

David Walker: It's February 13, and I am Dave Walker, your chair tonight. Our first order of business is a pledge of allegiance to the flag. So if you would join me, I'd appreciate it very much.

Audience: 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.

David Walker: All right. Nice job. All right, Jeffrey, I think we have a new alternate member here tonight. Graham Roeber. Graham, welcome.

Graham Roeber: Thank you.

David Walker: You're welcome. So would you do the roll call for us, please?

Jeffrey Hinderliter: Sure. Mr. Roeber?

Graham Roeber: Present.

Jeffrey Hinderliter: Ms. Dube?

Robin Dube: Here.

Jeffrey Hinderliter: Mr. Kelley?

Jay Kelley: Here.

Jeffrey Hinderliter: Ms. Hubert?

Marianne Hubert: Present.

Jeffrey Hinderliter: Vice Chair Hitchcock?

Chris Hitchcock: Here.

Jeffrey Hinderliter: And Chair Walker?

David Walker: Present. Thank you. All right. You had board members, you had minutes in your packets. Are there any corrections, additions, or deletions that are required? Hearing none? I'm assuming that, we could accept a motion to approve.

Chris Hitchcock: So moved.

Jay Kelley: Second.

David Walker: I have motion by Chris second by, Jay. I want to call for vote.

Jeffrey Hinderliter: Ms. Dube?

Robin Dube: Yep.

Jeffrey Hinderliter: Mr. Kelley?

Jay Kelley: Yes.

Jeffrey Hinderliter: Ms. Hubert?

Marianne Hubert: Yes.

Jeffrey Hinderliter: Vice Chair Hitchcock?

Chris Hitchcock: Yes.

Jeffrey Hinderliter: And Chair Walker?

David Walker: Yes. Motion carries 5-0. All right. Public hearing. We will start this public hearing at 06:31. Item #1. Proposal site plan, conditional use establishment of a new 100 site RV campground. Applicant is Tammy Ahearn & Archie St. Hilaire. The location is Portland Ave., MBL: 101-1-1 & 101-2-8; Zoning: RD, zoning in the rural district. So if you are here to speak, I would have you approach the podium, state your full name and address for the record please, and say whatever you want to say. Thank you.

Chris Hitchcock: Let me see what time it started.

David Walker: Yeah, 6:31.

Thomas Waterbend: Hello.

David Walker: Good evening.

Thomas Waterbend: My name is Thomas Waterbend.

David Walker: Thomas.

Thomas Waterbend: Seventeen Dolphin Avenue.

David Walker: Okay.

Seventeen Dolphin Avenue: Which is off from, Portland Avenue. And, I guess my concern is noise and traffic and all from this new proposed RV. We moved here in 2018, so seven years ago from just North of Portland. When we moved, we decided on moving South of Portland, my wife and I. And quite frankly, Old Orchard was not on our list

because of the noise, the congestion, the people, the campgrounds, the crowds. We didn't even think we would live here. Having said that, we did find the spot, the new housing development of Neptune and Dolphin Avenue, which is off of Portland Avenue, right by Milliken Mills by that corner, and found that that was a relatively quiet area. Portland Avenue was not that well-traveled. Everybody travels down Cascade and the other methods into town. And we were happy with, living there. But we see that this development, this campground, is going to create a lot more traffic, large campers, RVs, trucks for deliveries.

There's going to be a lot more traffic on Portland with pedestrians, bikers and I do not think Portland Avenue is designed for that traffic. And I honestly do not want to see the additional noise and traffic in my area, which is one of the reasons that we decided to live in Old Orchard because we did find a quiet corner of the town, if you will. And then, having said all of that, even if this is approved, my concern is going to be, what is the design of the campground and the entry and exit during the busy Saturdays and Sundays when you see RVs and campers lined up along the road, I see that's going to be a hazard blocking Portland Avenue potentially during those peak check-in, check-out times. That is it. Thank you.

David Walker: Thank you very much for you comments. We appreciate it. Can we answer that?

David Walker: Good evening.

Brian Hannan: Good evening, everybody. I'm Brian. I'm, Brian Hannan, 27 Dolphin Avenue, right off of Portland Road. I have a couple of quick questions. The information that we have, it's going to be for a 100 units. Are these going to be seasonal units or are these going to be transients?

David Walker: Seasonal.

Brian Hannan: All seasonal?

David Walker: Yeah, but this is not give and take. You're just going to make comments. We can...

Brian Hannan: Okay. Okay.

David Walker: Have staff answer you, later. That's why you give your name and address. All right. So you can list your questions and staff will answer the questions.

Brian Hannan: Okay. Who do I give the questions to?

David Walker: Right here. This is the question.

Brian Hannan: Okay. So that's the one question. The other question I have is, the proposals for a 100 seasonal sites, let's say. Is there is there going to be any expansion, or is that going to be the limit of that campground?

David Walker: That's the limit before us tonight.

Brian Hannan: Tonight. And the parcel of property, I guess would be a third question. What if the 100 units succeed, is there room for expansion down there? Are we going to be back here in a year from now seeing, you know, they want 200 units?

David Walker: My feeling is no.

Brian Hannan: Okay. Okay.

David Walker: On that parcel.

Brian Hannan: Okay. Those are the three concerns that I have right now.

David Walker: If there was more room, they would have put tomorrow.

Brian Hannan: That's what I thought, you know, I didn't know about the first two meetings. This is the first one that I'm coming to.

David Walker: Yeah.

Brian Hannan: But that's all I have for now. And is there going to be an answer tonight or are we going to be having another meeting?

