



Town of Old Orchard Beach

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Planning Board Meeting Minutes

I, Jeffrey Hinderliter, Secretary to the Planning Board of Old Orchard Beach, Maine, do hereby certify that the foregoing document consisting is a copy of the original minutes from the meeting of the Old Orchard Beach Planning Board.

Prepared By: Jeffrey Hinderliter
Approved By: Old Orchard Beach Planning Board

Respectfully
Submitted,

Jeffrey Hinderliter
Planning Board Secretary

Planning Board Meeting Jul, 13 2023

All: I pledge allegiance to the flag of the United States of America and to the Republic for which it stands, one nation under God, indivisible with liberty and justice for all.

Walker: Thank you very much. Michael Foster, our assistant planning manager is here. Would you do the roll call, Michael?

Michael Foster: Yes. Mr. Kelly?

Kelly: Yes. Here.

Michael Foster: Ms. Hubert?

Hubert: Present.

Michael Foster: Mr. Lynch?

Lynch: Yes

Michael Foster: Ms. Doobie?

Doobie: Yes.

Michael Foster: Vice chair Hitchcock?

Hitchcock: Here.

Michael Foster: And Chair Walker?

Walker: Present. Let it be known that Sam Dupree alternate is absent tonight. Okay. Public hearing. Item number 1, proposal. Ordinance amendments chapter 78, article 6, section 78 dash 488, 518, 548, 578, 608, 717, 747, 803, 833, 869, 903, 963, 993, a 1,003, a 1,023, 1134, and chapter 78, article 7 section 78 dash 1272, Housing Opportunity Program Ordinance. The applicant is the town of Old Orchard. Michael.

Michael Foster: Are we just...

Walker: Yes. This is, sorry. This is the public hearing. I'm sorry. So if anybody's here and wishes to speak, please approach the podium, identify yourself by name and address and we'll listen to what you have to say. Thank you. And this is opened at 6:31, this public hearing.

Lisa Mowett: Good evening, everyone. My name is Lisa Mowett. I am near at renters at 24 Central Ave in [Indiscernible] [0:01:59]. I am here with my cousin, Dana [Phonetic], my mom and my daughter, Madison. We are here because we have been closely monitoring LDT [Indiscernible] [0:02:10] for being able to put an accessory here with dwelling unit in the 1st floor for my mom, at a property that we've inherited at 6 IDM.

Just a little bit about us. We have lived in a Orchard. My husband grew up in in in North South Wales, so he's been a lifelong resident. We have lived in Old Orchard, me, personally, 24 years. Before then, we vacationed up here at the said property on Ivy Ave. And since it has been given to my mom, we figured this was the perfect opportunity for us to be able to finally own something in a orchard. Whereas everything that comes up for sale, around us is picked up by a lot of out of staters, turned into Airbnbs, and we miss out.

So this was something that, like I said, we've been watching very carefully, hoping that it was going to come to fruition so that we would be able to take the cottage down and build, for my mom to have a place to live for the rest of her years and for us to have a place. It would eliminate us having rent increases every year. It will enable my daughter whose going at a 6th grade at Ranger to stay in the school system which she have been at since Kindergarden. It would just be ideal for us.

And unfortunately you know it has been delayed a couple of times even though it is passed at a state level with the lot of things going on, you know. And individual towns you guys have, you know, the opportunity to change things, vary things and we are just really hoping that this is something that is passed and we can go ahead and do it. We are ending our two district. But I believe that my mom have had an email with you and I think that that was holding us up at this point. Besides that the [Indiscernible] [0:04:21] is the new house at the village. So that was...

Walker: Sorry. I didn't hear. What was holding you up?

Lisa Mowett: The square footage, I believe is what he had told my mom. So in a way that we could have potentially still done it. I think that's what's [Indiscernible] [0:04:40].

Walker: Okay.

Lisa Mowett: So, yes, that's our story and that's what we're hoping to accomplish [Indiscernible] [0:04:48] at this point.

