nominated David Walker as Vice Chair, seconded by Win Winch.
34

35 **VOTE:**

36 Chris Hitchcock: Yes

37 Win Winch: Yes

38 Robin Dube: Yes

39 Chair Mailhot: Yes
40

41 **PASSES**

42 (4-0)
43

44 **Approval of Minutes: 1/2/20, 1/9/20**

45
46 **MOTION:**

47 David Walker made a motion to approve the meeting minutes for 1/2/20 and 1/9/20, seconded by Robin Dube.
48

49 **VOTE:**

50 Chris Hitchcock: Yes

1 Win Winch: Yes
2 Robin Dube: Yes
3 Vice Chair Walker: Yes
4 Chair Mailhot: Yes

5
6 **PASSES:**
7 (5-0)

8
9 **Regular Business**

10 **ITEM 1**

11 **Proposal: Conditional Use: Private Utility Facility (ground mounted solar array)**
12 **Action: Determination of Completeness; Schedule Public Hearing**
13 **Owner: Paradise Acquisition LLC**
14 **Location: 60 Portland Ave (205-1-32); Zoning: R1 and GB1**

15
16 Planner Jeffrey Hinderliter stated that at the January 2020 meeting the Planning Board tabled this item and had
17 requested that the Applicant address some of the bulleted items in the January memo. They also had a site walk
18 scheduled for last week however due to the weather they re-scheduled the site walk for another time.
19 The Applicant has submitted a new submission. The Applicant did address all of the bulleted items as requested
20 by the Board.

21 The Applicant designed the proposal so that it meets solar facility ordinances that we have not adopted.
22 There were a number of concerned citizens about having the lack of ordinances with a proposal such as this.
23 Staff worked with the applicants to design a proposal that meets York and South Portland solar facility ordinances
24 (the applicable provisions).
25 There was previously talk about a consideration for a moratorium on solar facilities, however nothing happened
26 with the moratorium so we still have the current ordinances. We continue to review this as a conditional use under
27 the public and private utility facility.

28 Staff requested that the Applicant prepare an application that meets certain standards from other municipal
29 ordinances.
30 Staff felt that York and South Portland solar ordinances included standards similar to what we would adopt.
31 The most applicable standards:

- 32 • height
- 33 • setbacks
- 34 • buffer
- 35 • safety
- 36 • visual impacts
- 37 • glare
- 38 • abandonment & discontinuance

39
40 Staff feels that this is a solid submission and recommend that the Planning Board determine it complete and
41 schedule a site walk and public hearing.

42
43 Dan Robinson from Revision Energy introduced himself. He stated that he was fortunate that they could meet the
44 standard within York and South Portland so that when Old Orchard Beach does adopt the ordinance that this
45 project, under the conditional use of public/private facilities will still fit that ordinance as well.

46 The outstanding issue about continuance has not been resolved as of yet however Staff believes that this will be
47 resolved in the next submission.

48 Chair Mailhot commended the Applicant and the owner being willing to work with the Planning Board.

49
50 Chair Mailhot asked if the wooden fence would be on both sides.

1 Dan Robinson explained there is an existing wooden fence to the West of the property, and they will be
2 mimicking that fence to the East. Their proposal is for 2 sides and a chain link fence around the entire perimeter.
3 Chair Linda Mailhot mentioned having a maintenance and operation plan for safety purposes.

4
5 **MOTION:**

6 Win Winch made a motion to determine the application complete and a site walk for March 5, 2020 at 5:15 PM.
7 and a Public Hearing on March 12, 2020 at 6:30 PM. Second by David Walker.

8
9 **VOTE:**

10 Chris Hitchcock: Yes
11 Win Winch: Yes
12 Robin Dube: Yes
13 Vice Chair Walker: Yes
14 Chair Mailhot: Yes

15
16 **PASSES:**

17 (5-0)

18
19 **ITEM 2**

20 **Proposal: Conditional Use: Construct new mixed-use building (1 nonresidential unit, 1 residential**
21 **unit)**

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

23 **Owner: Coastal Parking LLC**

24 **Location: 7 Temple Ave (324-15-10); Zoning: NC1 and LC Shoreland**

25
26 Planner Jeffrey Hinderliter stated that the last time the Board had seen this proposal was last fall. At that time
27 there were a total of 5 units proposed for this lot, a ground floor non-residential use and 4 apartments on the 2nd
28 and 3rd floors. The Board had some concerns and the Applicant submitted a new proposal.

