

PLANNING BOARD MEETING MINUTES, November 13, 2025

Jay Kelley, Robin Dube, Marianne Hubert, Chair David Walker. Graham Roeber, Erin Moriarity, and Chris Hitchcock are absent.

Roll call by Jeffrey Hinderliter

[silence]

Chair David Walker: Good evening, everybody. Welcome to the Old Orchard Beach Planning Board meeting, public hearing, notice, and regular meeting. The date is November 13th. My name's David Walker, and I'll be your chair tonight. First order of business is a pledge of allegiance to the flag, so if you'd please stand and join me.

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.

Chair David Walker: Thank you very much. Michael or Jeffrey, one of you want to do the roll call, please?

Jeffrey Hinderliter: Sure. Mr. Kelly?

Mr. Ryan Kelly: Here.

Jeffrey Hinderliter: Ms. Dube?

Ms. Robin Dube: Here.

Jeffrey Hinderliter: Ms. Hubert?

Ms. Marianne Hubert: Present.

Jeffrey Hinderliter: Chair Walker?

Chair David Walker: Present. Absent tonight: Graham Roeber, Erin Moriarty, and Chris Hitchcock. All right. Public hearing. We'll start this public hearing at 6:31. Proposal. Site plan: construct four-story building with 11 dwelling units, one professional office, and ground floor parking. The applicant is Trillium Engineering. The location is 95 West Grand Ave, MBL: 313-3-4; Zoning in the DD2 district.

Now, if you're here to speak, you need to clearly speak into the microphone so the folks at home can hear you, and the people that record this can make your comments part of the record. State your name and your address, and just come to the podium one by one. No worries, no sweat. This is just talking to a regular person. Anybody interested in talking tonight? Come on up.

Jean Johnson: Hi.

Chair David Walker: Hi.

Jean Johnson: My name is Jean Johnson.

Chair David Walker: Hi, Jean.

Jean Johnson: Hi. I live at 7 Camp Hubbard Ave, directly behind the proposed development at 95 West Grand. I'm here tonight to express my strong opposition to the Trillium Engineering Group's proposal for this site. My concerns follow to four main areas: traffic and safety, neighborhood character, parking and access, stormwater management, and the incorrect classification as mixed use.

First, traffic and safety. When was the traffic impact data collected? Whether it was gathered in the off-season or during July or August makes a huge difference. Even within the summer months, the day of the week, time of day, and weather conditions matter. A rainy Tuesday morning is not the same as a sunny Saturday at noon, especially in our resort community when traffic is at its peak. It also appears that required sight lines cannot be met.

Settling for the best option is not acceptable. That intersection is already difficult to navigate safely, and adding another large building will only make it worse. Sight lines are based on vehicles traveling 25 miles per hour, but we all know that bicycles, skateboards, rollerblades, and rental buggies often move faster than that on West Grand. The faster the speed, the greater the sight distance required. At a minimum, this building should be set back farther from the sidewalk to improve visibility and reduce risk.

Next, the neighborhood impact. The proposed four-story building is completely out of scale with our quiet residential area. My property sits about 8 feet lower than that lot, which means the 11 balconies and rooftop deck would look directly down into my home and rental units. This would eliminate both sunlight and privacy for my family and our guests. This project would dominate the corner and completely change the character of our neighborhood, which is made up of modest homes, not oversized commercial-style buildings.

Parking and access. The plan calls for new curb cuts on Camp Comfort and Bay Ave, which would remove valuable on-street parking that residents rely on year-round. During the summer, those few spaces make a huge difference. More driveways, more traffic, and worse sight lines will only make things more dangerous for everyone.

Stormwater management. The developers claim that runoff will simply drain into the sand is not acceptable. The bottom of Camp Comfort already floods after heavy rain, sometimes to knee depth. My property sits at the low end of the street, and I already manage significant runoff with perimeter drains and sump pumps. I also rent out a basement apartment that makes up about a third of my income. If flooding increases, that rental space and my income would be at serious risk.

This proposal will remove existing pervious area that currently helps absorb water, making the situation worse. If the plan relies on stormwater drainage under the garage, the developer should be required to provide testing that proves the infiltration rate and

the groundwater level are adequate. Without that proof, there's no assurance that this design will work or that neighboring properties won't be harmed.

Finally, the mixed-use designation. It is inaccurate to classify this plan as mixed-use. The so-called office space is basically the size of a closet and doesn't even have a bathroom. It will never function as commercial space.

In closing, I respectfully ask the planning board not to approve this proposal as submitted. The project poses serious safety risks. It does not fit the scale or the character of our neighborhood, and it could worsen flooding for nearby homes. Thank you.

Chair David Walker: Jean, thank you. I noticed that you read that from a paper. Do you want to provide it to staff?

Jean Johnson: Sure. You can have it.

Chair David Walker: We have it here.

Jean Johnson: [inaudible 00:06:51]

Chair David Walker: Oh, okay. All right, great.

Jean Johnson: [inaudible 00:06:53]

Chair David Walker: No, we got it then [inaudible 00:06:56]

Ms. Marianne Hubert: It should be the same as the one you sent.

Chair David Walker: Thank you. Thank you very much. Good girl. All right, anybody else? All you people came, and you just wanted to listen to Jean.

[laughter]

[indistinct chatter]

Chair David Walker: Yes. Good evening.

James Land: Hi, James Land here, 98 West Grand. I've already sent you the letter, but I'm always hesitant to make sure that you've read everything in that letter and make sure that you understand how important some of those parts are. My concerns that need to be addressed before approving this project, it says that it's a mixed-use project of retail and housing. That allows the additional height to the property.

Well, the statement, I think, is incorrect because the retail space is just really a small office that has no plumbing and no bathroom. That's not easily accessed from the street, making the use of it as commercial space on that in paper only and not functional in keeping with the concept of mixed use. For this alone, the project does not qualify as mixed-use. The height of the building would need to be reduced.

Secondly, like Jean said, I'm concerned about the congestion in the area. The typical guidelines by US Department of Housing and Urban Development indicate that a typical four-bedroom unit, of which there'll be six of them there, holds four to six residents but can allow as many as eight people. The property is planning on six of these, of the four-bedroom units, allowing as many as 48 people on the third and fourth floors.