Walker: Well, thank you've been here before, I know. And...

Lisa Mowett: My mom has.

Walker: Yes. And we appreciate your comments very much. So thank you.

Lisa Mowett: Thank you.

Walker: Okay. Does anybody else wish to speak on this public hearing?

Anne Brochu: I have a question.

Walker: Approach the podium, please.

Anne Brochu: Where there was so many, I'm Anne Brochu, her mother. Where there were so many different sections of the ordinances, ours is only reflected on the two zone. Is there any way that do we have to go through all of the ordinances and approve all of them, or can we just, zero in on a certain zone?

Walker: Well, at this time, we have to take everything that the state has proposed to us and adapt our ordinances to meet their requirements. So that's all being done at the same time. So, no, we can't just portion out. You just heard the list of items that...

Anne Brochu: But only there's only two that apply to the zone that we're in.

Walker: Yes. Unfortunately, no, I don't think so. So I'm sorry.

Anne Brochu: Okay.

Walker: Okay.

Anne Brochu: Thanks.

Walker: Here, you're welcome.

Michael Urvanski: Good afternoon. Michael Urvanski at 186 at Glencoe Avenue.

Walker: Hi, Michael.

Michael Urvanski: How are you? I Hope you're well. Nice to see you again. We worked together 12 years ago, and Summer Winds was developing our property at that time. I had some concerns. Maybe I'll get back to that. But I am in favor I'm not sure, I need my address.

Walker: Sacco Ave? Sacco Ave?

Michael Urvanski: Yes. 186 Sacco Ave. I moved here in 1982, Maine since 1975. And, I am totally in favor of this housing opportunities legislation. I mean, it's just fantastic with all of the social problems that are going on in our country and the state [Indiscernible] [0:07:23] including Portland when I go there with the homeless and the [Indiscernible] [0:07:28] and the mentally ill. Maybe people who are homeless or have had have become addicted to drugs. Many have now, but they can't get out of their condition.

So what I want to start off with is, some comments from senator Angus King in his recent newsletter of July 3rd. He says that a man is experiencing a shortage of affordable housing with only 51 homes for every 101 renters that have extremely low incomes, EOI. In fact, 58% of the state's EOI renters Maine small businesses have frequently cited the

affordable housing gap as one of the biggest hurdles defining and retaining employees. He goes on to say, his families and businesses across Maine struggle with the lack of affordable housing.

He went to work co-sponsoring a bill with a senator from Ohio. It's nonpartisan and would help families refer to as the Affordable Housing Credit Improvement Act. It will help families find housing that fits their budget. In fact, it would provide more it would provide more homes for low income people and support small businesses trying to attract those workers.

This is a national legislation but for Maine, it means that the, state's gap of 20,000 affordable housing units might be included in this legislation if it passed. And I think rather than going back 12 years ago, I had some concerns about Summer Winds. And at that time, I was not I'm in favor of this legislation and housing opportunities. However, at the time, I was not in favor of Summer Winds because I thought that there was too many homes there.

Subsequently, about four years, five years later, they wanted to put an additional 10 units there, and that was put down mostly by the residents and the planning board. My concern at the time was infrastructure and, what that meant for our area there. I heard relatively few comments about infrastructure, including the Goose Fair Brook, which runs right through their property.

So I, questioned that, went to superior court, withdrew my appeal, after talking with the planning board, with the tenant staff and also with the developer and the realtor. They got approved for a six month program or project. And then the developer came to me a couple years later and said, We want to go for eight months. And I said he asked if I had any objections. I said, of course not. You're done the things that I thought you should do with the infrastructure.

Parenthetically, one of the supervisors on the project had said, we never knew that there was so much water coming through this property. So they did approve that situation. Anyways, they came to me a few years later. They got the eight months, eight years, and then they came asking for 12 years, a full year. I had no objections. So as long as this housing opportunity leads to people respecting the neighborhood, respecting the codes and the community not fully in favor. So, thank you for this opportunity.