David Walker: No. And it'll be up for a final review tonight. And if the board approves it tonight, that'll be a conditional approval, based on any concerns that we might have from either the public or from ourselves in reviewing the project.

Brian Hannan: Okay. And the other, the other two meetings that were held.

David Walker: Yeah.

Brian Hannan: Are those minutes available? Was there any other opposition of those other two meetings? Was there any other questions that were asked?

David Walker: There was a lot of discussion.

Brian Hannan: Okay.

David Walker: In all of the meetings, and you can get that from the planning authors.

Brian Hannan: Okay. Okay.

David Walker: All right. That's good for now.

Female Speaker: Can I just say one thing?

David Walker: Yeah, go ahead.

Brian Hannan: Yeah.

Female Speaker: If all you people want to wait till they speak, ones that are talking about putting that there, all your questions will be answered.

David Walker: I'm sure they'll answer that.

Female Speaker: We just can't tell you right now.

Brian Hannan: Okay.

Female Speaker: So the next thing on the agenda.

Brian Hannan: Okay.

Female Speaker: Okay?

Brian Hannan: All right. That sounds good. And will we have another opportunity if we need some questions answered from?

David Walker: No. Pretty much no. This is your opportunity here unless they want to talk to you after the meeting.

Brian Hannan: Okay. Because if they give us some information tonight that we have questions on, we could maybe have a conversation. Okay. All right. That's it for now. Thank you.

David Walker: Great. Thank you.

Brian Hannan: Thank you.

David Walker: Anyone else?

Male Speaker: Through the chair.

David Walker: Yeah.

Male Speaker: Is it appropriate for us to comment at all now?

David Walker: Not really.

Female Speaker: No.

David Walker: No. This is an opportunity for the public to weigh in on the proposal. I mean, you know, there's, I think, nothing of a misconception of what this is. Well, you can afterwards, but...

Troy Douglas: Hello. My name is Troy Douglas.

David Walker: Hi, Troy.

Troy Douglas: I'm at 11 Bouchard Court in Old Orchard Beach. I am representing our neighborhood. I am the president of our homeowners association, which is KC Lane Page and Bouchard Court Page Avenue, Bouchard Court. And, some of the same concerns expressed by the first gentleman, we have those same concerns as far as the number of vehicles, the traffic that's going past, the entry of our neighborhood, the lining of a road with RVs entering some of the same, just in agreement with the first gentleman that said that, that we have some concerns about that, and the traffic and the balance in Old Orchard Beach of full time residents versus properties that are seasonal residents. It's starting to weigh in that favor. So that is our concern.

David Walker: Okay. Thank you. Appreciate it very much. Jay, did you want to say something?

Jay Kelley: Well, I just think that before everybody steps up and says the same thing, it seems to be a misconception as to what this is. This is not a campground where you're going to haul campers in every day, pop up tents and all of that. This is not that at all. This is seasonal like on Ross Road, the Sea Coast Campground. That's basically what this is. Same type of situation and correct me if I'm wrong. So, you're not concerned about traffic lined up on Portland Avenue waiting to get in like you see on a transient campground. This is not that.

Donna Shleper: *[Inaudible]* [00:10:22]...

David Walker: Can you step to the podium, please?

Donna Shleper: Hi. I'm Donna Shleper. I live at 20 Dolphin Ave, in Old Orchard Beach. I'm here with some of my neighbors. So, you could see where the confusion is coming from, where the meeting notes said RV Park. It didn't define it as park model, and I absolutely know that term. My family is in that business, so I totally understand. If you say RV people automatically assume, rightly so, that it's a trailer that you're towing, that you're moving between transient sites perhaps. So, just to reiterate some of the points that I think could be made relative to having a seasonal park, is that if you bring in a bunch of extra seasonal residents, right? Even though if they're not hauling in campers every day, you're then increasing the size of the population into a town whose police force is already

understaffed. The town's already stretched for resources to my understanding. I could be completely wrong, but that's at least from the research that I've done. And so if you're adding in that level of influx into an area that's fairly populated as it is, and it's on a town line between Scarborough and Old Orchard Beach, you could see where you could get an influx of potentially crime activity. And in that area, particularly recently, my neighborhood has already been hit with some crime activity. And so it's really top of mind, when we selected our lot in this neighborhood, that we wanted a safe neighborhood. And so if you bring in a bunch of folks who don't necessarily live here all the time, that's likely what you're going to get on a police force that's already preoccupied with downtown. Thank you.

David Walker: Thank you.

Ron Gear: I'm Ron Gear. I live at, 16 Casey Lane.

David Walker: What was your name again, please?

Ron Gear: Gear.

David Walker: Gear.

Ron Gear: Like bear with a G. And I apologize. I hadn't seen the deliberations earlier. But has that been a study of the cars that are going to the beach every day on Portland Avenue and if there is how much additional traffic, even if it is, park models, if everybody's going to go to the beach, you're obviously going on Portland Avenue, which is at a 100 cars or 50 cars, maybe some of the people will stay home, but there will be more cars anyway, traveling on Portland Avenue.

David Walker: Thank you. Good evening.

Mark Koenigs: Good evening, Mark Koenigs. I'm, 38 Fern Avenue, Old Orchard Beach. I'm not going to be opposed to this project. I'm not a proponent of it, but I do want to speak for the conservation commission as a conservation commission member.

David Walker: Please do.