29 The Applicant brought back a good solid proposal. This proposal keeps the non-residential proponent ground
30 floor, but instead of 4 units on the 2nd and 3rd floor it essentially creates one single unit (single family dwelling)
31 that will occupy both the 2nd and 3rd floors. So there are 2 total units instead of 5.

32 This submission meets much of the ordinance requirements and is an attractive building.

33 There is one primary item that does not meet the ordinance requirement, which are the setbacks. The Applicant is
34 going to the Zoning Board of Appeals in February to seek a Variance. The Applicant would like the Boards input
35 as to which option that they prefer between site plan A and Site plan B. The Board should make the following
36 recommendations to the Applicant:

- 37 • What plan does the Planning Board prefer
- 38 • Provide any additional information, thoughts, red flags

39
40 Walter Wilson from Design Company introduced himself. He stated that the reason for the 2 site plans is because
41 the lot is not all that big. The setback is 20' rear and front and 15' sides. This would only leave a window
42 envelope of 25' x 38.4'. One of the site plans locates the building that meets those setbacks, but they have a front
43 extension for the front entry, which would encroach into the front yard and the one story storage room with a deck
44 above that would increase into the rear yard.

45 The other site plan pulls the building forward so that the building is only 12' from the street but with the 6'
46 extension for the front entry we end up 6' from the street, the rear setback is met. The houses and the commercial
47 buildings on that street are built right on the lot line.

48 The other site plan that include pulling the building forward allows for better continuity on the street and also the
49 front door is going to be an ADA ramp up from the sidewalk to get in.

1 Other than that, the side setbacks on Plan A, the building is shifted 2-3' to one side, Mr. Wilson has talked to the
2 owner and he would like to put the building directly in the middle. So if they go with Plan A, the only thing that
3 they need is the Variance from the ZBA to move the building to one side.

4 David walker asked if the shingles are going to be wood as shown on drawings.

5 The designer explained the shingles would be wooden shingles, which he believes is in the ordinance.

6 Planner Hinderliter stated that with the 2 different options, we thought that if the applicant had some sort of
7 recommendation from the Planning Board when they go to the ZBA they could say this is their preferred option
8 because this is what the Planning Board is thinking of.

9 Chris Hitchcock preferred plan B

10 The majority of the Board prefers plan A.

11
12 **ITEM 3**

13 **Proposal: Conditional Use: Accessory Dwelling Unit**

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

15 **Owner: Cheryl and Wayne McKee**

16 **Location: 2 Banks Brook Rd (103-4-24); Zoning: RD**

17
18 Planner Hinderliter stated the Accessory Dwelling rules have changed a bit. Staff feels that this proposal is a solid
19 one. The owners will be renovating the garage and there will be no change to the appearance and it meets all of
20 the exterior standards for single-family appearance. The primary entrance is the mudroom and goes into a
21 common space.

22 There are 2 outstanding items:

- 23 • Ensuring that the septic system can accommodate the additional bedroom. The applicant knows that they
24 need to get a site evaluation to see if both the septic field and the septic tank are sized properly. The
25 Planning Board will have 2 options with this (a) they would request the site evaluation done before the
26 board votes or (b) attach a condition to the proposal.
- 27 • A Deed covenant is recorded before any occupancy is issued for the dwelling unit.

28
29 We recommend the Planning Board determine it as complete, schedule a public hearing for the 12th of March, and
30 if you choose a Site walk for the 5th of March.

31
32 Chair Mailhot doesn't see it necessary to schedule a site walk, but the board can feel free to check out the property
33 by driving by on their own.

34
35 Board had brief discussion on septic system capacity. One additional person doesn't add much to system. Planner
36 Hinderliter explained septic design is based on the number of bedrooms not the number of people.