The second floor consists of five one-bedroom apartments, and using the same standards allows for an additional 10 people to live there. If there's only one person in the so-called office, the number of residents brings the total to 59 additional people living in our area and working in that complex. The area cannot accommodate that many residents and certainly cannot handle the parking potential for up to 60 new vehicles in the area, even with the parking spaces provided by the development, plus the ones that you're going to eliminate.

A project of this magnitude does not conform to the existing structures and homes presently in the area, and it would permanently change the neighborhood, not enhance the lives of the established homeowners. It would significantly decrease their home values.

For this reason and many others that I'm sure I hope that you can address, the inability to address the stormwater runoff, the impact on the sewer capacity, the impact on the existing water lines, the traffic concerns, the inadequate space planned on the plans for trash, the incomplete plans for snow removal, the request for waivers that negatively impact the neighborhood, and impact on the current parking, policing concerns, noise concerns, et cetera. There's so many things that you could make a list of. This project should be completely denied or seriously downsized to fit in the neighborhood. Thank you.

Chair David Walker: Okay, James. Thank you. [silence] Good evening.

Michael McGonigal: Good evening, sir. Thank you. Michael McGonigal. I have a property at One Camp Comfort.

Chair David Walker: Okay, Michael.

Michael McGonigal: I support everything that has been spoken tonight. All of that is very accurate. I live down the end. Jean said about a foot of water pools down there with a bad rain. It's more like 2 feet, and you can't even keep a vehicle there. The water that washes down Camp Comfort is significant during a storm, never mind a 25-year storm. I tried to read the minutes from some of these past meetings on the website, but they're not there. Excuse me if I ask you a few questions that you probably already have answers to. There was something in one of the letters that I read about the 6-inch water extension coming up Bay Ave. Has that been resolved? Has that been approved? Is the water department--

Chair David Walker: Well, this is just you making statements. We'll get back to you after the hearing with answers. If you have questions, staff will get back to you. I think you're alluding to the water main, the feed from Maine water.

Michael McGonigal: Yes. Conversely, on the sewer side, Camp Comfort, they were going to do that. Are we going to try to approve this tonight without answers to these things?

Chair David Walker: Yes, it's up for final approval after this public hearing. It's the number one item on the agenda following this public hearing. Yes.

Michael McGonigal: My question would be, how can you do that without knowing the answers to these questions?

Chair David Walker: We do know the answers.

Susan Sheehan: Are you approving tonight or like 10 days down the road from now?

Chair David Walker: Tonight.

Michael McGonigal: Thank you. You have the answers, but you don't want to give them to us. Is that fair?

Chair David Walker: All the records are available through the planning office, yes.

Michael McGonigal: They weren't online. That's fine. That's fine.

Chair David Walker: This isn't going to be a debate. This is just you telling us what you need to know.

Michael McGonigal: No, I understand that, sir. I understand. You made that clear. Also, like the two other speakers have said, to try to classify this as mixed use is just trying to fool somebody. It's getting bonuses that shouldn't be available, in my opinion. How about, did the town get the peer review? Do we have that?

Chair David Walker: What kind of review?

Michael McGonigal: The peer review that was supposed to be done. Did the town receive that?

Ms. Marianne Hubert: Well, not the town. They asked [crosstalk] [inaudible 00:13:21].

Chair David Walker: We have an engineering peer review, but that's different than the subject you are bringing up, which is an ordinance for mixed use. They're allowed to make a mixed-use application under the ordinance.

Michael McGonigal: One last question. In the readings that I've done from the attorneys and the engineering department, there was a question about the engineering group-- if I say this wrong, I'm sorry-- Trillium being the applicant, and then the changing to go to the DURP LLC. Has that been resolved?

Ms. Marianne Hubert: The applicant for construction, Trillium is. They're just involved in the construction of it. They don't own the building.

Chair David Walker: We did have an engineering peer review turned into us this month, if that's what you're asking.

Michael McGonigal: Yes. I guess that was one of the points of contention from the town, I thought, from planning.

Chair David Walker: It was, yes, last month.

Michael McGonigal: I guess with all that, I would ask that you-- I don't see the benefit to the neighborhood or to the town by giving these waivers and allowing all this stuff. We know it's not really mixed-use. I would ask that you consider that, the feelings of the neighborhood, how this would fit into the neighborhood, and give us that consideration.

Chair David Walker: We appreciate that. Thank you, Michael. Okay.

Michael McGonigal: Thanks.

Chair David Walker: Yes.

[silence]

Valerie Center: Hi. My name is Valerie Center, and I live at 98 West Grant.

Chair David Walker: Good. Thank you.

Valerie Center: I want to speak about the waivers that are being requested because I think the waivers are really dangerous. During the summer, our area is somewhat overwhelmed by tourists and people and vacationers. Everybody's having a wonderful time, but they aren't thinking about safety. Now we have short-term rentals who don't really know the area. We have people who like to ride e-bikes, and they don't seem to feel like there's a certain speed that they're supposed to be going.

The other electric scooters that they have, people just whiz around the corners. I can't imagine that it would be safe to allow a waiver there. I'm speaking specifically about Camp Comfort because you've got less than 10 feet, and you're just going to whiz around the corner, and you're going to hit somebody. I hope that you will keep us all safe. Thank you.

Chair David Walker: Thank you, Valerie. [clears throat]

[pause 00:16:28]

Cassidy Jacobson: Hi there.

Chair David Walker: Good evening.

Cassidy Jacobson: Good evening. My name is Cassidy Jacobson. I am here on behalf of my mother. She owns the Airbnb at 93 West Grant. She's not actually opposed to this whole thing, but she's already a really stressed person, and it's stressful having a rental

and not living in the area. The plans are only going to give her two really small, compact parking places. Her rental unit is a multi-family place, so that's going to be really complicated for everyone around there.

Then, obviously, I second everything that everyone has said here tonight. We've all seen beautiful places succumb to the pressure of development, and it sucks, but it is going to happen. Maybe we could try to consider everyone, and there can still be enough money made, even if it's smaller. That would be better for everyone involved, I think. Yes, thanks for listening. I've never done something like this before, and I'm really nervous, but thank you.

[laughter]

Chair David Walker: Thank you very much. Good evening.

Susan Sheehan: Hi. How are you?

Chair David Walker: Good. How are you?

Susan Sheehan: Good. My name is Susan Sheehan. I live at 12 Bay Ave. I'm probably the one most directly impacted by this proposed development. My property is the one, if you look at the map-- I don't know if you have-- Is that the whole plans and pictures and everything up there?