Walker: Thank you very much. Appreciate it. Anyone else on this public hearing? Okay. I'll close this public hearing at 6:42, and move on to item two, proposal ordinance amendments. Chapter 78, section 78 dash 30 6, Section 78 Dash 215, Section 78 1412, Sections 78 Dash 18 through 1863. Erosion control ordinance. The applicant is town of Old Orchard. Anybody here to speak on that proposal? All right. I will open and close that hearing at 6:43 p.m. Seeing nobody. We didn't receive any minutes, so I think we can move on past minutes and move on to regular business.

Now, item one, ordinance amendments, chapter 78, article 6 section 78 dash 488, 5184, 578, 608, 717, 747, 803, 833, 869, 903, 963, 993, a 1003, 1023, 1134, and chapter 78, article 7, section 78 dash 1272, housing opportunity program ordinance discussion. A council recommendation is our action and the applicant is the town of Old Orchard. Now, Michael, do you want to speak to this?

Michael Foster: Yes. Thank you.

Walker: Thank you.

Michael Foster: This is a continued discussion on the draft housing opportunity program which is to bring us into compliance with LD 2003 as it's commonly referred to. And we had the public hearing this evening. And just before I get into any review of the ordinance, I wanted to highlight the most recent changes. And these were approved by the governor on June 16th under LD 1706, which amends the LD 2003.

Basically, this extends the implementation date of July 1st, 2023 to January 1st, 2024, for municipalities that enact ordinances by municipal officer without further action or approval by the voters, which would apply to us. This also revises the definition of affordable housing development, clarifies that accessory dwelling units must comply with shoreland zoning requirements and also makes other changes to LD 2003 for clarity.

So the biggest impact this has on the draft ordinance is it requires edits to be made. At first, they seem fairly minor, but when you get into the language, it's more significant. The biggest change to highlight is for the review of accessory dwelling units or ADUs, which the language previously allowed for us to establish an application and permitting process for accessory dwelling units.

Under the draft ordinance, we had that as a conditional use but now the language, says establish an application and permitting process for ADUs that does not require planning board approval. So that means that ADUs cannot be reviewed as a conditional use because conditional uses require planning board review. So ADUs will need to be added as a permitted use in all zoning districts where housing is allowed.

Although they cannot be reviewed as a conditional use, we will still have performance standards that will need to be met. Most likely review for ADUs would be through code enforcement through the building permit process. As far as other impacts, you know, we don't want to delay the process too much, but we do have till January, 2024. So we do want to make these edits we have.

And I know at our workshop, the boards continued to have some questions, which we're working on clarifying and answering along with making these changes, to the draft. We're also waiting for updated Department of Economic and Community Development, guidance document. That's what was used to review a lot of this and write this that they issued. And with these changes, they're going to update that. And the latest is that they're beginning this summer to do that.

Walker: What the latest is when will that be available?

Michael Foster: They're working on it this summer. So it was already supposed to be available, and they're currently working on it is my understanding. I don't really think we should need to get into any other details of the ordinance at this time. I think there'll be fairly significant changes since ADUs won't be a conditional use, and we'll need to evaluate the other parts of that, ordinance to see how it's impacted and if it can fit in differently than as we currently have it drafted.

Walker: Right.

Michael Foster: Yes.

Walker: Okay. You're done?

Michael Foster: Yes. I just was for recommendations, we're not making a recommendation to forward it to counsel at this time because of those amendments that need to be made.

Walker: Ronnie?

Ronnie: Once this is all done or whatever, is it going to open up the R two, area for a lot of the ADUs?

Michael Foster: It would. Yes.

Walker: All areas. All zoning areas. Right?

Michael Foster: My understanding is all zoning districts.

Walker: Right. Yes. Okay.

Ronnie: Thank you.

Walker: Any other comments from board members?

Chris White: I'd say given the, all the work still needs to be done and all the we recognize all the hard work that's already been gone into it, and now there's more ahead of us. I'd like to make a motion that we table this item.