37
38 **MOTION:**

39 Win Winch made a motion to determine the application as complete, seconded by Chris Hitchcock

40
41 **VOTE:**

42 Chris Hitchcock: Yes

43 Win Winch: Yes

44 Robin Dube: Yes

45 Vice Chair Walker: Yes

46 Chair Mailhot: Yes

47
48 **PASSES:**

49 **(5-0)**

50
51 No site walk. Public hearing scheduled March 12th at 6:30 PM

1
2 **ITEM 4**

3 **Proposal: Conditional Use: Home Daycare**
4 **Action: Determination of Completeness; Schedule Site Walk and Public Hearing**
5 **Owner: Timothy and Dorothy Rogers**
6 **Location: 4 Cardinal Ln (103-1-15); Zoning: RD**
7

8 Assistant Planner Michael Foster explained that this conditional use daycare proposal is located in a single-family residence and is for the care of approximately 6 children, aged 6 weeks through school age. The hours of operation will be from 7:00 AM through 5:30 PM. Based on the application there will be two employees and 4 parking spaces are shown on the plan, which meets the standard. For approval this proposal needs to meet the rural district standards, conditional use standards, and childcare facility standards.

13 For parking lot and site circulation standards there are questions as to how these apply to this proposal. Is there a plan for vehicle maneuvering? Standard e. requires drop off drives to be one way. This is a home daycare and not a commercial site. The applicant may need to provide more information about site circulation and has the option to request waivers for these items.

17 For buffering the applicant responded “no” on application for buffering but it is noted there is 13-acres with natural buffer. On GIS other homes shown in area that could be impacted.

19 Applicant has provided answers to childcare facility standards.

20 The fire department mentioned at development review that requirements are less restrictive for daycare establishment caring for less than 6 children but it would require inspection by the fire department.

22 The applicant’s cover letter indicates State and fire marshal inspection is pending. Since the site plan could potentially change based on inspections you may want to wait to make a determination until State licensure is approved.

25 For this conditional use we recommend a site walk for better understanding of site layout, potential impacts on neighbors, and how the vehicle maneuvering for pick ups and drop offs will happen. A site walk should be scheduled for March 5. If a determination is made a public hearing should be scheduled for March 12th.

28 Chair Mailhot asked questions about parcel and if one property or multiple.

29 To staff knowledge this is one property.

30 Owner Tim Rogers explained it is one building and other buildings are sheds and barn. The State and fire marshal has been by and everything is all set with them.

32 Chris Hitchcock mentioned approximately 6 children mentioned in cover letter but 6 seems to be the cutoff and at some point the number of 6 as max will need to be settled on unless the requirements change.

34 The applicant Dottie Rogers mentioned she is approved by fire marshal for 10.

35 Chris Hitchcock mentioned one difference for requirements is parking.

36 Assistant Planner Foster stated the standard is one parking space per non-resident employee and one parking space for every four children. At least 4 spots would be required.

38 The applicant mentioned starting with 6 and coming back if they want to change it. They had 12 approved with previous state license. Are these new rules?

40 Last updated as recently as 2012.

41 Staff will review with public safety to find out about their standards.

42 Robin Dube made motion for complete application.

43 No second.

44
45 **MOTION:**

46 Chris Hitchcock made a motion to table, second by Win Winch.

47
48 **VOTE:**

49 Chris Hitchcock: Yes

50 Win Winch: Yes

51 Robin Dube: No

1 Vice Chair Walker: Yes

2 Chair Mailhot: Yes

3
4 **PASSES:**

5 **(4-1)**

6
7 **ITEM 5**

8 **Proposal: Multi-Unit Affordable Housing Development**

9 **Action: Discussion and Recommendations**

10 **Applicant: Terradyn Consultants, LLC**

11 **Location: 36 Portland Ave (205-1-29)**

12
13 Assistant Planner Foster stated that this proposal is before us for discussion and feedback from the planning
14 board. This is for the construction of 55 new one-bedroom apartments in one building located on the lot behind
15 the Old Orchard Beach Funeral Home. This is the lot being split off from the funeral home. 3 acres of 4 plus acre
16 site includes wooded wetland areas and will remain wooded. This project will be restricted for households headed
17 by a person age 55 or more and about 75% of the units would be income restricted. The proposed 4-story building
18 will be located in the GB-1 district and will have 15 units per floor on first three floors and 10 units on the top
19 floor. Based on the Planned Unit Development (PUD) height measurement definition this will be under the 35
20 feet max building height allowed. The developer is the Szanton Company and they manage all their units with
21 their in house management company.

22 Our initial review of this proposal raised several questions that should be addressed early on to see how this
23 would meet ordinance requirements and standards. These are in regards to the PUD/Cluster criteria, fire safety
24 and solar access criteria in regards to PUD, and parking.