Michael Foster: [inaudible 00:18:35]

Susan Sheehan: We have two walks right here. There's only one house right here. [inaudible 00:18:55]

Michael Foster: [inaudible 00:19:01]

Susan Sheehan: Yes, yes, perfect. That's my house there. That is not me. That is not my family, but that is my house. As you can see, I'm the one most directly impacted by this whole development. Obviously, we have some concerns. We share this thought. You know what I'm saying?

Chair David Walker: You need to speak into the mic. Can you do that?

Susan Sheehan: Obviously, we're the ones who are the most directly impacted, I think, by the whole of the development. The first thing, I guess I would like to say is the way that's depicted there in the plan requires a complete renovation of my front porch, which has not yet been discussed. It's been mentioned in passing, but that is not, at this point, how my front porch is set up. There's been no conversation about how we plan to get that.

If my porch remains the same as it is, essentially, we're coming out smack dab into the front of a car or the side of a car. I'm just not sure. Again, I know one of the criteria to

approve the development on your end is you have to look at the adverse impact upon the quality, of the impact-- Let me just see. Hold on. Sorry. I, too, am nervous.

Chair David Walker: Don't be nervous. You're just talking to your neighbors right now.

Susan Sheehan: Yes. I think one of the characteristics is that the project will not have an adverse impact on environmental quality, all of the things related to the other properties in the area. As you can see, not only will the quality of me exiting my existing porch be impacted, because I'm going to go smack dab into someone's car, but the way that's designed on the plans isn't the way my house actually is. That's important, I think, to take note.

Then if you look at, again, to Jean's point where the balconies overhang, that is directly overlooking our windows on half of the house, overlooking our backyard. Trying to understand how that overhang will impact some of our personal privacy and enjoyment of our own space. We, too, use this as a rental property, not a lot, but from time to time. I think that's going to have a pretty big impact on the quality of the way we're able to enjoy our-- [crosstalk]

Chair David Walker: That's not actually your house. Your house is the gray house?

Susan Sheehan: No, that is my house.

Chair David Walker: That is your house?

Susan Sheehan: Yes. Exactly. The way the zoning works, I understand there's literally the ability to have a zero-foot setback from where that property line is to the property line of my house. That's just not feasible. We're not going to be able to use and enjoy the house at this point if this big, massive structure is built right next to it.

The other concern, as you look at the scale of that, when the construction occurs, the whole entire lot is going to be disrupted. They're going to have to dig. They're going to have to move all the sand. I don't think I've seen any engineering studies that are describing the way that all of that construction is going to impact the stability of the land, given the closeness and proximity to the foundation of my own house. There's no way you can build that the way it's designed. That goes to my house without disrupting the structural stability of my building. It just can't happen.

The other question, and I know part of the assessment with regard to what you're looking at, is the impact of the overall construction on the neighborhood, like the dust, the noise, the impact, again, to everybody's enjoyment of their own properties. I'm trying to figure out, as I look at this and I look at the plan, how are you going to construct a building of this size in such a compact space? Where are you going to put the equipment? Where are you going to put the workers? How are you going to navigate?

What you don't see is going across, there are low-hanging electrical lines, which I didn't see anything in the materials about how they intend to maneuver around the electrical service that goes directly to my house. I happen to know that this is a problem because

they've been taken out a couple of times. Each time they get taken out, even by a delivery truck, it's \$900 you've got to pay to get them reinstalled. There's been no mention of how we're supposed to navigate around that, as something like this would actually be constructed.

The other concern I have is just from a fire perspective. My understanding is when buildings are that close, you're actually required to have certain types of walls in between of the construction, they have to be a certain thickness. They have to be a certain type of material to protect the fire in that proximity from spreading to the abutting building. The way that is designed at this point, there's no such wall. Those are just windows.

Any time, if there were any fire situation within this building, that would be incredibly detrimental to my property. I'm not seeing anything in the design plans that attempts to address that for my building or the other surrounding building that way. On Jean's property, I think there's a shed that could also be potentially impacted there. That hasn't been contemplated.

Going back to the actual criteria for a minute, the first one states that the proposed project conforms to all standards of the zoning district and meets or exceeds performance standards specified. Again, it doesn't. They're looking for a waiver for the curb cuts. I agree with everything that everybody has said about the parking. I took a look at the report that's in the packet that you guys have. I don't believe that's based on an actual traffic study.

I think that data was compiled from estimates based on similarly situated properties and builds. I don't think that's sufficient in this case, given the volume of foot traffic and traffic traffic that we see on a regular basis there during the summer months. I think there needs to be a more in-depth study of the impact to the point one of the earlier speakers made about that volume of people coming in and out of that building on a regular basis.

Certainly, during the summer, it's going to be highly impactful and very dangerous. There's not only people walking on the main road, but more of what you see, as I know, because I've got it back out of that driveway every day when I'm here, you have people and children and beach equipment and babies and carts up and down that street 24/7 on any given summer day. The danger cannot be understated in terms of what you see if you make those switches on both sides, on the Camp Comfort side and on our side of the street, for sure. I don't think the project conforms from that perspective and should be denied for that reason.

If you look again at the groundwater piece, if you look at the pier engineering, I don't think that that's been fully addressed. What we saw is that they will address. They don't have a plan to address the water, the additional groundwater, the additional off-flow from the building. None of that has been taken into account at this point. That's going to have a significant impact because, as you can see from the depiction, it's actually true. The water flows downhill. Whether it's going to flow downhill into my basement, into Jean's apartments that she rents, it's going to have a significant impact. There's

nowhere to put it. They mentioned the downspouts in the collection. It can't just be flowing into the downspouts.

Chair David Walker: Michael, there was a stormwater impact study that was performed this past month, right?

Michael Foster: Yes. It wasn't in this submission, but it was submitted after the deadline, and we do have that now.

Chair David Walker: We haven't reviewed it yet, but it has been done.

Susan Sheehan: Okay. If that hasn't been reviewed, you're saying that final determination is happening tonight?

Chair David Walker: It could happen tonight, yes.

Susan Sheehan: Okay. I would argue that if all of that hasn't been reviewed and sorted, then you can't approve it at this stage because the risk of approving this without having all of that ducks-- You could, but--

Chair David Walker: We could approve it conditionally based on this impact stormwater review. We could conditionally approve it. Don't say that we can't approve it.

Susan Sheehan: My apologies.

Chair David Walker: I'm just telling you.

Susan Sheehan: I would respectfully request that you do not approve it. How about that?