Mark Koenigs: We came to the last meeting and I want to thank the proponent, the engineer for listening to us after the meeting. We knew that I knew from my experience of serving on the planning board, that what you're having tonight is what we always have, which is input at the end from the public for the public hearing. So, the public has a voice. It sometimes is unwelcome. You've already done two meetings. You probably did a site plan review four months prior to this. So the project's been in the works probably for over a year for the developer, right? As a past planning board member, I know that they've done their due diligence, their due process, and this is what we're here for.

So, from the conservation commission side, we have an adjacent property on both sides of Portland Ave. There's two properties, one of the proponents family members, donated land to the town between Eastern Trail and Portland Ave. And the Milliken family donated land somewhere 20 some years ago and we have the Milliken Mill Woods that's on the, I'd say the West side of the property on the same side of Portland Ave. So this is an actual budding of property, for the landowner, the people that are on the subdivisions that just got mentioned, I was on the planning board when those developments were developed. And in those developments, I've also pushed for trails. So, my focus is for open space and trails adjacent to where people are going to live. It's not transient, it's basically seasonal as I understand it, and as you guys have stated.

So these people are going to come in the spring, they're going to enjoy the summer here with the rest of the residents. And as a civil engineer, I know the traffic is going to go both directions on that road, right? They're going to turn left, they're going to turn right. Where's all their resources, they're going to turn right. They're going to go towards north, towards Portland. When they want to go to the beach, they're going to go south. So how much time is that traffic going to go both way, you know, either way? And as I know from the discussions we had last week and from what I've been on the planning board for other developments, which you stated, these are not transient. They're people that are going to be using the location for a fixed home, right? So, it's just going to be car traffic, essentially.

From the conservation commission, we asked the proponent to look at some easements, opportunities for trails from where the existing parking lot is on Portland Ave for Millikan Mill, and they've put that on the plan. So, I'm very thankful that you've done that. I think they want to be good neighbors. We want to work with them to enhance the trail system, provide trails for not just the people that are going to live there now, but also all the people that are going to come and use the parking lot, right? So, it's being respectful of their property, putting up some signage possibly at the trail that now is shown on the drawings that goes towards that property, just so that people aren't coming in if that's what you guys don't want, right? And then making the connections to the Eastern Trail for all residents in the town to use the trails and enjoy the outdoors. Thank you for the opportunity to speak.

David Walker: Thank you for the work that you do on the commission too. And we appreciate it very much.

Rick Lyon: Good evening.

David Walker: Good evening.

Rick Lyon: Rick Lyon, 8 Neptune Road here in Old Orchard. It's in the Beach [indiscernible] [00:17:43] neighborhood. Some of our neighbors are here with us tonight. We've just formed a, it's a newly formed HOA. A number of us are officers. I'm an advisor to the HOA in that neighborhood. We're just finally now getting our full time HOA into place. It's taken some time since the developer finished that, but we have 44

residents in that neighborhood. My wife and I moved from an area in New York. Like the first gentleman that spoke, we were very particular about the area that we wanted to live in. We had a big checklist of pros and cons of what we wanted. And right off the bat, we kind of ruled out the Old Orchard area. You know, we just thought it was too congested. Crime statistically per capita did not appeal to us. It just didn't seem like a good fit for us. When the real estate market was rocketing up, prices were going up, interest rates were going up we worked very closely with our realtor and it took quite a bit of time, time, but we found the home that we're in on Neptune Road. And we're just amazed at what a beautiful neighborhood that is.

I can go out in the morning or evening and not hear single noise, nothing. If the wind is right, I get a little noise off of, 95. We just couldn't be happier with where we live and the neighborhood we're so close to so many things, but yet in an area that is just we feel is very pristine. And I think irrelevant of how the makeup is of this proposed venue, I'll call it, is being put in front of us I think that it's just going to take away a lot of that. There's our neighborhood, the adjacent neighborhood for some other people that are speaking here. I think that it's really going to detract from the beauty that we do have in that area. And again, a place as populated as Old Orchard, there is still part of Old Orchard that is relatively untouched by those neighborhoods. You don't have the crowds. You don't have the huge traffic.

There's enough traffic on Portland Ave as it is. I have people pass me on that road, even when I'm doing the speed limit or a little more. It's a narrow road. It's a terribly kept road. I enjoy on my way to work every morning going through somewhat of a wooded area and seeing not another development. It's a small area that is undeveloped, and I enjoy seeing that. I'd like to ask you if this was your house half a mile from this, would you be excited about having this? I kind of don't think you would. So, I just like to leave you with that. You know, for us that have invested our life savings in a beautiful home to now be next door to, I don't want to call it a monstrosity, but really taking away what we have, that we thought we were going to have for a long time, you know, that unpopulated area that is really just kind of pristine and untouched. And, you know, I understand, you know, their support from the gentleman that just spoke, in regards to what is still there, but face it when you develop this the way you're going to, you're taking away a lot of the natural area that is increasingly hard to find the natural areas.

Every time I see a development going in, I'm thinking, you know, there's just more development. We've got so many campgrounds in the area. Do we really need another place for people to camp? And I, too, am concerned about the potential uptick in crime. You could argue it however you want. When you have a concentration of people, you have a concentration of problems and crime. We've seen the first break in, into a vehicle in our neighborhood this fall that's ever happened in that neighborhood as far as I know. So, as we all know, crime is not getting better anywhere, it's only getting worse. People are getting more desperate. So, I apologize for the length of my statement. But I'm very passionate about this. I know a lot of people are. I wish I had known about – I found out about this like two days ago. I didn't have chance to really prepare from this, so I'm just

kind of speaking off the cuff. But, I implore you to consider this judiciously, you know, as if it were you that was living down the road from this. Thank you very much.