25 For PUD/cluster the applicant is seeking to alter dimensional standards as allowed by the ordinance. Typically
26 you'll see these altered dimensional standards requests for single-family home subdivisions and lot size
27 reductions. In this case they want to alter the minimum area per unit dimensional requirements. They are
28 requesting the minimum lot area per unit be altered down to a PUD altered minimum lot area per unit of 1,500
29 square feet.

30 For fire safety questions, criteria # 9 of PUD criteria requires for purpose of solar access and fire safety no
31 building shall contain more than four dwelling units. We recommended the applicant provide documentation that
32 shows exceeding 4 units per building doesn't block solar access or cause additional fire safety concerns. Typically
33 to show solar access a sun path or similar diagram is used. The applicant did meet with fire safety as recently as
34 today. In regards to limiting each building to 4 units in looking at variances and waivers it is possible this can be
35 waived. Waivers are allowed provided such variation doesn't nullify the intent of the official map, comprehensive
36 plan, and zoning ordinance. Section 4 of the comp plan references the Town should encourage construction of
37 various types of elderly housing to meet needs of the Towns older residents.

38 For parking concerns we thought this needed to meet standards for elderly housing but our definition is age 62
39 and up, so although age restricted they need to meet regular multifamily parking standards. This doubled the
40 space requirement of what we originally thought and had shared with the applicant. The applicant has provided
41 parking study information, which makes a good case for reduced parking due to the walkability of the
42 neighborhood. No formal action needed this is the opportunity to provide feedback to the applicant on this
43 proposal.

44
45 Nathan Szanton thanked the board and introduced himself. They specialize in mixed income high quality rental
46 housing. He introduced Szanton Company project manager Kristin Martin, David Lloyd with Archetype, design
47 firm, and Adrienne Fine, engineer with Terradyn Consultants from Portland. This is proposed to be a 55 unit one-
48 bedroom project all in one building. It is under contract but a decision to purchase has not been made. Three
49 quarters of the units will be income restricted to 60% below area median income. The other 25% units will be
50 market rate. Heat and hot water included, a parking space. There will be wifi, a community room, fitness, and
51 indoor heated bike storage. We like the walkability, its on a bus line, walkable to the grocery store, library, Town

1 Hall, Walgreens, the bank. We want to provide needed housing that is year-round. Short-term rental would be
2 prohibited.
3

4 Adrienne Fine gave overview of site plan and zoning assessment. 36 Portland Avenue Site is currently developed
5 with funeral home and paved parking lot. The rest of the site is undeveloped forest containing wetland. Existing
6 access is through the parking lot. Approximately 3 acres will remain undeveloped. The proposed development
7 doesn't include the funeral home building. The parking lot will continue to be the access point but the parking lot
8 will be more formalized. The building will sit on the high area of the site away from abutting properties. The
9 emergency access drive will connect to ROW to existing driveway. We met with fire department today. They
10 liked the access drive and connection for emergency response. Will continue to work with them for fire truck
11 access. Ambulance access was really good on that east side of building. In the proposed parking lot there are a lot
12 of ADA parking spaces as required by Maine State Housing, and we are showing about 50-53 parking spaces. We
13 understand we will need to request a reduction in the parking ratio.
14

15 Kristin Martin with Szanton gave parking study overview. Study done for Portland development. Looked at sites
16 in Portland and Biddeford for AM and PM times, and utilization was .46 spaces per unit. Looked at own
17 properties for 55 plus and ratio similar in Portland and .73 per unit in Biddeford. Willing to dedicate some to
18 visitors.
19

20 Chair Mailhot voiced parking concern. There are two employee spaces and 5 visitor spaces referenced and that
21 leaves 38 spaces for residents in 55 housing units. It sounds low. It is .67 spaces per unit.
22

23 Win Winch referenced location and potential for visitors due to closeness to downtown. Summertime could be an
24 issue.
25

26 Kristin Martin explained management would manage parking.
27

28 Robin Dube mentioned lots of people living in places like these no longer drive and need the parking space. There
29 can be issues with snow, making people park on the road to plow.
30

31 Kristin Martin mentioned snow removal and plowing
32

33 Chair Mailhot said some may forgo their cars but this is only age 55.
34

35 Nathan Szanton explained that they have not managed a 55 plus or 62 plus property. They have talked to other
36 experienced providers and the age skews much older than 55.
37