Chair David Walker: Okay.

Susan Sheehan: I think that the other thing that was mentioned, I believe, is that there should be a pit test. Did that happen?

Michael Foster: I didn't see anything in the report, but I haven't fully reviewed it.

Susan Sheehan: Okay. I do think the water is a serious issue. If the pit test hasn't been done, then I would respectfully request that is something that be required at this point, so that we can get a full understanding of the impacts of the water on the rest of the neighborhood, and particularly the folks who are living downstream from what's likely to be a good bit of offload.

[pause 00:30:17]

Again, I don't know if there has been-- if that goes to the water. One of the criteria is that the project provides adequate stormwater management facilities to produce no additional peak runoff, so I guess that's what I'm asking from the site during a 25-year

storm event, or any other event. Again, the criteria looks to be an undue impact, so I would argue that we just really would need to understand what is that impact.

There's not a lot of drainage on either street. I think if you go down there during a regular storm event, you'll see that there is just tons of water at the bottom of each of the abutting streets already. Pros is it takes a while for that to dissipate. It's dirty and yucky, and I imagine that if we had additional runoff that was created by this, that would become a more significant problem for the neighbors.

We talked about the vehicular and pedestrian circulation sites within the community. Sorry, there's just so much. It looks like within the peer engineer, they recommended that a formal ability to serve determination from the main water company be supplied before final approval. Do we have that at this point?

Michael Foster: I don't believe so.

Susan Sheehan: Okay, so that still isn't--

Ms. Marianne Hubert: Really, this isn't what this part of our meeting is about. It's just for you not to ask us questions of what we have. This is to get comments from you guys about the area. We're not here to answer any questions until maybe the next section of this meeting.

Michael Foster: All these things that you're going over is what we do.

Susan Sheehan: No, I understand that. I guess from my perspective, we as a community are feeling like we need an opportunity to share all of the concerns.

Michael Foster: Share away then. Yes.

Susan Sheehan: My understanding was this was our opportunity to do so. If I'm mistaken, then I'm--

Chair David Walker: No, no, no, no. No, go right ahead.

Susan Sheehan: -happy to seat the floor.

Chair David Walker: We've been working on this since March of this year, April of this year. I understand that the public isn't always aware of the work that we're doing leading up to this point. Go ahead. I appreciate everything you've got to say.

Susan Sheehan: Okay, no. Again, I think it's just important for you as a body of people representing the community to understand what we're seeing is that there's a lot of stuff from our perspective that still remains to be--

Ms. Marianne Hubert: The thing is that we had public meetings on this March up until now to get to the final thing.

Susan Sheehan: I've been here for all of those.

Ms. Marianne Hubert: Yes, there's been a few.

Susan Sheehan: I've been here for each of the meetings--

Ms. Marianne Hubert: You have. Somebody else is shaking their head, no, but yes, there has been meetings about this.

Susan Sheehan: The last two, we were told it wasn't for our comment. We were just here to listen. Am I mistaken? My understanding was that this was our opportunity to comment.

Michael Foster: It is. You're not wrong.

[laughter]

Susan Sheehan: I know. This is the only thing on the docket. Everybody wants to go home, and I'm talking a lot. I think it's really important. This is going to have a massive impact on all of us who live nearby.

Chair David Walker: We understand that, yes.

Susan Sheehan: I just think if there are things that are outstanding, I would respectfully request that we require those be submitted at this point. This isn't a couple of condos. It's a massive project that's going to have huge impacts. I know each of my neighbors discussed the office space, the office that's on the design plan, right?

Chair David Walker: The commercial space.

Susan Sheehan: The commercial space. It is quite evidently, if you look at the plans, just a closet, there's no water, there's no bathroom. There's no possible way that that could actually be used as a functioning office. The reason that distinction is important is because if the building is classified as a mixed-use property, you can fit all of the extra units in there. That is a severely critical point that we, I think, respectfully request that you consider.

Chair David Walker: The ordinance does allow for that. We didn't write the ordinance. We must maintain the ordinance. That's all.

Susan Sheehan: I understand that. Then let's have a true mixed-use building. Let's not have a building with 11 units and a closet, right?

Chair David Walker: We understand that, too. Thank you.

Susan Sheehan: All right.

Chair David Walker: Okay. I appreciate it.

Susan Sheehan: Again, I think there will be a significant adverse impact on the environmental quality. The visual quality of the neighborhood is definitely something the board has as an option to consider. I do think that as you think about the visual quality of this neighborhood, generally speaking, with the exception of this lot, it's an entirely-- I understand the zoning is what it is. Can't change that now, although I think we should.

If you look at the zoning map, all of the rest of the properties around are residential. When you drive through, and you see the impact of this particular design on an otherwise residential neighborhood, it has a pretty severe adverse impact on that, which is something you are able to consider as part of the approval process. I know it's been to design committee. We weren't part of that process as a neighborhood group.

Again, I don't know if we have the ability to weigh in with the design committee or not, but that's not something I was aware of until last week that those meetings had happened. I think all of us would have liked some more collaboration as part of that process. I do understand that they made some pretty big changes to the original design. This does look much better than the first one I saw, so I want to acknowledge that. Still, I think just from the scale and the way it fits into the neighborhood, there's still some work that can be done, for sure.

Again, you talked about the fire concern. That's a big one for me. The proposed project, the noise, odors, dust, debris, glare, pretty significant. All of the nuisances associated with the construction will have an adverse impact. It's not only summer. Many of the people surrounding us also rent their homes during the winter months to college students. I know there is going to be an impact year-round from this, regardless of when it happens.

The other thing I just wanted to say is that when I was looking at the notes from the packet that has been submitted, I understand that there was a shadow study done. That's not something I haven't had a chance to see that video. Do we have that video here? There's pretty significant new shadowing that's going to occur from this building. I don't know if you've seen the video of the shadow study.

Chair David Walker: Yes, we saw the study.

Susan Sheehan: I think you see currently on the other side of that building, the sun rises over the ocean. For a good chunk of the time, there's going to be new shadows cast on those buildings on the opposite side of-

Chair David Walker: West Grand.

Susan Sheehan: -West Grand that I'm sure are going to impact their enjoyment of their properties and the sunlight that they're getting during the course of the day. When you cross over, and the sun starts coming out from the west, all of those buildings on that side of Camp Comfort, including her mother's place and whatever, are going to be cast into the shadow at this point where they would otherwise have pretty much day-round sun exposure.

