

1  
2 OLD ORCHARD BEACH PLANNING BOARD  
3 Regular Meeting MINUTES  
4 July 14, 2022 6:30 PM  
5 Town Hall Council Chambers  
6  
7  
8  
9

10 *MINUTES MAY NOT BE TRANSCRIBED VERBTIM. SECTIONS MAY BE PARAPHRASED FOR*  
11 *CLARITY. A COMPLETE RECORDING MAY BE OBTAINED BY CONTACTING THE TOWN CLERK AT*  
12 *207-934-4042 OR [kmclaughlin@oobmaine.com](mailto:kmclaughlin@oobmaine.com)*  
13

14  
15 CALL MEETING TO ORDER

16  
17 PLEDGE TO THE FLAG

18  
19 ROLL CALL

20 Chair Walker asked Town Planner Jeffrey Hinderliter for the roll call and Jeffrey took the roll call as  
21 follows:

22  
23 Win Winch  
24 Robin Dube  
25 Jay Kelley  
26 Marianne Hubert  
27 Chair Walker  
28 Vice Chair Hitchcock  
29

30 Chair Walker then stated they have a full house with the exception of Sam Dupuis who has an excused  
31 absence for the evening.  
32

33  
34 Minutes: 6/9/22

35 Chair Walker asked if there were any discussion on the Minutes. Seeing none, Mr. Winch made a motion  
36 to accept the Minutes, and Ms. Hubert seconded the motion. Chair Walker then asked Town Planner  
37 Jeffrey Hinderliter to call for the vote and the vote was as follows:  
38

39 Win Winch YES  
40 Robin Dube YES  
41 Marianne Hubert YES  
42 Chair Walker YES  
43 Vice Chair Hitchcock YES  
44

45 Chair Walker then stated that carries 5-0.  
46  
47  
48  
49  
50

1 Regular Business

2 ITEM 1

3 Proposal: Subdivision Amendment: Reconsideration of request to remove condition attached to  
4 subdivision lots

5 1 – 4 regarding second access construction

6 Action: Discussion; Final Ruling

7 Applicant: Ross Road LLC

8 Location: 1 – 7 Mary’s Way, MBL’s: 107-1-401 - 404; Zoning: RD

9  
10 Town Planner Jeffrey Hinderliter updated the Board as follows:  
11

- 12 • This item is a proposed amendment to the Eastern Trail (ET) subdivision off of Ross Rd. requesting  
13 the Town allow development of 4 lots, identified as lots 1-4 on the approved subdivision plan,  
14 before the second road access is constructed
- 15 • When ET Estates was originally approved the Planning Board (the Board) placed a condition on lots  
16 1-4 which tied development of these lots to the creation of a second access
- 17 • The reason for the condition was that the 20 lot subdivision requires 2 access connections with  
18 existing public streets and at the time only 1 access could be secured
- 19 • The second access was to be included in a not yet approved extension of the subdivision which is  
20 located in Saco
- 21 • So, to allow the development to move forward, the Board attached the condition which prevents  
22 development of lots 1-4 until there is a second access road connecting to Mary’s Way
- 23 • With ET Estates near completion, the developer would like to develop the 4 lots to help fund the  
24 extension of ET Estates into Saco which includes the connection to the second access
- 25 • In order to do this, the condition must be removed which is what the applicant is requesting
- 26 • This request was considered by the Board at the June meeting. At that time the Board decided to  
27 not approve the amendment
- 28 • After the meeting, I thought this proposal could have been presented to the Board in a better way
- 29 • So to be fair to the Board and applicant, I requested reconsideration of this item through a formal  
30 waiver request
- 31 • The applicant has the same request but now includes a waiver to support the request
- 32 • The applicant waiver requested is not really a traditional waiver where someone asks for a standard  
33 to not apply. It’s more of a modification because the applicant intends to build the second access so  
34 the standard will still be met, it just will not be met before development of the 4 lots
- 35 • The applicant’s submission includes why he believes the Board should grant a waiver
- 36 • The Board’s responsibility is to determine if due to special circumstances of a particular plan certain  
37 required improvements are not needed in the interest of public health, safety, and general welfare
- 38 • In other words, the second access is not needed at this time because this access is not essential for  
39 ensuring the health, safety and welfare of the neighborhood residents, town functions and overall  
40 population
- 41 • If the waiver is granted, the condition can be removed and the applicant can begin development of  
42 the 4 lots
- 43 • In the memo, I provide my thoughts and conclude the request should be granted if we have  
44 confidence that the second access will be built and operational within a reasonable time frame. And  
45 note that in the ordinance, the time period for constructing the second access is not stated; it just  
46 says that the second access is required, so the condition that has been imposed is actually stricter  
47 than what the standard requires
- 48 • Also in the memo are a motion for conditional approval and a motion for denial