38 David Walker asked about parking. Two handicap spots shown.
39

40 Kristin Martin responded that this needs to meet the Maine Housing requirements and the plans being shown have
41 been updated since submission. If someone without a car moved out, the apartment would be advertised as no
42 parking space.
43

44 Adrienne Fine explained discussion with planning department to propose as PUD because GB-1 standards only
45 allow 17 units and this will approach will allow the desired 55 units. We wanted to hear the board's feedback on
46 that Planned Unit Development approach, and the fire access that was mentioned. Architect David Lloyd will
47 present first.
48

49 David Lloyd introduced himself and firm specializes in housing. Works together with Maine State Housing
50 projects. This site is designed contemporary but we wanted to pick up on traditional neighborhood architecture.
51 Fourth floor designed with gable roof used and dormers to break it up. Going for traditional cottage look with

1 white building with black windows. Met fire chief and reviewed site. We redesigned site by moving stairwells.
2 Full fire alarms, 100% sprinkled. For noise use a double stud wall filled with cellulose.

3
4 Chair Mailhot stated she doesn't like to give waivers. This is not an extraordinary and unnecessary hardship.
5 Being able to add more units making it more economically feasible doesn't make it a hardship.

6
7 Win Winch said more units in this situation for needed housing. Given location close to downtown, its pretty
8 dense anyway.

9
10 Adrienne Fine explained they understand under PUD its not a waiver and it is a density area modification. We
11 proposed a number that worked for desired number of units.

12
13 Robin Dube asked Planner Hinderliter if this could fall under the standards referenced.

14
15 Planner Hinderliter responded that planning thinks there would be two waivers with this proposal. Density would
16 not require a waiver. You need to look at it a little differently because we are used to working with cluster
17 subdivisions on a lot based scale but you can also seek a reduction in density through the same standards. The two
18 primary waivers with this would be parking most likely, and a second waiver associated with 4 units per building,
19 which is the PUD standard. We have representation throughout town of more than 4-unit buildings.

20
21 Chris Hitchcock mentioned a gazebo with a place to sit or pond would be nice.

22
23 David Walker mentioned being excited about this project.

24
25 Win Winch mentioned there is a two-year waiting list in Ocean Park.

26
27 Nathan Szanton explained this is under contract until March 6th and they have to make a decision to buy or not.
28 They wanted to get a feel from the board if they could imagine approving a project with this amount of parking
29 and this size, so they don't buy it and find its not going to fly.

30
31 Chair Mailhot stated that from where she is sitting the proposal was generally viewed favorably. It's in the early
32 stage and we haven't seen the current plan.

33
34 Robin Dube recommended getting an extension on the sale to complete the process.

35
36 **ITEM 6**

37 **Proposal: Conditional Use: Installation of small cell antenna on utility pole**
38 **Action: Determination of Completeness; Schedule Site Walk and Public Hearing**
39 **Owner: Central Maine Power; Agent: New Singular Wireless PCS, LLC**
40 **Location: Adjacent to 78 East Grand Ave, Walnut St. side (304-7-1); Zoning: BRD and LC Shoreland**

41
42 Assistant Planner Foster stated the proposal needs to meet the location and use requirements for Wireless
43 Telecommunication Facilities (WTF), the standards for architectural siting on existing structures, and the
44 conditional use standards.

45 A review of the cover letter and application was completed. One question is if the pole is located on private
46 property or not. The applicant clarified with review of GIS and pole attachment agreement that the pole is in the
47 public right of way. The site plans were also updated to reflect the correct county of York. The documentation for
48 submission requirements is in the packet and addressed in letter to Planning Board from Michael Dolan. One item
49 in question was submission requirement #9 for the surety bond for cost of removing if abandoned. This seems to
50 be more for construction of a wireless tower. The applicant responded that please refer to the bond submitted
51 herewith. We may have looked it over in the packet. The board can waive submission requirements.

1 This is in the BRD district, a third priority location. Other priority location was too far away from where coverage
2 needed. The responses to standards and requirements are in your packet. Staff recommends a determination of
3 completeness be made at this time and a public hearing scheduled. If the planning board thinks it's necessary a
4 site walk can be scheduled. This is located adjacent to a hotel and noise could be an issue, my only concern would
5 be if noise impacts them. The decibel ratings are low and an air conditioner running would probably be as loud.

6
7 Chair Mailhot mentioned it is also next to the train tracks.