Ronnie: Second.

Walker: Motion by Chris. Second by Robin. You want to call for the vote, please?

Doobie: No. One minute. Mr. Chair.

Walker: Yes.

Doobie: I would like to add that because we have until January, so we have a lot of time, and it needs to go to the council. Should we give us a self a date when it needs to go to the council? That is before...

Walker: Well, if we don't have the documentation from the economic development, I don't know how we can set a date ourselves because we're dependent on that information.

Doobie: Well, that's true. But like drop that date, like November. It needs to be done by November.

Walker: We just know that it's necessary and we can't do anything if we don't have the information that, planning staff can provide us. So thank you. So we have a motion and a second. You want to call for the vote, please?

Michael Foster: Yes. Is Jay a voting member tonight or...

Walker: No. No.

Michael Foster: Ms. Doobie?

Doobie: Yes.

Michael Foster: Ms., let's see.

Doobie: Mary Anne.

Michael Foster: Sorry. Mary Anne?

Mary Anne: Yes.

Michael Foster: And Lynch?

Lynch: Yes.

Michael Foster: And then chair, vice chair Hitchcock?

Hitchcock: Yes.

Michael Foster: And chair Walker.

Walker: Yes. That motion carries 5-0. Thank you. All right. Item number two. You may leave if you want. Yes. It turned out exactly as I told you it would, right? Sorry. Yes.

Mary Anne: Blame the state. It's not us. It's not us.

Walker: All right. Item two, proposal ordinance amendments, chapter 78, section 78 through 36, section 78 to 215, section 78, dash 412 and section 78, 816 through 863. That's we're updating our erosion control ordinance and our action is a council recommendation and the applicant is a town of Old Orchard. Michael?

Michael Foster: Yes. So this is a continued discussion from last month on the proposed erosion sedimentation control ordinance or ESC ordinance. We had the public hearing this evening, and this is basically to be consistent with the requirements of the 2022 MS4 general permit, municipal stormwater. So the purpose of this is to help control erosion and prevent the migration of sediment at construction sites mainly. And why we need this is the new MS4 permit requires updates to ordinances.

And in our own, stormwater plan for the town, it was written in that by 6/30/2023, we'd provide a ordinance or other regulatory mechanism to regulate, construction runoff control. We do have an existing ESC ordinance, but it needed to have language added to it to meet the requirements. So it requires the use of current Maine DEP chapter 500 standards. It must include local enforcement capability, which will help with code enforcement, enforcement of site EFCs. And basically, this falls under minimal control measure four, which were regarding construction site stormwater runoff controls.

For this month, we had added sections where references to the EFC requirements were needed, which was the private way ordinance, section 781412, and admin site plan review section 78215. And that was to add the EFC plan requirement. So some of the more significant changes with this amendment are as follows. It'll apply to all uses in construction resulting in disturbed area regardless of size. That also requires a shoreland zoning permit, building permit, or site plan, subdivision, conditional use, administrative design review, or private way approval.

And this will require a written soil erosion and sedimentation control plan, which will need to include temporary and permanent EFC measures, ESC notes and details within the plans and inspection, maintenance and housekeeping requirements. Another, new addition that is being added is this will require designated areas for washout, cleanout from concrete, stucco, paint, curing compounds, or other construction materials, and that's something that we didn't have in our current ordinance.

It also outlines the code enforcement review and inspection requirements. And since this will apply to building permits, we wanted to add that the code officer has discretion for projects, resulting in less than one acre of disturbed area and requiring only a building permit, that the ESC inspections can be conducted as part of required building, inspections so that for some of these smaller projects, it's not adding, adding to the current workload.

And larger projects will require EFC inspections prior to soil disturbance, much as they currently are. And this also adds enforcement procedures for notice of violations and stop work orders to help achieve compliance if needed. And the one other associated amendment for this that you'll most likely see in the near future that wasn't included is an amendment to shoreland zoning to update the EFC requirements.