1 Bill Thompson, of BH2 Engineers, then approached the Board. Bill stated that he was here with the  
2 applicant, Kevin Beaulieu. He reiterated the reasons for requesting the waiver, noting that it was a request  
3 to change the time line only. Bill also explained that he has shown what the Saco subdivision will look like  
4 with the 20 lots, further showing that Kevin is serious about moving this forward, to get that 2<sup>nd</sup> access out  
5 to Easy Street. Bill then stated that for 2 other projects that BH2 engineered here in town, one project at  
6 Orchard Estates has 34 units with only 1 access road, and that there are multiples projects at Dunegrass,  
7 one being at the Turn, with 24 lots with 1 access, with no waivers requested or granted. Bill is hoping the  
8 condition will be removed with the Board granting the waiver, and he is hoping that the Board does not add  
9 a condition to not issue any occupancy permits until the road is built as he is unsure of the timing issues  
10 with the Saco Planning Board. Chair Walker then stated that Bill's examples of other projects not requiring  
11 the 2<sup>nd</sup> access have no bearing on this Board's decision as those decisions were made at the hands of other  
12 Board members, not the current Board. Chair Walker then questioned why the project has taken so long to  
13 get this approval started, that the plan was approved in 2017. Bill explained it was a timing issue, they  
14 wanted to ensure that the lots could be sold, and that 5 years isn't a long period of time. Chair Walker then  
15 asked if the Board grants the opportunity to build those 4 lots, and the applicant defaults on the requirement  
16 to add the 2<sup>nd</sup> access, how does the Board recoup the loss of the 2<sup>nd</sup> access? Bill stated that there are no  
17 guarantees, other than what he knows of the developer. Ms. Hubert then asked when they were planning on  
18 going to Saco, to which Bill replied it could go in as early as Monday to get on their agenda. Ms. Hubert  
19 then asked if they could wait for the project to be in their books before we move forward? Bill then  
20 explained that Saco is really bogged down, and that condition may force them into a hard place. Ms. Dube  
21 then asked about Chair Walker's comment about prior Board's decisions not weighing in, and says she  
22 feels that because 4 of the Board members were on that Board, their opinions do matter and this project is  
23 no different than us doing Dunegrass project after project. She stated that Kevin Beaulieu is a true business  
24 man, he is not going to put his neck out there if he doesn't have the financial backing. She added that she  
25 doesn't feel there is justification for not allowing him to move forward. Ms. Hubert then added that she  
26 feels that they are setting precedents for other projects, the standards require a 2<sup>nd</sup> egress for 15 or more  
27 lots. Chair Walker clarified that the examples given by Bill were at the hands of a different Board, and the  
28 Dunegrass was part of a Master Plan. Mr. Winch then stated that he agrees with what Jeffrey said, that the  
29 ordinance does not state the timing requirement of the 2<sup>nd</sup> access, and there are no safety issues involved  
30 with this. Vice Chair Hitchcock stated that he has an opposite opinion, that the 2<sup>nd</sup> access is a requirement,  
31 and it only seems logical that it be done before the project is completed. Vice Chair Hitchcock then stated  
32 that the language that they keep citing is clear: "four internal lots, shown as 1,2,3 and 4, shall not be built  
33 until there is a second access road connecting to Mary's Way", and then stated that he doesn't see this as a  
34 timing issue and he sees no reason to change the decision of a prior Planning Board, a decision that was so  
35 clear and in consonant with the ordinance. Mr. Kelley then said what they need to do is to look at the big  
36 picture. We have a very reputable developer here, and the 4 house lots in question here have no impact on  
37 the 2<sup>nd</sup> exit whatsoever. He also stated that if he were a voting member tonight, which he's not, he would  
38 vote to approve the request. Chair Walker then asked if there were other comments, to which Town Planner  
39 Jeffrey Hinderliter stated that re Ms. Hubert's concern about the Board setting a precedent, Jeffrey does not  
40 feel the Board is setting a precedent for 2 reasons: first is that the 2<sup>nd</sup> access will be built so we're not  
41 actually waiving the requirement, and second, the condition is very good based on the prior Planning Board  
42 decision. Jeffrey added that he believes that the condition went beyond what the actual ordinance requires,  
43 and the ordinance doesn't talk about timing, it doesn't say that the subdivision must be complete or at what  
44 point the 2<sup>nd</sup> access is required. Without more definitive language, Jeffrey feels that he is more in favor of  
45 the waiver request and has provided him with more confidence to support the recommendation. Ms. Hubert  
46 then added that she can support it once it is filed with Saco, then it is an existing applied street that is in the  
47 process. Chair Walker then asked if there was any more discussion, and seeing none, asked for a motion.  
48 Mr. Winch made a motion as follows:

1 I make a motion to approve the request to modify Sec. 74-309 (I), Connections with existing public streets,  
2 which will allow development of Lots 1 – 4 in Eastern Trail Estates before construction and operation of a  
3 second access to existing public streets.

4 Motion was seconded by Ms. Dube. Chair Walker then asked Town Planner Jeffrey Hinderliter to call for  
5 the vote, and the vote was as follows:

6  
7 Win Winch YES

8 Robin Dube YES

9 Marianne Hubert NO

10 Chair Walker NO

11 Vice Chair Hitchcock NO

12  
13 Chair Walker then stated that motion is denied 3-2.

14  
15  
16  
17 ITEM 2

18 Proposal: Site Plan: Self Storage Facility

19 Action: Determination of Completeness Review; Schedule Public Hearing

20 Applicant: Sebago Technics, Inc

21 Location: 15 Ocean Park Rd., MBL: 210-10-3; Zoning: GB1

22  
23 Assistant Town Planner Michael Foster updated the Board as follows:

24  
25 This proposal was last before the Planning Board for review in April and the applicant addressed multiple  
26 review comments during their April presentation. The applicant is now proposing a total of 8 storage  
27 buildings, with one building proposed to be climate controlled with an office. The PB conducted a site walk  
28 in May. For this month the application is up for determination of completeness and to schedule a public  
29 hearing for next month. The applicant provided responses to previous comments, and changes in the  
30 submittal include removal of the 25-foot- wide access drive previously proposed along the easterly side of  
31 the site, with the access drive now proposed along the westerly side, and the addition of a smaller storage  
32 building where the access drive is now proposed. Planning staff feels that moving the access drive as  
33 proposed should reduce potential impacts to abutting residential properties on Melvin Ave. Provided to you  
34 tonight are the Wright Pierce and Fire Department memos, the waiver request from the applicant, and an  
35 updated recommended motion by Staff.

36  
37 **Some of the bigger items previously discussed include:**

- 38 1. *Offset from intersections* standard and waiver request,
- 39 2. Access to the site regarding vehicle staging,
- 40 3. Site maneuvering for fire apparatus,
- 41 4. Screening and buffering, and
- 42 5. Noise.