8
9 Assistant Planner Foster recommended that a determination of completeness be made and the public hearing
10 should be scheduled for March 12.

11
12 Planner Hinderliter mentioned the WTF ordinance seems to be old and the standards are more directed to full wtf
13 sites.

14
15 Michael Dolan added a letter was attached for certifying the cost to remove the facility and they would agree to a
16 removal bond. Hopefully with approval they would attach that in the application. Maybe we didn't state that
17 correctly.

18
19 Assistant Planner Foster responded he did see the letter in the packet and just didn't recognize it.

20
21 Chair Mailhot didn't see any reason for a site walk.

22
23 **MOTION:**

24 Chris Hitchcock made a motion to determine the application as complete, second by Win Winch.

25
26 **VOTE:**

27 Chris Hitchcock: Yes

28 Win Winch: Yes

29 Robin Dube: Yes

30 Vice Chair Walker: Yes

31 Chair Mailhot: Yes

32
33 **PASSES:**

34 **(5-0)**

35
36 **ITEM 7**

37 **Proposal: Conditional Use: Installation of small cell antenna on utility pole**

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

39 **Owner: Central Maine Power; Agent: New Singular Wireless PCS, LLC**

40 **Location: Right-of-Way adjacent to 116 West Grand Ave (313-1-1); Zoning: BRD**

41
42 This is another AT&T wireless communication facility. As with other similar proposals this needs to meet the
43 location and use requirements, WTF submission requirements, the standards for architectural siting on existing
44 structures, and as well the conditional use standards. The applicant submitted a letter addressing all these items.
45 The one remaining question previously was to update the site plan to reflect the correct county and that has been
46 submitted. The other remaining question was in regards to the performance surety, which was discussed earlier

47
48 **MOTION:**

49 Win Winch made a motion to determine the application as complete, seconded by Chris Hitchcock.

50

1 Chair Mailhot mentioned that the public hearing will be on March 12th at 6:30 for the previous item as it will be
2 for this item. We have a motion and a second.

3
4 **VOTE:**

5 Chris Hitchcock: Yes
6 Win Winch: Yes
7 Robin Dube: Yes
8 Vice Chair Walker: Yes
9 Chair Mailhot: Yes

10
11 **PASSES:**
12 **(5-0)**

13
14 **ITEM 8**

15 **Proposal: Site Plan Review: Existing multi-unit building 5,300 sq. ft. addition for J1 housing**
16 **Action: Determination of Completeness; Schedule Site Walk and Public Hearing**
17 **Owner: Jeff Corbin**
18 **Location: 90 Union Ave (313-1-1); Zoning: BRD**

19
20 Planner Hinderliter mentioned this proposal is for a 5,300 sq. ft. addition to an existing multifamily building. The
21 5300 sq. ft. is basically two floors built vertically on top of the existing footprint. If you've been by this site it's a
22 predominant building off Union Ave, very close to the Salvation Army tabernacle. If you look at the building
23 from Union Ave, you will see a garage, and the two floors are proposed to be built on top of that garage space.
24 The use of the proposed space is for temporary student housing or J-1 students. The memo discusses a number of
25 items. We feel there are five primary items that need to be addressed before the application is determined
26 complete.

27 First, is related to the building occupancy. This is probably one of the most important items on this. It's a bit
28 unique with the planning boards review of this. Typically, we review how things are site related, the exterior of
29 building, the site functions. Because the question of occupancy is so important the planning board needs to get
30 into the discussion and understand occupancy, especially with the comments from the fire department. The
31 building is a concern of the fire department. We believe that the plans that would be submitted for state fire
32 marshal review will need to be part of the planning board review.

33 Second, the applicant is looking to waive some of the site plan requirements. With the vertical addition and no to
34 little parking, due to the type of occupants, J-1, typically they don't have vehicles. They walk, bike, and have
35 scooters. The applicant is saying that the site plan isn't needed because there is no change to the site itself, it is
36 just a vertical expansion in the existing footprint. There is a waiver request and planning board will need to
37 consider if the applicant has made a successful argument for the granting of the waiver.

38 Third, is parking. There is nowhere to get parking on this lot, there is a garage, but with existing three family they
39 would occupy whatever potential parking you could semi legally do out there. J-1's almost never have a vehicle.
40 We still can't ignore the parking standards. A waiver would be required of the parking standards for this proposal.