Currently, it's similar to our existing EFC ordinance that we're amending, and so it looks like the shoreland zoning section will need to be struck through and reference this new EFC ordinance. Once we have this finalized, we'll send the DEP for input since they'll need to approve that shoreline zoning amendment. And for recommendation, these will bring us into compliance with our MS4 permit. So we're recommending the planning board make a recommendation, the town council to approve.

Walker: Okay. Thank you, Michael. Any comments from board members? It's pretty straightforward. All right. Do we have a motion?

Chris White: I'd make a motion that we recommend that the town council prove this amendments to the ordinance.

Doobie: 2nd.

Walker: Motion by Chris.

Robin: 2nd.

Walker: 2nd by Robin. You want to call for the vote?

Michael Foster: Yes. Ms. Hubert?

Hubert : Yes.

Michael Foster: Mr. Lynch?

Lynch: Yes.

Michael Foster: Ms. Doobie?

Doobie: Yes.

Michael Foster: Vice chair Hitchcock?

Hitchcock: Yes.

Michael Foster: And chair Walker?

Walker: Yes. That motion carries 5-0. Making progress. All right. Item three. Proposal major subdivision. 21 single unit family homes, house lots, three open space lots, four condo lots with a total of 25 condo units, 139 Portland Ave, MBL 104 dash 2 dash 3 and 23 dash 31, portion of Red Oak South subdivision zoning rural district and resource protection. The action is pre application review, schedule site work and the owner is Mark Burrow. Go ahead, Michael.

Michael Foster: Thank you. So this subdivision proposal was last before the planning board in December 2021. It was at preliminary application, the termination of completeness stage. This updated proposal as mentioned is for a total of 46 units, which I believe is one unit more than what was being proposed before. In general, the layout has remained similar, to the last submittal with some of the condo units being rearranged with some of the lots, but the general layout's the same.

And then the applicant has essentially continued with where they left off and responded to previous staff and Wright Pierce comments. So at this time, it is mostly a complete application especially for recent comments. For quick updates this is being proposed as a cluster development. They're proposing a minimal lot size of 20,00 square feet and also provided density calculations for the 46 units.

This is also proposed to be connected to public water and public sewer. You may recall that any approval out here to connect to public sewer would need to be conditional and no certificate of occupancy being issued until the sewer line to militant home station has been replaced. I sent that question out to the wastewater department, Chris White, to get a response. And they're that project's supposed to be starting this fall and being completed, it sounds like.

Walker: Did you get a response from Chris?

Michael Foster: I did.

Walker: Okay.

Michael Foster: Yes.

Walker: And in the fall, but we don't have a date.

Michael Foster: We don't have a date yet.

Walker: Okay.

Doobie: Completed by the following week, should we call?

Michael Foster: I believe they were getting into pre construction meeting. So it's moving forward to my understanding. The applicant had previously added the secondary access to meet connections with existing public streets requirement. That's to meet the

ordinance. And I know the fire department previously had comments on getting that access for their review.

Walker: Have they reviewed the new proposal?

Michael Foster: I don't believe so. I haven't seen anything yet from them. And the applicant indicated that they'd connected the existing driveway. There were some distancing questions between the, Mark Buro's driveway and the new access to Red Oak, and they've now tied that driveway off from the new access road.

Walker: Right.

Michael Foster: So I don't believe that's an issue. Just the distancing should be confirmed. They updated a culvert that there was questions about to a box culvert. And they also mentioned this is under simultaneous main DEP site location review, and we do have a copy of that application in our office.

Walker: The road is going to be private?

Doobie: It sure is.

Michael Foster: I believe so. So street lighting, they have on there but we didn't notice it in the details. That just should just be included. There is a note that all roads in the subdivision shall remain private ways to be maintained by the developer unless, brought up to conformance with street with street design standards.

Walker: And the expectation is solid waste will be picked up by the town on a private roadway? Is that what I read in the in the proposal?