David Walker: Thank you, Rick. Anyone else? If not, I will close this public hearing at 06:52 and we'll move on to regular business. I just want to say that we've been going through the process of approval designing, looking at traffic studies, everything that you're concerned with that's what this board is concerned with as well. And we're here to look out for your well-being, but we must follow whatever ordinances are in town. And if somebody buys a piece of property and they're entitled to put a candy store or whatever they want to put in there as long as it meets all the safety standards that we have to uphold and the ordinances, they're allowed to do that. There is no moratorium on building in this town that would be done through council. Is that correct? So, right now the door is open for people to develop.

I think we have a very good project here, and you'll probably hear that from everybody on this board. There were a lot of give and takes that we had with the developer, before we got to this point. So even if you only found out about this two days ago or two weeks ago, we've been into it for at least four months, five months. So, looking out for your well-being, and we get a packet like this of engineering diagrams, drawings, and, we have engineering company companies that will give us feedback based on their knowledge in the engineering world. And we're here to look out for you. So, I appreciate everybody's comments.

And with that, I'll just move on to item one in regular business, which is proposal site plan, conditional use establishment of a new 100 site RV campground. This action will be final review and decision. Again, the applicant is Tammy Ahearn & Archie St. Hilaire. The location Portland Ave., MBL: 101-1-1 & 101-2-8; Zoning: RD District. And Jeffrey, our planning manager, would you like to take over, please?

Jeffrey Hinderliter: Sure. Thank you.

David Walker: You're welcome.

Jeffrey Hinderliter: And you have, you've been, actually reviewing this since February of last year. So, there's quite a bit of work that's going on, and for our February meeting, for this meeting, the proposed Atwood Campground is scheduled for final review. As the planning board may recall, at the January meeting, there were a few items that were outstanding. One of the items was porous pavement, some concerns about the porous pavement. Questions about the septic systems, the clubhouse septic system, the buffer, and our town engineers, our consulting engineer, Wright Pierce, their comments. And the submission that you have for this month's meeting, you have the applicant's response to each of those items. And in your planning board staff memo, you'll see our thoughts on the applicant's response.

And just to summarize those thoughts, regarding the porous pavement, similar pavement systems have been installed and working locations that experience much higher year

round traffic at much heavier volumes, with higher weight vehicles, and specifically right by the main mall. So, there's porous pavement very similar to this. I was in contact with the public works director at South Portland to discuss that pavement, and I came away with a lot confidence with this method. And I also appreciate that they're looking towards a porous pavement to further protect the environment by reducing the impervious surface amount. So, I see no problem there.

Regarding the septic systems, the applicant provided a report from a soil scientist, and I believe that this demonstrates septic systems have been properly designed and located. I offered my reasons for that in your memo. One recommendation that I have is to help ensure long-term functioning. I recommend that the applicants create an enact maintenance plan.

Regarding the clubhouse septic system, the only concern there was it appeared as though it was not connected to a septic field, with the updated plans in the February submission, it is now connected to a septic field.

Regarding the buffer, the applicant indicates they will revegetate disturbed areas, but it's important to note that there are a few septic fields in the 30 foot buffer area, like two, three, maybe four, and you can't put woody vegetation on a septic field. So, it will be revegetated, but the way it will be revegetated will be more of grass. That's more away from the road, so you won't even see it.

And then, finally, regarding the outstanding comments, Wright Pierce offered some comments, and overall, the comments are fine. There's no significant remaining items identified by Wright Pierce, and the items that are identified can be resolved by the applicant's engineer, Wright Pierce and staff.

So, just to address a couple of the comments, and I appreciate the folks that came tonight. You know, and we have new neighbors, so that's great to hear, too. I've been here for 14 years, and I was part of the full design and conceptual development, like Mark and, Robin, I think you were here during the creation of those developments. So it is good to hear that, you know, we have neighbors and you're happy to be here. And, I'd like to say that, you know, Archie and Tammy, the owners of the campground, they're our neighbors, too. It's not like a corporate development who has multiple campgrounds all across the country, which we're now seeing that are coming into Old Orchard Beach and it's just another piece of their portfolio. Archie, these folks are accountable, and I've worked with them ever since I've been here, and I've established a very good trusting relationship with them. And it's good to have local people who will be accountable if something goes wrong.

Regarding crime, whenever we have these proposals up for review, we have all of our department heads review these applications, including police department, fire department. And there were no concerns from the police, about crime. One of their concerns was even before this campground came into a proposal, was speeding up and down Portland Ave, as we came to learn, that used to be an old time drag strip, and it's still, I guess, kind of is

treated that way in some ways. So, you've probably seen, if you've traveled on that road, some speed monitoring type of equipment. One of the reasons that was out there was we're looking to lower the speed limit in that particular area of town and increase enforcement activity. But we actually just can't lower the speed limit. We have to approach the MDOT, Maine Department of Transportation, with data to support why it should be lowered.

So, police is aware. They weren't concerned about crime, but they did have some comments about traffic, which is another concern. And what, the good thing about this, and when I say this, I don't mean it as a slight to others, it's literally just a fact, this campground is modeled after another campground, and that other campground is Seacoast RV, which is off of Ross Road. It's gated, as this one will be, if approved, and it's close to the Scarborough down line off the Ross Road side. And I can tell you that we receive some sort of complaints about every single campground except Seacoast RV. Whether it be smoke from campsites, noise, traffic, all kinds of things. I live here in town and I can hear, on Saturday nights, I can hear one of the campgrounds' concerts. And I live pretty far away from Wild Acres. I can hear that pretty clear. But what gave me additional confidence about mitigation of potential impacts was this design is based on another design that has been proven successful in Old Orchard Beach Seacoast, with literally no complaints. So, that gave me confidence.