I think that, again, speaks to the height of the building. The other thing I was curious about is understanding the height that you see there now. What you're not seeing is the equipment that I believe is going to be on the roof. I'm not sure exactly where that goes. Once that's installed, the height's going to be above the height line. You don't think so? Okay. All right. Let's check it. I didn't see it on the drawing.

Ms. Marianne Hubert: It's part of our decision as to how high it goes-- [crosstalk]

Chair David Walker: There's a wall that will extend up and have a cornice on the top that will hide the mechanical on the roof from street view.

Susan Sheehan: I just didn't see it depicted on the drawings.

Chair David Walker: Is that correct? Yes.

Susan Sheehan: Okay. It's within the height level then?

Chair David Walker: Yes.

Susan Sheehan: Okay. It's just not on the pictures. Okay, got you.

Chair David Walker: It's good that you pointed out.

Susan Sheehan: I thought it was going to be an additional level.

Chair David Walker: No.

Susan Sheehan: Okay. Let me just see if there was anything else. I know, again, I've said a lot of words. Again, I think the water is the big deal. There were some references in the engineering study and the peer review about some additional fire evaluations that I think needed to happen. Yes. I think that that's it. The biggest concerns I said at the beginning, this doesn't actually-- not what my house looks like right now.

Chair David Walker: All right.

Susan Sheehan: Thank you.

Chair David Walker: Good job.

Susan Sheehan: Does anyone else have anything else? All right. Thank you very much for hearing me out.

Chair David Walker: That's all right. You're welcome.

Susan Sheehan: For schooling me on some of the nuances of how this all works. I appreciate that.

Chair David Walker: You're also talented. You might want to get involved in public government, municipal government, and take on some responsibilities like planning board, DRC, zone board.

Susan Sheehan: I don't know. The last hearing, it looked pretty stressful, so I don't think I'm going to raise my hand for that.

[laughter]

I do appreciate you hearing us and considering all of the input.

Chair David Walker: Oh, no, we appreciate you taking the time. Thank you.

Susan Sheehan: Thank you.

Chair David Walker: All right. Oh, good. Somebody else.

Kristin Riccadoni: Good evening.

Chair David Walker: Hi. How are you?

Kristin Riccadoni: Good. How are you doing?

Chair David Walker: Good. Thank you.

Kristin Riccadoni: I'm Kristin Riccadoni. I'm a property owner in Old Orchard Beach. I was actually not planning on speaking tonight, but after hearing my community, because I'm an owner on 3 Bay, I feel compelled to speak. I'm going to immediately acknowledge my dual relationship as I am the wife of the developer, Scott Durpo, but I am speaking to tonight as an owner. As someone who has spent significant time investing in my property and in this community over the last four years on Union Ave and Bay Ave, having considerable observations of Comfort Ave, having spent time, significant amount of time in that parking lot and managing the lease this summer, I am in full support of this proposal.

As a property owner, this will only increase my value. I completely disagree with issues regarding traffic. I'm concerned about the traffic, the trash, the things we cannot control with the parking lot as it is now. It's unfortunate that Blessed Venetia, God bless her soul, has passed away and that generation and this family and that restaurant cannot continue. While I understand there'll be some temporary pains and development that I've heard tonight, I would like progress. I would like to see my property value increase. This will improve taxes for this community to have a property like this.

I'm also not going to, as a lot of my community members have tonight, second guess all the professionals who have put countless hours and their entire careers into developing the specifics. I'm not going to speak to you about the rainwater and all the others because I know that our experts who have put the time into this will do that. I have come

to meetings, read the project and reviewed it, and this is private information. If I disagree with my husband, I will say it. Maybe he will testify to that. He's smiling.

I don't disagree with him on this one. I'm in support of it. I think some development is good. I understand that it's a big change. I don't think it's true when people say there are not other properties in our community that look that way. The building in front of ours, I'm 3 Bay, second floor, is bigger or as big. It's within the zoning rules. I think that maybe there's a couple of comments tonight that have been said that maybe we can still work within.

The piece around the commercial part is really perplexing to me because I don't know how to please people. If it's a small commercial spot, then maybe that's better than a bigger because I'm hearing people are confused about traffic. I had an experience this year. I couldn't drive down 3 Bay Avenue because of the double traffic on both sides. If I was the neighbor, I know her, I've communicated with her, I like her, I'd be thrilled if I could have my property improved such as my front porch for this. At this time, it's more chaotic. We'll have significantly more control over what's going on that property than we do now.

I'm an experienced president of a condo association in Old Orchard Beach. Things are going really well at Bay Avenue. I've also observed, ironically, and to contradict some people that are speaking about concerns tonight, activity that goes on the public street of Comfort Ave that's quite concerning to me compared to Bay Ave. As a resident, I would like that to get more under control. All of this about safety, safety's first in my life. I have children. I care about what's happening. I think they're irrelevant points.

I'm here tonight to just say, and I'll wrap up, I am in complete support of this proposal. As a property owner on 3 Bay Avenue, I would like to see the city take some chances, make some progress. I'm sure that there are some points that have been raised. Our team, I'm thinking, would be willing to look at are there some concessions or adaptations that maybe could be made. That's not my place to say. I am open to doing that. I'm a collaborator. Overall, I'm in complete favor of this.

Chair David Walker: Thank you.

Kristin Riccadoni: Thank you.

Chair David Walker: Here comes a rebuttal.

Susan Sheehan: A rebuttal. Which one is 3 Bay Ave? Is that the tall one?

Kristin Riccadoni: It's the two-story, just behind the one on the bottom.

Susan Sheehan: Okay, the top level, the big, with the glass?

Kristin Riccadoni: Yes, three stories. Yes. Sorry.

Susan Sheehan: With the glass, right?

Kristin Riccadoni: Yes.

Susan Sheehan: You've been trying to sell that.

Kristin Riccadoni: Are you speaking to them or me? Do I get to come up and speak?

Susan Sheehan: Well, no, but I mean-- [crosstalk] No. She's saying she's a property owner, but my understanding is that that's how she's speaking, but those properties have all been up for sale. They're not committed.

Chair David Walker: Yes, she's allowed to her opinion.

Susan Sheehan: I understand, but I just want to set the record straight.

Chair David Walker: All right, ladies.

Kristin Riccadoni: Hi, this is Kristin Riccadoni again from Bay Ave. Could you please clarify what was said so I could speak to it?