41 Fourth, is the method of construction. Its very close to another building and the public ROW of Union Ave and
42 Washington Street extension. Trying to construct this building without encroaching on the public ROW will be
43 difficult. If this moves to approval phase it would be good for the applicant to put some thought into how this will
44 be constructed.

45 Fifth, is trash, particularly waste. The additional occupants will generate trash. Right now, Jeff Corbin has three
46 receptacles for three units. There will need to be additional provisions for the collection of trash and this use
47 would require the trash to be privately hauled. Questions are, where will trash containers be stored, how will it be
48 shielded?

49 Finally, the planning board needs to consider ensuring that if this moves forward the use remains as temporary
50 seasonal housing. One concern is what happens in the winter. Does this become a boarding house or three more
51 dwelling units? It will be important for planning board to ensure this remains as only temporary seasonal housing.

1 One thing we suspect is that fire requirements could be considerable adding considerable expense to this proposal.

2
3 Jeff Corbin stated that he agrees about potential fire department concerns and will review. That is a considerable
4 expense and will be a big factor.

5
6 Win Winch stated that it is a scary scenario with three garages under 50 students and that is a scary combination.
7 My first reaction is this is a potential tragedy waiting to happen. That building is so cramped as it is.

8
9 Jeff Corbin stated he doesn't want to max it out and thinks the new revised ordinance allows 25 per unit. From a
10 management perspective that many wouldn't be wanted.

11
12 Robin Dube asked if it is an open floor plan.

13
14 Jeff Corbin responded that he was coming to the planning board to feel it out. Hadn't gotten to designing interior
15 space. The first thing he will do is have a discussion with the fire department because that is the biggest factor.

16
17 **MOTION:**

18 Vice Chair Walker made motion to table, second by Robin Dube.

19
20 **VOTE:**

21 Chris Hitchcock: Yes

22 Win Winch: Yes

23 Robin Dube: Yes

24 Vice Chair Walker: Yes

25 Chair Mailhot: Yes

26
27 **CARRIES:**

28 (5-0)

29
30 **Other Business**

31 Planner Hinderliter mentioned the Joseph's by the Sea Design Review Certificate application. This is a basic
32 proposal, no controversy associated with this that we are aware. The DRC recommended that the planning board
33 approve.

34
35 Win Winch made a motion to approve the certificate of appropriateness, seconded by Chris Hitchcock.

36
37 Chris Hitchcock: Yes

38 Win Winch: Yes

39 Robin Dube: Yes

40 Vice Chair Walker: Yes

41 Chair Mailhot: Yes

42
43 **CARRIES:**

44 (5-0)

45
46 **Good and Welfare**

47 Mark Koenigs mentioned he will be traveling for a project in Canada, but will serve out his term. He will be
48 working three weeks on and three weeks off. This board is engaged and there is always a quorum. Questions for
49 the Town planner about some items in neighborhood. One was the grant for updating the streets, sewer, water,
50 and sidewalks. Informed some ordinances will be applied to that sidewalk so if you have an existing driveway that
51 doesn't meet the ordinance, like if you have more frontage, you will lose your driveway or your space. How do

1 people in the neighborhood go about dealing with this? Is it through the planning department or public works, or a
2 grant project and the Town manager? What is the process?
3

4 Planner Hinderliter recommended starting with public works.
5

6 Mark Koenigs mentioned more and more people are parking on their lawns in the winter. A contractor is driving
7 over the sidewalk by his property and there is no enforcement. Second, is on the corner of Union and Washington.
8 It was getting remodeled and now they've torn down the whole front of the building. Did it come before the
9 planning board?
10

11 Planner Hinderliter stated it went to the ZBA for density variance. Second, it didn't trigger planning board review
12 because they didn't demolish the entire building and rebuild. They did come back to us at one time but we
13 informed them if it gets demolished they need to go before the planning board because they wanted be adding
14 3,000 sq. ft. of multifamily space.
15

16 Robin Dube asked when the building becomes unsafe.
17

18 Planner Hinderliter responded it is determined by codes and they went through it when it was huge rooming
19 house. Codes was surprised by how intact it was. Joe Cooper has jurisdiction over curb cuts so not much can be
20 done in codes or planning. Codes was looking into the contractor driving, and we will follow up.
21

22 **ADJOURNMENT**

23 **8:18 PM**