43  
44 **The updated applicant responses to the above items:**

- 45 • The *Offset from intersections* standard requires a minimum 100-foot separation be maintained  
46 between any driveway and the curblin tangent of intersecting arterial and/or collector streets. It is  
47 important to note that this 100' is a minimum and *based on existing or projected traffic conditions,*  
48 *the planning board may require more than 100-foot separation distances.*

- 1           ○ The applicant's updated submittal for July did request a waiver in their responses to staff  
2           comments. For the Planning Board to grant waivers, the applicant needs to demonstrate that  
3           the *offset from intersections* standard is impractical or technically infeasible, and that  
4           modification of these standards will not create unsafe conditions for vehicles or pedestrians.  
5           We recommended the applicant submit a letter requesting the waiver with supporting  
6           information and a copy was provided to you. In their memo from their professional  
7           transportation engineer, to support the request, they cite the following in consideration of the  
8           waiver: the proposed development is considered a low traffic generator when looking at a  
9           trip generation manual, and they also reference the adequate intersection site distance. To  
10          align directly with Jeannette Ave., they will need to move the utility pole along with utility  
11          services and other poles in the Ocean Park Road corridor. And Smithwheel and Jeannette  
12          are only separated by 90', so a driveway at this location cannot meet the 100' separation  
13          from both intersections, no matter where you put it.
- 14
- 15          ○ Does the PB feel the applicant has demonstrated that the *offset from intersections* standard is  
16          impractical or technically infeasible, and that modification of these standards will not create  
17          unsafe conditions? A decision on the waiver does not need to be made tonight, but if the  
18          Planning Board doesn't think they will support it, they should let the applicant know now so  
19          they can make any adjustments for the final plan submittal.

- 20
- 21          ● A driveway access diagram was included and shows a WB-67 semi-trailer staged at the access gate  
22          and the applicant's response indicates there is 80 feet of vehicle storage. Does the Planning Board  
23          feel that is adequate? To give you some idea, looking online at the largest U-Haul truck for  
24          moving, it's 34'6" bumper to bumper.
  - 25          ● A turning movement plan has been included in the plan for fire apparatus access and site  
26          maneuvering.
  - 27          ● Regarding screening and buffering, the applicant is no longer proposing an access drive along the  
28          easterly side of the site and is proposing a chain link fence with barbed wire along the easterly  
29          property line. Does the proposed chain link fence provide adequate buffering/screening from  
30          residential neighbors on Melvin Ave? Buffering has a higher standard than screening and *shall*  
31          *achieve between 75 percent to 100 percent year-round visual obstruction*. The Planning Board  
32          should be clear in their expectations so the applicant can prepare.
    - 33                  ○ Please note *Section 66-206* of the ordinance regulates the use of barbed wire, and it states  
34                  that it is unlawful to erect or maintain within seven feet of the ground level. Is barbed wire  
35                  needed here?
  - 36          ● The rear area between the storage units and the stormwater wet pond has been proposed as a paved  
37          storage area for motor homes and boats. Should this area be required to meet the same buffering  
38          standards as a parking lot?
  - 39          ● Regarding noise, the applicant has indicated that the access drive on the easterly side is no longer  
40          proposed and that a note has been added to the site plan limiting access to the facility from 11PM to  
41          6AM. This note could not be located on the plan and should be added. The applicant responses  
42          regarding 24/7 operation weren't clear where one response says they will limit access, and another  
43          response says access to the facility will not occur, between 11PM to 6AM. This should be clarified.

44

45          **Additional staff comments:**

- 46          ● Regarding traffic the applicant indicated that the trip generation provided is based upon the  
47          completed build out of the facility and fully occupied to provide the highest anticipated generation  
48          of traffic. Does the Planning Board need any additional information regarding traffic to support the  
49          applicant's waiver request?

- 1 • Applicant responses to the *Sec 78-216 Site Plan criteria* for approval have been submitted.
- 2 • The number of parking spaces has been increased to a total of 5 standard parking spaces and one
- 3 ADA space. The applicant has indicated proposed parking is based on one employee.
- 4 ○ One thing to note: This parking area abuts Ocean Park Rd and requires screening. Does the
- 5 Planning Board feel the proposed tree is enough?
- 6 • For signage the applicant requests that the detail of the sign be coordinated with the Code Office
- 7 during the building permit application review process.
- 8 • The applicant has indicated that no dumpster is proposed for the site because customers are
- 9 responsible for removing their own waste from the property.
- 10 • Snow storage areas have been added to the plan.
- 11 • Additional fencing is not proposed around the wet pond. The applicant indicated that the wet pond
- 12 is designed with a 10-foot-wide safety bench.
- 13 • We received basic building plans for a storage unit, but it doesn't appear the plans for the climate-
- 14 controlled storage/office building were in the updated submittal. There is a condition on receiving
- 15 plans.