Michael Foster: I believe that was in the criteria, and that was a question we had about how that works on a private way.

Walker: Yes. As do I.

Michael Foster: They also indicated in response comments that a traffic analysis is being prepared by Sewall Engineering, and the report will be forwarded to the town as soon as it is available. I know there are previous questions on that by the board. I just had a note to confirm the fire hydrant distancing requirements with the fire department because that seems to come up with a lot of projects lately.

In the applicant responses to subdivision criteria, section 70 four dash 2 and 74 dash 2 78 cluster development criteria are in the application.

Walker: Has public works reviewed this and provided any comments?

Michael Foster: I haven't seen any comments on this most recent update yet. And so for recommendations for this month, the planning board should provide feedback to the applicant. Planning staff recommends the planning board schedule a site walk because it's in the ordinance. I know we talked about this a little bit. The plan hasn't changed significantly. And you did already conduct a site walk. So, it seems that the board can make a decision whether or not to do that. And then the peers comments before their next submission.

Walker: All right. Thank you, Michael.

Michael Foster: Thank you.

Walker: Have you started any excavation work up there yet?

Chris White: No. We have not.

Walker: You have not. So it's actually in the condition it was in when we visited it twice previously. Correct?

Chris White: Correct.

Walker: So we won't see anything new.

Chris White: You won't.

Walker: Maybe the trees were a little bit larger. New bugs. And I'm sure there's more bugs there. There's definitely bugs. We got eaten alive the last time we were there. Okay. Any questions from board members? First identify yourself.

Lucian Linewald: My name is Lucian Linewald with Atlantic Resource Consultants. It's my first time before your board. You've seen Jason, our boss, and this, engineer who stamped these plans. I'm also joined by Tony, our senior engineer who works on this. And yes, we are proposing this cluster subdivision, unearthing it, trying to, move through the process. We've submitted to DEP. There's some delays there too, as well.

Mike did a great job summarizing a lot of this. But just to bring you back up to speed, this is the third phase of the red Oak subdivision and the largest and last phase. The two prior phases were on the, current Red Oak Drive site. There's five residential lots and 750 linear feet of road. This project can be accessed from the extension of Red Oak Drive that we're proposing as well as the secondary access road, which we're proposing as Drive.

And that secondary access road, I believe was a request, from the fire department. There's total of 44 acres on this parcel that is wooded, but it has been selectively harvested for timber. There are 10 existing lots that cover this project area, and we're proposing to subside to 28 total lots, for a breakdown on that. There's 21 single family

lots being proposed. One of which would be retained by the applicant mark bureau. There'll be three open space lots for a total of 8.6 acres, four condo lots, 25 buildings, buildings total each with a single three bedroom unit.

We are proposing connections to public. There is a road that involves some wetland impact. And the secondary access road does cross a small intermittent stream to Jones Brook, and we have to cross Jones Brooke again. The first crossing of Jones Brooke on Red Oak Drive was a 42 inch culvert. We did find from discussions with the Army Corps as well as in-depth stream survey that I performed last summer. That that culvert is just barely big enough. So we're proposing a box over for Jones, Jonesbrook and the intermittent stream will be a 42 inch culvert. So we're upsizing these crossings.

We've, like I said, we've been working with the DEP. We were requested to do some additional work due to the cumulative cross streams, kicked us up to a higher permit level. So we did provide a functional analysis of the stream resources. We also needed to meet a flooding standard from DEP. So that involved a letter of map amendment through FEMA. All things that kind of delayed us to resubmitting to DEP.

So far, our statutory deadline with DEP is October of 2023. We have received stormwater and geology comments, which we've worked through and, sent back to DEP. And those only involve small changes, just small little corrections to the plan. So what you see today is what we're proposing DEP as well. Like Mike said we are, waiting on a traffic analysis that is being, worked on right now and, on-site recently to confirm, site distance.