Also, in regards to something that Dave said and, those were good comments, our chair. Right now, we don't have a moratorium and, all that land out there could be subject to some sort of development. It could be, well, I shouldn't say any, you know, that's not a blanket, but it could be subject to higher density residential development, multi-family units. There's a lot of possibilities when it comes to residential development out on the Portland Ave. It's still a pretty desirable location. I have to commend the applicants because they actually, as a gift to the town they preserved a fairly large chunk of that nice rural area that could have easily been developed further into another, probably another, 200 sites for a campground, another multifamily development, and just something, other than land that is, with our Conservation Commission and all their hard work out there, is really looking towards creating and preserving as open spaces, a recreational space, for the town. So, you know, it's not ideal, I guess, in some folks' minds is the way it is. And I can certainly understand that. It is a unique area of town because it really does have a very rural feel. But in terms of traffic, in terms of impacts, there's going to be, right now, there's scrub brush out there. You can see right into the lot that they're thinking of developing. It's all going to be revegetated. So it actually, in some cases, may look even more rural when you're going out there, because of the vegetative plan. And I'm happy to share any of this stuff with you, if you'd like to see, too.

But, you know, I can understand, the comments and the concerns. But, in my personal opinion, we couldn't have asked for a better neighbor in Old Orchard Beach to do this kind of development because they will be responsible owners and they care about the town.

David Walker: Thank you, Jeffrey. Appreciate it.

Jeffrey Hinderliter: So that's all.

David Walker: Yeah. And I would just say if you're concerned, take a drive by Seacoast and see what a beautiful spot that is. And this is going to be equally nice or better. So, does the applicant wish to say anything, Bill? By the way, I want to commend you on the landscape design. It was a nice job. I really appreciated that.

Bill Thompson: That's great. Thank you. Well, I'm Bill Thompson working with the applicant, Tammy Ahearn & Archie St. Hilaire and Matt Orr behind me is the engineer from Sebago Technics, who's completed the plans. Just to, you know, talk about some of the comments that were made that concern about what is this RV park campground. It's under that category classification in the ordinance, but it's not an in and out transient pop up trailer tents. They are parked models. They are parked, like, on wheels. They could go. But most of these, they stay. People come in and occupy them from the April to October. They shut down. They go back down to Florida or wherever they live for the winter. So, there won't be any in and out traffic with small trailers lined up on Portland Avenue. You'll see the vehicles going in and out of the people that own the units and, come and go as we all do.

And the people coming in and out of there, if you go to the right, Scarborough is just a short distance down. You go up into Portland. If you go to the left, you come down to Old Orchard for the beach and the recreation down here. So, there's going to be, you know, a split on traffic coming and going from there. We talked about density. Is there going to be any more than 100 units on this? No. We purposely made these sites bigger than what we needed to make them nicer. The density calculation show we could have over 200 units on this piece of property. We've got 100. That's it. We've set aside a large chunk of the area where we're more sensitive with wetlands, protected that. Nothing's going to change on that. So, the units are bigger lots, 100 sites, two-access points in and out, well vegetated, gated, and controlled. So, as Jeffrey mentioned, the Seacoast RV is a good example and my company did that design. We're really proud of that. And it's done really well.

Our last submission, Sebago submitted a letter, basically just highlighting what Jeffrey's concern or what the town's concerns were, what Wright Pierce had concerns with. We've had multiple reviews. We've had a sidewalk. They had a project meeting with Wright Pierce. Face-to-face you can accomplish a lot more than passing emails back and forth. The conservation committee here tonight, the applicant wants to work with them and see how we can interface this site with the, Eastern Trail, which is located on the other side of Portland Avenue. Jeffrey's comment – there were three items, the septic design, the grading within the setbacks, and porous pavement.

Septic design, Mark Hampton, who designed all of these sites, we selected and chose the septic site for two units. So, there'd be 50 sites over the 20 acres versus doing maybe two or three large septic fields, which would have a higher potential of failure given the use of too many units on one site. So, this spreads it out. So it really minimizes any concern

for contamination. And the type of soils we have out there, the leach from the septic systems will go down based on the porous pavement. That's going to be the gravel. So that was the site design selected, and we think that, that'll work really well.

Disturbance, the 30-foot setback, we do need to do some incidental grading for stormwater and for a couple of the septic systems. But the areas will be vegetated. A lot of it will be meadow mix grass, which is DEP, suggestion for that. We needed a regrade in some of the areas to direct the stormwater to the areas that we need to for the treatment. The porous pavement plays a big part in stormwater treatment. So, we didn't need to build stormwater detention ponds in areas again to use up more land and have more issues. So it will be left vegetated and undeveloped. We'll have additional screenings along the road, Portland Avenue, and anything disturbed will be revegetated, and no above ground structures, no gazebos, sheds, or anything like that will be allowed in that 30-foot setback. And then the position of the actual RV, in some areas, is another 30 or 40 feet, which will be their backyard before you get to the property line. So, the setbacks in the buffer areas would be – more than what we thought they might be.

Horace pavement, that's sort of a new product, new to me, I guess. It is going to be designed under a moderate durability mix, geared for the highway loading. So the, DEP and the highway design recommends it for the H-20 highway traffic loads. So that is for the Horace Pavement. And again, it takes the stormwater into the ground and doesn't run off.