Chair David Walker: I wasn't sure. She just said it sounded like you were going to lease your property. You leased a property.

Kristin Riccadoni: No. She said it was up for sale-

Susan Sheehan: It was up for sale [inaudible 00:47:54]

Ms. Marianne Hubert: -but she still owns it.

Kristin Riccadoni: That's irrelevant in my opinion. I am a property owner.

[laughter]

Chair David Walker: Okay, all right. I'm going to shut this off right now.

Michael McGonigal: We're not going to go back and forth.

Chair David Walker: All right. Anyone else with any new information?

Michael McGonigal: Could I get one thing clarified?

Chair David Walker: Yes, sure. Michael?

Michael McGonigal: Yes. At the October 9th meeting, there was satisfaction of conditions of completeness and determination. One of the things was supporting documentation about the waiver for the driveways. It seems like this was a gentleman's name, Gordon Smith's letter. It said that the board could accept with condition these waivers if some documentation was given. It seemed like they referenced a letter dated September 15th. Before the question was asked, they took a letter to try to complete

that question. Does that make any sense? I know you guys can't answer anything, but it seems like you were looking for a determination to make sure those waivers were--

Chair David Walker: They hadn't submitted a formal waiver request, and that's what we were looking for before we could rule on those final ruling. They've done that. Is that correct, Michael?

Michael McGonigal: It was a September 15th letter that should have been in your possession before, that it seemed like they used the reference to answer that question from October 9th.

Michael Foster: I'd have to look to confirm, but I believe they identified the needed waivers, but the planning board was looking for additional information which was in this last submission.

Chair David Walker: From our peer engineering group.

Michael McGonigal: Just one last thing. In that same letter, October 27th, from Ms. Gordon-Smith, I do not know, it referenced that the applicant said Torillium, and it should have said the other name. It said that in that letter. Who started the application, and where are we? Are we sure that we're giving this?

Chair David Walker: We have waiver requests. We've had a peer engineering review done of the waiver request, and we have not voted as a panel on accepting or denying those waiver requests. That's where we are right now at a public hearing.

Michael McGonigal: You're comfortable you're dealing with whoever the owner is because they--

Ms. Marianne Hubert: Yes, we know who he is. He's been here and speaking in prior meetings when we--

Michael McGonigal: Why would this letter say--

Ms. Marianne Hubert: Prior to.

Michael McGonigal: Why are we quoting this letter? Okay. Thank you so much.

Ms. Marianne Hubert: They do. They work hard, and they get us all this--

Michael McGonigal: I'm not saying they don't, ma'am. I'm not saying you don't. Just asking a couple of questions. That's all.

Ms. Marianne Hubert: No, no, I didn't say ask. I said the planning department. They do--

Michael McGonigal: I'm just trying to request that--

Chair David Walker: It was early on identified by the developer that they needed to change the cutaways for this new proposed project. It was identified by staff that that would require a waiver. We talked about the waivers, but we never really got a formal waiver request from the developer. In the meantime, I was looking for a peer engineering review of that request, stormwater, and everything else, the whole development. We've got that, and we haven't made any decisions on it. We have the formal request, and we have the peer review on the two waivers. All right? That's as far as we are right now.

Michael McGonigal: I've lived on Camp Comfort Ave. I don't know where Comfort Ave is, but Camp Comfort Ave, I had two five-unit buildings for nine years. We've been there a little while. We enjoy it. We'd like it to stay. I understand the developer has the right to develop his property, but there's stuff that he can do without waivers. That's all I would like the board to consider. Why do we have to pretend that there's a mixed use? It really isn't, and I think we all know that. I appreciate your time.

Chair David Walker: Thank you, Michael. All right. We have a few letters to read into the record that were submitted. Those folks did not show up tonight.

Ryan Kelly: A couple of them already been read.

Chair David Walker: I know they have, but there's one here from Peter-- two from Peter Giadi.

Ryan Kelly: Guidi.

Chair David Walker: Guidi. It starts dated 10/30/2025. "My case, I've been discussing short-term rentals, and I think we all agree this is a major issue, and we need to get some guardrails in place as it relates to 95 West Grand Ave. I believe my letter, see below, will read at the upcoming planning board meeting. Since I'm advocating for the project, I want to be sure my words are not used in any unintended way. One, I support a condo project with no short-term leases. Two, I believe the DD2 zone allows for motel condominiums. Do I support a motel condominium approval? I do not support a condo project where owners have short-term licenses, and certainly not gang licenses. While it may be that this is a distinction without a difference, it does indeed matter. Thanks, Peter."

Then Jeffrey asked that I send this along to you, the members of the Old Orchard Planning Board. "I write to express strong support of the proposed project at 95 West Grand Ave, and urge the planning board to approve the project. This is a defining moment for Old Orchard Beach. With the right decision, we have an opportunity to usher in a new era of thoughtful, sustainable growth and prosperity, one rooted in economic vitality, housing opportunity, and integrational responsibility."

"The proposed project development is not an outlier. Two existing buildings on Union Ave already reflect similar mass and scale to the one proposed. In fact, had those buildings been allowed to include under-structure parking, they would have offered even greater neighborhood utility and aesthetic integration, features that the current project

thoughtfully includes in its design. The claim that 95 West Grand Ave exceeds acceptable scale does not hold up when you consider existing precedents."

"Denying the project on mass and scale grounds risks constituting subjective interpretational for consistent evidence-based decision-making. The town's own ordinance, Section 78-686(b)1, must be applied with both clarity and fairness. When viewed in context and in comparison to nearby developments, the 95 West Grand proposal clearly aligns with the evolving character of the neighborhood."

"Furthermore, the development supports key objectives in our town's long-term planning goals. As articulated in recent policy discussions and the comprehensive plan, Old Orchard Beach must begin planning not only for today's needs but for those of future generations. Housing availability, economic viability, and population stability are essential components of a livable, resilient future. The project at 95 West Grand Ave meet these ethical and practical imperatives by adding high-quality housing and revitalizing a core section of the Grand Avenue corridor."

"In light of Maine's well-documented housing crisis and growing recognition that local zoning policy often acts as artificial barriers to supply, this project offers a model of the kind of responsible development we need. The use of this space is efficient, the design is attractive, and the location is ideal. Denying this project would send the wrong message to prospective developers and residents alike that Old Orchard resists progress rather than welcomes it."