### 16 RECOMMENDATIONS:

17 The applicant has submitted responses to previous staff and engineering comments as requested and the  
18 complete list is in their Review Comment Response letter. The July submittal packet was just missing those  
19 climate-controlled storage building plans. The applicant will want to respond to updated review comments  
20 provided by the Fire Department and Wright Pierce.

21 The big piece for the Planning Board to discuss is that waiver request. Do you have what you need for  
22 information to consider it? The Planning Board should also provide guidance for buffering. Will the  
23 proposed chain link fence provide adequate screening/buffering?

24 Planning Staff supports the application being determined as complete, subject to receiving those building  
25 plans, so that a public hearing can be scheduled to receive feedback from the public.

26 A Public Hearing should be scheduled for Thursday 11 August at 6:30PM

27 Chair Walker then stated that what he'd like to do first is to discuss the intersection offset waiver request,  
28 and either approve or deny that so that we don't waste the applicant's time any further. Mr. Winch then  
29 stated that he drove out there today, drove down Jeannette, and feels that the offset intersection is unsafe,  
30 and would like to see the opinion of the traffic engineer. Chair Walker then asked Town Planner Jeffrey  
31 Hinderliter how long it would take to get a traffic study done in this area. Jeffrey replied that he did not  
32 know, he didn't know of their in-house ability. The applicant then stated that the memo was prepared by a  
33 traffic engineer, and feels that the amount of traffic does in fact have a direct impact on the safety of the  
34 conditions. Mr. Winch then replied that moving that pole would increase the safety factor, to which the  
35 applicant stated that he did not agree or such would have been recommended by his traffic engineer. Chair  
36 Walker then stated that he was coming back into town yesterday on 195, and someone was making the left  
37 into Dunkin Donuts, and another car was making a left onto Jeannette, and there were a couple of close  
38 calls, it's a scary road right there, and thus understands why Mr. Winch is requesting the opinion of the  
39 traffic engineer. Chair Walker further stated that he does not want someone's opinion, he wants to know  
40 facts, numbers, statistics. Mr. Kelley then added that a traffic study could be done on Jeannette, there is  
41 more traffic on Jeannette than there will be out of that development. The applicant replied that there is an  
42 existing traffic problem there, but is there any practical impact on that with this project? Ms. Dube then  
43 asked Town Planner Jeffrey Hinderliter how many traffic studies have been done in that area? Jeffrey  
44 Hinderliter then replied that with the way our ordinances are, you could have an extremely high traffic  
45 generator that does not require Planning Board review, and we have absolutely no oversight over that.

1 There have been some very technical traffic studies done, but none associated with this specific type of  
2 development. Jeffrey then also stated that there are more important issues to address in this area than the  
3 traffic generated from this proposal. Jeffrey continued that if the Planning Board is going back and forth on  
4 this, we could do a full blown traffic study, but that may take 6 months to a year, takes a lot of work, and he  
5 feels that it is not needed. He also suggested that in order to give the Planning Board more confidence in  
6 this, they could contact one of the traffic engineers that we have used, to take a look at their access, to do a  
7 basic review of the proposal. Ms. Dube then stated that the Town of Old Orchard should do a traffic study  
8 in that area once and for all. Mr. Kelley then asked if they did a traffic study for Dunkin Donuts, and if so,  
9 what did they come up with. Jeffrey Hinderliter replied yes, a study was done. Mr. Kelley then added that  
10 since Dunkin Donuts has gone in there, there has been just a few accidents in that area, but this project  
11 doesn't warrant an additional traffic study. Jeffrey Hinderliter then replied that if traffic is a concern, it  
12 shouldn't hold us up moving forward in this process but is maybe something we contact Gorrill Palmer  
13 about. The applicant then stated that he would be happy to have his traffic engineer be at the Public  
14 Hearing. Assistant Town Planner Michael Foster then added that he had a couple of comments to add. He  
15 stated that this roadway is a DOT roadway, and their previous proposal would have required a traffic  
16 movement permit, but this does not require that, which is something worth highlighting. Also, re the studies  
17 talked about, the previous roundabout study was done, and the Town is trying to work with Saco right now  
18 and is putting RFPs out to look at this area. Chair Walker then asked the Board if they would like to delay  
19 the ruling on the waiver request until after the Public Hearing, and all agreed.