Wright Pierce comments, very similar. Maine DEP is still reviewing the project. We're hoping to hear back from them this spring. The fire department has weighed in. They do want the roads, the internal roads, to be plowed in the winter in case of a fire, and knocks box at the entrance so they can get in to respond to anything like that. No sand to saw will be permitted on the porous asphalt. That's what destroys the integrity of what you're trying to accomplish. Let's see, the 30 foot setback, again, we talked about that. Plantings have been provided along the main road to increase the buffer and the screening that we're all looking for. Porous pavement, we talked about that and what the, the design is, meaning DEP design manual. Internal roadways we talked about would be plowed, no sand of salt. Proposed signage, the signs would be a wood material in accordance with the ordinance. No other issues on driveways, the 100 parking spaces. Parking summary note has been added to the plan so they know who they're for, how they're designated.

Alternatives to gravel parking, yes, bituminous asphalt or typical pavement will be used on driveways and not gravel. We just feel that that'll hold up better. They want a little more gravel onto the sidewalk. That'll conform to the specifications. Sewer inverts and sewer clean outs going to the septic systems, all those inverts and clean out grades will be on the final plans for construction. Freestanding site lighting, we talked about that. That was a question. The pole heights are listed at 12 feet. All lights will be shielded to prevent any point source glare. Septic systems, again, we talked about that. Mark Hamptons' letter was a great detail of how and why we are doing the, design the way the way we've done it. Sewer service for the community building across the street, that's been shown on the plan now, which there was some information missing on that. Overall

maintenance plan will be developed prior to construction. These are all questions that Wright Pierce, had put before us. And we just want to make sure you understand what and how we responded to them.

David Walker: Bill, we have the Wright Pierce comments.

Bill Thompson: Correct.

David Walker: So.

Bill Thompson: Yep. Okay.

David Walker: You don't have to run down them. You certainly are along.

Bill Thompson: I am almost done.

David Walker: Okay.

Bill Thompson: Again, the stormwater system, sweeping and vacuuming will be required at a minimum of twice a year. Traffic that was looked at, the, police have looked at the site distance is great. And that's about it Mr. Chairman.

David Walker: Okay. Again, I really appreciated the detail on the landscape plan. It was C203 and 204 or something like that.

Bill Thompson: Yeah.

David Walker: And then I also saw that you had a maintenance plan for the porous pavement that you're going to put down.

Bill Thompson: Correct.

David Walker: And so I assume that'll be part of the campground, the park model's responsibility to maintain.

Bill Thompson: Exactly. Yeah, to maintain the integrity.

David Walker: Who is responsible for the septic tank maintenance?

Bill Thompson: So that would be the owner, the applicant.

David Walker: Okay because you leave it up to the owner of the park model. They may or may not pump that, you know?

Bill Thompson: Correct, yeah.

David Walker: That is problem.

Bill Thompson: That'll be part of the maintenance plan responsibility by the applicant. Yeah. Okay.

David Walker: All right, ward. Yes Marianne?

Marianne Hubert: A couple of things. Will the whole development be fenced or just the front gated?

Bill Thompson: They will be gated. The front, I don't think – yeah, there'd be vegetated trees and plantings. We're not proposing a fence at this time.

Marianne Hubert: Yeah. Because I think the Seacoast is fully fenced, right?

Bill Thompson: No, I don't think so, no, no.

Marianne Hubert: Just the front.

Bill Thompson: There's a couple areas on the right that were.

Marianne Hubert: And I have another comment also is that the buffers, you say revegetated.

Bill Thompson: Correct.

Marianne Hubert: Revegetated means grass. And I think that we should clarify that it should be planted where possible, you know, just add a statement that with plantings.

David Walker: Yeah, some of them were not able to because of the septic.

Marianne Hubert: Yes. But you choose a where possible.

Bill Thompson: Where possible.

Marianne Hubert: Replant it where possible. Revegetation means grass.

Bill Thompson: Yep. They want it to be nice so that....

Marianne Hubert: Yes.

Bill Thompson: Yep.

David Walker: Nice. Very nice. Thank you. Anyone else?

Robin Dube: How about turning that around so they can see that? So, they got kind of an idea if they just hearing about this, just pick the whole black thing.

David Walker: All right. So, we are up for a final determinations. Anybody got a motion?

Marianne Hubert: There is one written that I can read?

David Walker: I do not know if you can read.

Marianne Hubert: I can bounce it off you. I thought these are the old ones. I motion to conditionally approve the site plan and conditional use applications, proposing a 100 unit campground, should say *[indiscernible]* [00:48:50] Park, but...

David Walker: Off Portland Avenue.

Marianne Hubert: I can read. Off Portland Ave., MBL: 101-1-1 & 101-2-8; Applicants, Tammy Ahearn & Archie St. Hilaire. There's two conditions. Applicants or the representative shall secure applicable department of environmental protection permit approval before construction begins and addressing outstanding rate PS comments in their memo dated 02/04/2025 to staff. Have they not done that yet?

Bill Thompson: Most of them there, it's just a couple.

David Walker: To stance satisfactions. Motion by Robin.

Marianne Hubert: I'll second.

David Walker: Second by Marianne. You want to call for the vote, please, Jeffrey?

Jeffrey Hinderliter: Mr. Kelley?

Jay Kelley: Yes.

Jeffrey Hinderliter: Ms. Hubert?

Marianne Hubert: Yes.

Jeffrey Hinderliter: Ms. Dube?

Robin Dube: Yes.

Jeffrey Hinderliter: Vice Chair Hitchcock?

Chris Hitchcock: Yes.

Jeffrey Hinderliter: And Chair Walker?

David Walker: Yes. That motion carries 5-0. Thank you very much.