"Let us not allow vague aesthetic objections to outweigh the real measurable benefits of this proposal. I urge the planning board to move forward confidently and affirmatively, approve 95 West Grand Ave, and help us build a future worthy of our community and its generations to come. Respectfully, Peter Guididi."

Ryan Kelly: Guidi.

Chair David Walker: Guidi.

Ms. Marianne Hubert: What is it?

Michael Foster: Guidi.

Ms. Marianne Hubert: Looks like G--

Chair David Walker: Then there's another letter from John Guerin. Do you want to read that, please? Right here.

Ms. Marianne Hubert: I got it. "To the Planning Board Chair, Mr. David Walker, I assume you will share this with the rest of the Planning Board. I attended the Planning Board meeting on 9/12/2024, but was unable to speak since it was not allowed. Below are my comments and some editorializing."

Chair David Walker: Editorializing.

Ms. Marianne Hubert: I can't spit it out. The building. "I think the building is ugly and will not fit nicely in the neighborhood, but the builder seems to be following the ordinance, the town ordinance in particular, Section 78-750, space and bulk requirements. This ordinance for the DD2 zone offers two options, residential use and mixed use. Why would anyone opt for the residential when placing 1 office out of 11 residents allows them so much more flexibility and zero setbacks? 10 more feet in height, higher turrets, more lot area per family unit, minimum lot frontage, and increased building coverage."

"Although the builder is following the rules for mixed use with the majority of the building going residential, I think it is a legal scam allowed in the ordinance. I suggest the ordinance be changed to take into consideration the percentage of the building being residential versus commercial."

"Parking was serviced in the meeting with the thought that two spaces for a four-bedroom apartment was not going to be adequate. Change the code to reflect more parking for larger units. Editorial. I have sent letters to the town council manager regarding parking, especially for short-term and long-term rentals. The ordinance does not require a minimum off-street parking availability to obtain a license. This needs to be addressed."

"Short-term rentals. Ms. Hubert brought up the issue of short-term rentals. The builder stated that the condo owners can do as they wish. This is not entirely correct. The condo bylaws could be written such that short-term rentals are not permitted. He had a condo in Florida that would not allow any rentals less than six months to avoid the issue of short-term rentals. I am not sure the town has the authority to force how condo association bylaws are written to not allow short-term rentals. If the town has that authority, they should consider it all for condos being created within the town."

"Number two editorial. The town does not seem to be addressing short-term rentals. Mr. Mead tried to get a discussion slated in 2023 but was voted out of office. He was not elected official. I know there was a lot of public negativity of Mr. Mead's suggestion to start discussions, but it is a growing issue, and the council should have agreed to start discussions. There are other main municipalities addressing this issue, in particular Portland and York. It is time Old Orchard begins to address this issue. John Guerin, Ocean Ave, Old Orchard Beach."

Chair David Walker: Okay. That pretty much covers the public hearing if nobody else wants to speak. Almost got rowdy, huh? Thank you. I'll close the public hearing at 7:31. It took us a full hour."

Ms. Marianne Hubert: Yes, it did.

Chair David Walker: All right. Thank you. On to minutes. We had minutes in our packet. Did board members get a chance to review those?

Robin Dube: Yes.

Chair David Walker: Any additions? Completions?

Ryan Kelly: Yes.

Robin Dube: Motion to accept.

Chair David Walker: Motion to accept by Robin. Second by Marianne. I'll call for the vote, please.

Jeffrey Hinderliter: Mr. Kelly?

Ryan Kelly: Yes.

Jeffrey Hinderliter: Ms. Dube?

Robin Dube: Yes.

Jeffrey Hinderliter: Ms. Hubert?

Ms. Marianne Hubert: Yes.

Jeffrey Hinderliter: Chair Walker?

Chair David Walker: Yes. Those minutes passed 4-0. Okay, the moment you've all been waiting for, regular business. God bless you. Item 1, proposal, site plan. Construct a four-story building with 11 dwelling units, one professional office, and one ground-floor parking. Action tonight is a final ruling. The applicant is Trillium Engineering, and the location is 95 West Grand Ave, MBL 313-3-4, Zoning, and a DD2. Michael?

Michael Foster: Yes. I can try to address just a couple of comments that were made, and then I'll go into the notes. Regarding the applicant agent question, I believe it's a combination. Applicant agent is how it is on the application, so I believe Trillium completed the original application, so they've been listed as the applicant. I believe Gordon Smith can probably provide additional information on that when we get to that. I'll just give my summary, and we can get clarification on that.

As it was stated, this application is up for a final vote. It looks like a final ruling would need to be made in December without receiving an extension request or a postponement date, because that would be 60 days after the application's designated as complete. A conditional determination of completeness was in October, and that was conditioned on the applicant submitting supporting documentation to demonstrate the waiver request for a driveway location and spacing needs meets that requirement for parking waivers. Then the second condition was for the applicant to submit escrow agreement and payment for the initial town peer review.

The updates to address those, we did receive a cover letter dated 10/27/2025 from Gordon Smith with Verrill Law, and that was for the waiver request and addressing planning board comments. Peer review was initiated after the October meeting, and a

peer review memo from Sebago Technics dated 11/5/2025 is in your packets. A couple of items identified in the review memo that need to be submitted are the ability to serve for water and wastewater. The review recommends that for water, a formal ability to serve determination from main water be supplied before final approval.

For November, we also received the complete compiled package from Trillium Engineering dated 10/27/2025. Updates to those plans include removing references to specified parking spaces for 93 West Grand Ave, addressing the fire department comments, and adding a mail and package area to the main lobby. Where this is up for a potential final vote, there's four main items to consider. The peer review comments from Sebago Technics, stormwater, and response to site plan criteria. Stormwater analysis was provided on 11/10, but it has not been peer reviewed yet. The waiver requests, and then the design review committee recommendation.

Just regarding stormwater, I know the planning board hasn't reviewed that yet, and it hasn't been peer reviewed, but there was a full analysis and summary provided, and the summary stormwater model indicates insignificant increase of 0.01, I think it's cubic feet a second, in the runoff rate. It's noted that, based on the model, these changes are insignificant and will most likely not be detected. Those have been sent for peer review comments.

Then the waiver requests are specified in the cover letter from Gordon Smith. Those two waivers are for dimensional requirements for driveway site distance and for driveway offsets from intersections. Just for other items, parking's come up. They did respond that building rules will prohibit non-compact cars and that the parking easement for 93 West Grand Ave was provided, and it entitles it to two parking spaces on the property, but gives the applicant the right to determine which two spaces.