20  
21 The applicant then addressed some of the issues of the proposal, including the driveway along the back, the  
22 note re no access from 11pm – 6am, the alignment of the driveway, the 6" waterline to the fire hydrant, the  
23 façade of the building and the landscaping, the maneuvering, and the gate access. He then asked if there  
24 were any other concerns of the Board, and would appreciate being scheduled for a Public Hearing. Chair  
25 Walker then asked if the Board had any comments. Vice Chair Hitchcock asked for clarification re there  
26 being no access from the back and if there would still be doors there. The applicant then replied that the  
27 buildings were ordered about a year and a half ago, and yes, the doors will still be there. Vice Chair  
28 Hitchcock also asked about the gate access being open during most of the day, to which the applicant stated  
29 that yes, the gate would be open while the employee office was open. Ms. Hubert then stated that if in  
30 order to provide a longer driveway and potentially solve some of the traffic issues, they could have 2 gates.  
31 Chair Walker then asked about the chain link fence, if the slots were going to be filled. The applicant  
32 replied they are considering options, to which Chair Walker stated that they would like to have complete  
33 buffering along that abutter side. Ms. Dube then stated that the idea of a chain link fence with barbed wire  
34 on top was not a good idea. The applicant replied that over 60% of self-storage renters are women, and  
35 they like lighting and barbed wire because they feel more secure. Chair Walker then asked if barbed wire  
36 could be put on top of stockade fencing, to which the applicant replied yes, it could be. If was then agreed  
37 that either stockade or chain link w slots to achieve buffering would be acceptable. Chair Walker then  
38 asked for a motion, and if no motion was made, he would schedule a Public Hearing. Ms. Hubert then  
39 made the following motion:

40  
41 *I make a motion to determine the site plan application as complete for a Self Storage Facility, located at 15*  
42 *Ocean Park Rd., MBL: 210-10-3; Zoning: GB1, applicant Sebago Technics Inc, subject to the following:*

- 43 1. *Applicant shall provide a formal waiver request letter with justification and show requested offset*  
44 *from intersections on plan. Plus a traffic engineer would attend the next meeting.*
- 45 2. *Applicant shall provide building plans of all proposed structures including interior layout, side and*  
46 *front elevations drawn to a scale of not less than one-fourth inch to one foot.*

47  
48  
49 *Chair Walker added that he would schedule a Public Hearing for Thursday 11 August at 6:30PM*  
50

1 Motion was seconded by Vice Chair Hitchcock, and Chair Walker then asked Town Planner Jeffrey  
2 Hinderliter to call for the vote. The vote was as follows:

3  
4 Win Winch YES  
5 Robin Dube NO  
6 Marianne Hubert YES  
7 Chair Walker YES  
8 Vice Chair Hitchcock YES

9  
10 Chair Walker then stated that motion carries 4-1.