Bill Thompson: Thank you.

David Walker: Thank you for your time. Do you want to stick around till after the meeting to talk to some of your neighbors?

Bill Thompson: Yes.

David Walker: And set them at ease that would be wonderful. Thank you very much. All right. Item two proposal, multiunit project action ordinance standard discussion. The applicant is Avesta Housing. Location is 169 Saco Ave., MBL: 208-3-1; Zoning: GB1, R2 Districts. And is this you again, Jeffrey?

Male Speaker 1: Nope. This one's me. Good evening.

David Walker: Good evening.

Michael Jeffery: The applicant's requesting interpretation of town ordinance to determine if 169 Saco Ave is eligible for the affordable housing density bonus. And after meeting with the applicant, we recommended them ask the planning board for your interpretation since you would be reviewing the proposal, and without the bonus to add additional affordable housing units, they would need to look at alternative methods, such as contract zoning. So, the applicant's asking for clarification on whether the affordable housing density bonus as outlined in the ordinance remains available to this property, even though there are pre-existing structures. And so the existing development Pleasant Wood is a senior housing community that was constructed in the late 70s through late 80s. It is a seven. 23 acre lot currently developed with 66 affordable housing units, an office and storage building, and they're proposing to add approximately 18 affordable housing units.

The location of this development is on Saco Ave, between Jamieson Woods and Wild Acres Campground and across the street from Fielder's Choice Ice Cream. This lot spans two zoning districts, GB1 and Residential R2, and the proposed development would be on an unused portion of the site that directly abuts Saco Ave, which is located within the GB1 District. And an approximate area was shown on the site plan that was provided with the cover letter. So, the section of the ordinance the applicant is asking for interpretation on is the Housing Opportunity Program, section 78/1272, which as you may recall is the ordinance that was adopted to address the State law requirements that came out of what was referred to as LD2003. And so this particular section the ordinance contains applicability definitions and performance standards to apply for two different types of housing.

There's the additional density for affordable housing developments in certain areas, the affordable housing density bonus, which is what they're asking about, and then the multiple dwelling units on a lot designated for housing, which is the other part of that

section, which is the dwelling unit increase allowance. So two separate parts within the same section. So back to the question. The affordable housing density bonus portion of the ordinance allows a density bonus of two and a half times the base density of the zoning district in which the lot is located, for certain affordable housing developments approved on or after 01/01/2024 as long as they meet four primary requirements. I can go over those specific requirements if needed, but first want to get back to the question for interpretation.

Is 169 Saco Ave eligible for the affordable housing density bonus even if there are preexisting structures? It looks like this proposal would be eligible as far as being approved after the 01/01/2024 date, but what about preexisting structures? The applicant provided their interpretation in the cover letter as discussed with planning staff, and I'll give my interpretation of the ordinance. There does not appear to be anything in the ordinance, specifically excluding a lot with preexisting structures from utilizing the affordable housing density bonus. In fact the other section of the ordinance that applies to units that are being proposed specifically under the other part of this section, the dwelling unit increase allowance, which the affordable bonus is separate from states if more than one dwelling unit or an ADU has been constructed on a lot as a result of this allowance, the lot is not eligible for any additional units or increases in density.

If the intention was for a lot with preexisting structures to be ineligible for the affordable housing density bonus, it seems it should be specifically stated under the affordable housing density bonus, like it is under the part that applies to the dwelling unit increase allowance. It looks like if this is eligible for the bonus, one thing to consider is how to determine the number of units allowed. Other items the applicant will need to consider for future submittals, just subdivision or site plan review and conditional use review, stormwater requirements, DEP permitting, setbacks and buffering from Saco Ave, and GB1 district requirements, and then showing that they meet those affordable housing requirements. So, for recommendation, my interpretation of the ordinance is that the affordable housing bonus density can be used on a lot with existing structures because the purpose of the housing opportunity program is to allow for additional density for affordable housing developments.

This proposal is for additional density of affordable housing. Also, as mentioned, if the intention was to exclude lots of preexisting structures, it would be specified like it is for the dwelling unit increase. We just want to make sure the planning board has a similar interpretation so the applicant can move forward with the application submittal, or if they need to rethink the approach to add units.

David Walker: Is this before us because there's 18 units involved, because it's not in the half, so...

Male Speaker 1: It's for interpretation of the ordinance at this point and then an application because the affordable housing bonus is conditional use, and then it would also require, either subdivision or site plan.

David Walker: Okay. All right. Is the applicant here? Good evening.

Nate Howes: Good evening. Hi everyone. I'm Nate Howes with Avesta Housing. For those unfamiliar with us, we're one of the largest housing providers nonprofit in Northern New England. We have over 100 properties and around 4,000 residents. We purchased the Pleasant Wood property from Mike Young in 2022. We just want to explore the possibility of adding an additional 18 unit structure, 55 plus. So, keeping with the senior nature of the campus already, we would apply under main housing's recent rural rental program. Old Orchard Beach is actually in USDA's rural designation, so it's eligible under that program. That program allows us to rent to folks who are 80% AMI and below. And what that means is a person who's making 68,500 a year could live in the housing. And we would set the rent levels at the lesser of 80% AMI rents, which are published by HUD or the achievable market rents in the area. And we believe that for one bedroom, we would set it at \$1,675 and if we ever did a two bedroom, we would set it for \$1,800. Our plan would be to do mostly one bedrooms. We find it's easier to lease one bedrooms than it is two.