And we did see that there was a 35 mile per hour, speed limit in that area. So it looks like site distance will work. And we did complete an address and plan. So that was another update that we made pretty much.

Walker: Great. Great. Michael, one thing to note is our language on the proposal doesn't match the actual proposal anymore. I think that's pulled over from the last, the last application on the top. Because it says four condo units with a total of 25 condo units.

Michael Foster: I think it's because there's...

Walker: It's just pulled over from me.

Michael Foster: Specific condo lots, but we'll confirm it.

Walker: Yes. Yes.

May Anne: So, question, Mr. Chair.

Walker: Sure, Mary Anne.

Mary Anne: How many house slots are proposed?

Lucian Linewald: 21.

Walker: 21.

Mary Anne: Because it shows 24. Is this a different three year plan that we you've changed the place?

Lucian Linewald: Not what we submitted to you should show those...

Walker: Three open space. Three open space.

Mary Anne: 24.

Lucian Linewald: Well, there's also open space lots. So if you deduct those three, then we get only one.

Mary Anne: Yes. Okay. And then so condos also don't add up. There's only 20.

Lucian Linewald: I can double check, but I did look the...

Mary Anne: Yes. Make sure that it's correct in the language and the plan.

Lucian Linewald: Okay. We'll double check that and make sure that it's consistent throughout the application.

Walker: Anyone else? I think those are duplex units. That's why she's counting the whole unit. It's a double.

Mary Anne: [Indiscernible] [0:37:15].

Walker: Okay. Anyone else?

Mary Anne: Another question.

Walker: Go ahead.

Mary Anne: Will the engineering review for this at this point? It hasn't been...

Walker: Right. There's, yes.

Michael Foster: Yes. It just didn't make it in your packets, but we did get a review from Wright Pierce. It came in after the packets were put together, and it has been forwarded to the applicant.

Mary Anne: Okay.

Lucian Linewald: We're working on those comments, And they were received, July 6th.

Walker: So I have a question too.

Lucian Linewald: Yes.

Walker: If I may. In your documentation, it was rec it was observed that there were no endangered plant species on the property. But the recommendation was that you have a botanist go in and actually do a survey. And I haven't seen anything documented that you have approached that idea. Have you thought of that? You follow through on it? Where are we on that?

Lucian Linewald: We haven't done any botanical surveys or anything like that. We did do, archaeological study, which was requested by the major source planning commission. Botanical plant surveys done.

Walker: But that was a recommendation that was made by the person that did the report for you.

Lucian Linewald: I don't recall seeing that. I remember in the fisheries and wildlife, discussing some birds, but I have to double check there.

Walker: I might be able to find it quickly. I don't want to hold everybody up. I'd have to go dig into, and I don't want to hold everybody up. But, yes, look for that because I'm interested. You know? I want to make sure that we've got all adduction aligned.

Lucian Linewald: I will say we haven't received, the sister agency reviews from DEP, like, in the fisheries and wildlife to natural areas program. So I haven't heard that request from DPM. I imagine if it was in there, they would be asking.

Walker: I also have a concern where you, added Burrows driveway in. It looks like it's way too close to the corner of that road, that intersection. And I'm wondering if you can move that up. Because people coming in and making a right hand turn, if they're coming out, that's pretty dangerous where you have it right now. You see what I'm about?

Lucian Linewald: Yes.

Walker: And I'm sure if I looked at the documents, it's probably should be 50 feet from that corner.

Lucian Linewald: I believe that is the minimum setback. Yes.

Walker: Yes. So that's a concern for me. I'm also concerned that, the town departments haven't weighed in on this project. So I really can't make, a decision for completeness

and I don't. I discussed with the board earlier that unless the board wants to make another, trip out there, I don't see the sense in it where nothing has changed. And there's really no appetite from any of us to go back out there and fight the mosquitoes again unless there's something real for us to see. We're familiar with the property. We've walked it completely twice now.