11  
12  
13 ITEM 3

14 Proposal: Ordinance Amendments: Amend Medical Marijuana Ordinances Ch. 18 and Ch. 78  
15 Action: Discussion; Schedule Public Hearing  
16 Applicant: Town of Old Orchard Beach

17  
18 Town Planner Jeffrey Hinderliter updated the Board as follows:

- 19 • This item proposes to amend the medical marijuana ordinances so medical marijuana registered  
20 dispensaries and medical marijuana production facilities are no longer allowed in any zoning district
- 21 • This proposal is in response to a recently adopted moratorium on medical marijuana registered  
22 dispensaries and production facilities
- 23 • The proposed amendments will change language in Ch. 78 and Ch. 18 of our ordinances
- 24 • Regarding Ch. 78, these amendments fall under the Planning Board's jurisdiction for review and  
25 recommendation to Council
- 26 • The Ch. 78 amendments remove medical marijuana registered dispensaries and production facilities  
27 as conditional uses so they will no longer be allowed, remove most of the medical marijuana  
28 definitions, and remove most of the medical marijuana conditional use language
- 29 • Medical marijuana primary caregiver language remains because municipalities are required by state  
30 law to allow the use
- 31 • Regarding Ch. 18, these amendments do not fall under the Planning Board's jurisdiction and are  
32 only provided so you're aware
- 33 • The Ch. 18 amendments remove all medical marijuana related language associated with business  
34 licensing. If the amendments are adopted, the uses that require a business license will no longer be  
35 allowed so it makes no sense to leave medical marijuana business license standard in the ordinance
- 36 • Recommend Planning Board schedule a public hearing to be held on 11 August for the Ch. 78  
37 ordinance amendments

38  
39 Chair Walker then asked for any discussion by the Board. Seeing none, a Public Hearing was scheduled for  
40 August 11 at 6:30pm.

41  
42 Other Business

43 Town Planner Jeffrey Hinderliter wanted to give the Board a summary of the State's rule changes re  
44 affordable housing. The State is trying to address affordable housing issues, and has decided to enact a  
45 couple of ordinances that they are requiring municipalities to adopt by July 1, 2023, so you are going to see  
46 amendments to our ordinances associated with these changes. Right now, we are waiting for some of the  
47 interim guidance which should be completed this fall. One of the changes includes a density bonus of 2 ½  
48 times the typical density which would be given to developers who provide a certain % of affordable  
49 housing attached to their project. A second change is that if a lot does not contain an existing dwelling



1 unit, the law would allow structures to have 2 units per lot, pretty much regardless of the town's density  
2 requirements. Chair Walker asked about setbacks as well, to which Jeffrey Hinderliter replied that the  
3 Town does have a say about setbacks, but we have to allow that density. Jeffrey added that if there is an  
4 existing lot in a district which allows residential use, which all of our districts do, and the lot is in a  
5 designated growth area according to our comprehensive plan, you are allowed to go up to 4 additional units  
6 per lot. The third item being changed is re accessory dwelling units, they will have much looser standards,  
7 and the changes here are that they must be allowed in all districts, they can be in a detached structure, and  
8 they do not have to have that in-law requirement that we have now. Ms. Dube then asked how high up can  
9 they go, to which Jeffrey replied it will be dependent on what the district allows. Ms. Hubert then asked  
10 about the parking requirement, to which Jeffrey replied that the law does have standards re parking, and  
11 you are capped with a reasonable amount so these units can come into existence.

12  
13 Kevin Beaulieu then spoke to the Board. He stated that he was disappointed with the votes tonight, that it  
14 was not good for the town or for the economics. He stated that the town wanted a guarantee, but he feels  
15 that he is hitting a wall, and has always done what he has been asked to do. He stated that he doesn't  
16 understand the decision.

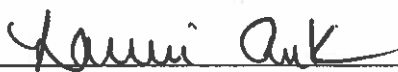
17  
18  
19 Good and Welfare

20 None

21  
22 **ADJOURNMENT**

23 Motion to adjourn was made by Vice Chair Hitchcock, vote was unanimous. Meeting adjourned at 7:49pm

24  
25 *I, Laurie Aberizk, Administrative Assistant to the Planning Board of the Town of Old Orchard Beach, do hereby*  
26 *certify that the foregoing document consisting of Nine (9) pages is a true copy of the original minutes of the Planning*  
27 *Board Meeting of July 14, 2022.*

28  
29  
30 X   
31 \_\_\_\_\_  
Laurie Aberizk