Really what we're just looking for tonight is are we allowed to add 18 units without going down the contract zone route? The site is also bisected by two zoning districts, which makes the question a bit different. Not exactly sure why the districts run through the parcel itself. But we'll be building on the site that is in the GB1 District, which is eligible for the bonus and has some more generous setbacks. Happy to answer any questions that you guys have.

David Walker: What size are the units?

Nate Howes: About, so main housing has storage requirements and the storage requirements like, so your kitchens, your closets, etcetera. Those requirements dictate how big or how small units can be. About 575 for a one bedroom. And then for a two bedroom, it would be about 675.

Marianne Hubert: About the size of – that's where I work about the ones of that big building we just did on hold on.

David Walker: Any questions from board members?

Robin Dube: Yes. I have a question.

Male Speaker 1: Sure.

Robin Dube: So the land that you would develop is virgin right now?

Nate Howes: Yes. That's correct.

Robin Dube: And how big is that area?

Nate Howes: I don't know that offhand, 1.3 acres.

Robin Dube: So you need to have the whole property in order to make it work?

Nate Howes: Correct.

Robin Dube: To develop it on its own.

Nate Howes: Correct.

Robin Dube: Okay.

Nate Howes: Yeah. We would – I mean, we'll we would talk about this as we go through the process, right? We're probably going to have to create a land condo here because I don't know that subdividing into different lots would comply with the ordinance and the density requirements. So, we create land condominiums. So you'd have – the new building would be part of a land condo and then the existing two buildings, is actually two separate projects. Like one was funded via tax credit. One is an old section 8 property. Each of those would be its own land unit, and that allows them to all exist on one lot with three different ownerships.

Robin Dube: Through the chair. How many buildings?

Nate Howes: Oh, well right now, I mean, do you know, eight right now, we'd be adding one.

Robin Dube: You're adding one building or?

Nate Howes: Yep, one building.

Robin Dube: With 18 units?

Nate Howes: With 18 units.

Marianne Hubert: So how high you go?

Robin Dube: The others are two story and there's eight units in the whole building.

Nate Howes: Yeah. Yeah. The size is 66 units. Yeah. 66 units in eight buildings. So eight units roughly per building. Those are those are larger, I believe, and we would be going up in height. But I don't think it'd be more than – it wouldn't be more than three stories, and we can make it longer to make it two stories. You would have nine units on the ground floor, nine units on the top.

David Walker: You're still restricted by ordinance on height?

Nate Howes: Yep. What is the height?

David Walker: It's not a commercial, is it a commercial area?

Nate Howes: Yep 35. So three stories is about 33 feet. So we're right there. So it would probably have to be like a flat roof. It's about 11 feet floor-to-floor.

Marianne Hubert: From one end of the property to the Wild Acres property all across right there in the front?

Nate Howes: No. That's really steep up there. So our idea and we're still very early here. That's why we're here for the determination. But our idea would be to tuck it back, connect it to existing infrastructure. It's kind of a weird parking lot if you ever been in there, but that you can access it from – what's that?

Robin Dube: I work in that property.

Nate Howes: Oh, you do? Yeah. You could access it from the back, and then we would create a, like, you know where the warehouse is?

Robin Dube: Yep.

Nate Howes: There's a road right there that we might be able to use extended.

Robin Dube: Isn't this going to be behind Building F?

Nate Howes: Yes. Well, behind, but, like, up towards the road, but not right against it.

Robin Dube: Right up towards the road.

Nate Howes: Yeah. It's very steep up there and it gets wetter as you get back in there.

Robin Dube: It's swampy.

Nate Howes: Yeah.

David Walker: Anyone else?

Jay Kelley: Yeah. Through the chair. Yeah. Michael Jeffrey, is it your interpretation that this project will meet the letter of the law, as far as being able to go forward?

Michael Jeffrey: They would have to meet the affordable housing requirements for that section of the ordinance, but as far as everything else, it appears good to me.

Nate Howes: And to clarify that, the way that your ordinance is written, it requires a restrictive covenant, which is something that we're very used to. Main housing, all of their financing comes with restrictive covenants for periods of 45 years, 30, 45 years.

Jay Kelley: Thank you.

Robin Dube: And I have another question.

Nate Howes: Sure.

Robin Dube: And, about stormwater management, you will meet the requirements for the DEP?

Nate Howes: Yes. And I'll be curious to see if what the existing permit looks like since this was built in the late 70s.

Robin Dube: Yeah. So there's no permit?

Nate Howes: I don't know. They are in the process of actually digitizing all of their prior permits. They obviously haven't gotten back to 1988 or '78.

Marianne Hubert: I don't remember any problems, do you Jay when they were building that?

Jay Kelley: No, I mean, I'm not looking at a plan, but.

Marianne Hubert: No, Jay and I will both hear before that went up.

Jay Kelley: Yeah.

David Walker: It looks like, the, recommendation from staff is that it meets the requirements for affordable housing. So, I don't see that we have any concerns ourselves either. So Godspeed and God bless, I guess.

Nate Howes: We have a lot of work to do. Thank you all.

David Walker: Yeah. Thank you. All right. Anybody here for other business? We do have a couple of...

Robin Dube: Things to sign.

David Walker: Approvals to sign.

Michael Jeffery: Yes. I just need signatures because you already signed from Robin and Jay.

David Walker: Robin and Jay. Okay. With that, I will adjourn for the evening. Thank you everybody for your attention. We appreciate it very much. And be safe going home. Everything is froze.

Michael Jeffery: Thank you.

I attest the above minutes were approved by the Old Orchard Beach Planning Board on 13 March 2025.

Jeffrey Hinderliter, Town Planner