So, we're not I'm not going to schedule a site visit for next week, but I am going to recommend that we table as pending notification from town departments, on their approval. So, my motion is that we table this until next month.

Mary Anne: I make a motion to table.

Waslker: You're going to second it.

Mary Anne: I don't know if you could.

Walker: Yes. I can.

Mary Anne: [Indiscernible] [0:40:56] and I will second.

Walker: Thank you. So motion by chair, second by Robin. Want to call for the vote? And thank you for coming tonight. You tell Jason we sent hello. Okay?

Lucian Linewald: We will do. Thank you for your time.

Michael Foster: Ms. Doobie?

Doobie: Yes.

Michael Foster: Ms. Hubert?

Hubert: Yes.

Michael Foster: Mr. Lynch?

Lynch: Yes.

Michael Foster: Vice Chair Hitchcock?

Hitchcock: Yes.

Michael Foster: And Chair Walker?

Walker: Yes. That motion carries 5-0. And it isn't just town departments. We want to hear from right here, SaaS, also. So just as an amendment to that. All right. Any other business? I would like to recommend that you tune in to the council meeting next

Tuesday. I think that they're going to tackle short term rentals in some way, shape or form, which means we'll be making or designing an ordinance for them, pending what comes out of that meeting. So I think it's really important that you tune in if you get an opportunity.

Mary Anne: Question for you when you're done.

Walker: And it was in the news. I don't know if you saw it, but this the country short term rentals in the country have increased by two a half percent, but the state of Maine increased by 13%, the number of short term rentals. And I'm not sure that we accurately measure that. Yes. No. But you know they're going to stop measuring.

Mary Anne: I think it's most of the out of state tourists that come in and bought property, and now they want to rent their places for the winter to make some, you know.

Walker: Yes.

Mary Anne: And that's where it's all coming from.

Doobie: That's perfect. Not but even a lot of people, you know, buy property and then rent it two months out of the summer to pay for that.

Hubert: But most of them do like to do it when, you know?

Doobie: Yes.

Hubert: Do that.

Walker: So and you all should have received your stipends for last year's.

Hubert: Thank you. No. I've got a claim it on that. Issues.

Walker: Yes.

Hubert: Yes. On it. Hang on. I forgot what I even wanted to, oh.

Walker: Did you get a session check?

Walker: Yes.

Hubert: Did it move forward for 60 Circle Avenue to the council?

Walker: He didn't come here.

Michael Foster: I think it used to come back to...

Hubert: We recommended it last meeting.

Michael Foster: Yes. Yes.

Hubert: Did we not? I'm wondering if he said it.

Walker: Do you know the answer?

Michael Foster: I don't.

Walker: All right. Well, I was talking to Jeffrey about it. He was talking to their lawyer and made a recommendation that they go back to counsel with a proposal for five units. And they agreed that they would do that.

Mary Anne: Yes.

Walker: Jeffrey wanted him to propose that to us. But I said, there's no need to waste his time. Just have him go to council.

Mary Anne: Right. Yes. All right. That's what I wanted. If he had sent, well, whoever had sent it to council...

Walker: Yes.

Mary Anne: As a six unit recommendation. That's so much I was asking.

Walker: I don't remember if it was five or six that they were going to...

Mary Anne: There was six.

Walker: Six.

Mary Anne: We were about to vote. But only because the council recommended.

Walker: But he's apparently, through his lawyer, capitulated to the council's request that he cut that on a number of units.

Mary Anne: I heard council accept section units six.

Walker: So since I can make motions, I'll make a motion that we adjourn.

Mary Anne: Second.

Walker: Second. Everybody, it's unanimous. Okay. Thank you very much. Have a goodnight.

Michael Foster: Thank you. Well done.

Michael Foster: Thank you. Well done.

I attest the above minutes were approved by the
Old Orchard Beach Planning Board ON 13 JUNE 2024
with the following correction - "Doobie" deleted & Replaced
with "Dube" throughout the minutes



Jeffrey Alexander, Town Planner