As far as the use of the mixed-use component, they said a specific tenant has not been selected yet. The space will be occupied by an entity that fits within the permitted use of business, commercial services, and professional offices, as listed in Section 78-747 for permitted uses in DD2. Then, just as the applicant referenced, business, commercial services, and professional offices are permitted use in the DD2, and the use can be scrutinized if needed when they apply for a building license. We've talked about this in the office quite a lot. Mixed-use isn't defined in our ordinance, and sometimes that does seem to become an issue, but it seems they meet that mixed-use component as presented.

Then, for snow storage and removal, they had similar comments that it would be removed by a snow removal contractor, and snow won't be stored on site. We just would like them to submit condo docs for parking and snow removal plans. For recommendation regarding waivers, it's recommended the planning board vote on waivers if you have what you need for information to consider the request. Without the waivers, the proposed access layout will not work.

Remember, the applicant needs to demonstrate two things for a waiver. The physical constraints of the site make compliance with design standards of this division

impractical or technically unfeasible. Modification of those standards will not create unsafe conditions for vehicles or pedestrians. As I mentioned, we'd recommend voting on those waivers early on, before any other decisions.

Then, ongoing, I know I just mentioned it briefly, but the planning board should discuss the project design and the recommendation from the DRC. The ordinance does state if the planning board determines the proposed design conflicts with the design standards, the planning board may require the applicant to return to the design review committee. Then, as far as final ruling, like I said, we did receive the stormwater analysis summary, but it hasn't been reviewed yet. I'd recommend the planning board discuss and vote on waivers, discuss DRC certificate recommendation, and then would advise the applicant to respond to public comments and the peer review comments.

Chair David Walker: Okay. Thank you, Michael. Appreciate it.

Michael Foster: Welcome.

Chair David Walker: Under the certificate of appropriateness, we can also approve, and we can also deny. We don't have to return back to DRC?

Michael Foster: Correct.

Chair David Walker: Okay. Thank you. Gordon, would you like to say anything at this point?

Gordon Smith: Yes, I would, if that pleases the board.

Chair David Walker: Yes.

Gordon Smith: Okay. Thank you very much. Gordon Smith, a Verrill attorney. I represent the owner and applicant. Just to clarify, the owner and the applicant is [unintelligible 01:09:57] LLC, owned by Scott D'Errico, who's right here.

The agent on the application form, Trillium Engineering, was identified as the agent. If an approval is issued, the permit holder would not be the consultant. It would be the property owner. The applicant, to answer the question is [unintelligible 01:10:21] LLC.

Chair David Walker: Thank you.

Gordon Smith: To address the stormwater report and the timing of the submission, we had to actually go out and get another consultant to perform the stormwater analysis. You can't just get consultants to-- they're all busy, and we can't just get them to turn around a report within a couple of weeks. I had to call in a personal favor to get them to do this on the timeline that they did. There wasn't going to be any situation where the stormwater-- I don't think the stormwater is going to get completed in time for peer review for this meeting.

I agree that the stormwater is an appropriate subject for engineering peer review, and we are happy to have Sebago Technics, the town's peer reviewer, look at that and weigh in before the board makes any determination. I think that would be appropriate. As Mike said, the analysis shows that there's functionally no increase. There's 0.01 cubic feet of increase over existing conditions, which would not be noticeable.

The comments about the office space and the mixed use, and the fact that the office doesn't have plumbing or a bathroom, that was an oversight on our part. We will amend the plans to include plumbing and a bathroom in that office space, as any office would need to have. The comments about traffic and traffic safety and additional vehicular traffic, I think don't recognize that this site is currently a 75-space parking lot, with cars entering and leaving at all different times of the day, whereas here-- how many parking spaces are there in the building?

David Matero: [inaudible 01:12:32]

Gordon Smith: It's a quarter, maybe, or a third of the existing parking spaces.

Chair David Walker: About 22 for the 11 units, none for the business, for the office, and 2 that you promised to the neighbor.

Gordon Smith: That's right. There's going to be a net reduction in vehicular traffic. This is residential. This isn't people coming and going from a parking lot. This is people that leave in the morning, come back at night, typically. What was the difference?

David Matero: Oh, sorry. [laughs]

Gordon Smith: 25.

David Matero: 25.

Gordon Smith: 25 spaces are being proposed here. It's a reduction of one-third from a 75-space parking lot that exists. As Mike noted, there was some comment from the daughter of the owner of 93 West Grand about those parking spaces. The comment was, well, they had been shown on the plans to be those two top-left spaces outside there that were compact spaces. Those are compact spaces on the site plan, but those are not going to be the spaces that are allotted to 93 West Grand Ave. 93 West Grand Ave will not be confined to only having compact cars for their parking.

David Matero: Gordon, [inaudible 01:14:12]

Gordon Smith: Oh, okay. Apparently, those are now full-size spaces.

David Matero: There's no compact spacing.

Gordon Smith: There's no compact spacing in. Okay. Excellent. Thank you, David. On the waiver requests. Just to unpack that a little bit, I think the configuration of this lot, it's 80 feet along the short sides of the lot that go down Camp Comfort and that go down

Bay Avenue. The lot is 80 feet long going down Camp Comfort and going down Bay. The ordinance requires 257 feet of sightline from a driveway. This is not just for commercial, this is for single-family. This is one of the waivers that we're requesting, the standard, requires 257 feet from sightlines in either direction from any driveway. This is just 80 feet.

All of the properties that go further down Bay and further down Camp, none of those comply with that sight distance requirement. Without this waiver, this property would not be accessible from Camp Comfort or Bay Avenue. One of the reasons that this configuration is proposed is because they're removing the curb cuts on West Grand Avenue on the much busier collector arterial street, which has much more traffic. The traffic isn't exiting and entering off of West Grand. It's being moved to the side streets where there's less traffic and less pedestrian movement. I believe it'll actually create an increase in safety.

Again, the other standard that we're asking for a waiver for is for 100 feet from the intersection. Again, 100 feet from the intersection of West Grand Avenue. There's no way that you could have a curb cut on this property on either of these streets without the waiver because there's only 80 feet of frontage on Camp Comfort and Bay Avenue. The need for the waivers is due to these particular constraints of the site that are not shared by all the properties that are in here, although that 257-foot sight line issue is shared.

It's not going to create any increase in dangerous conditions. As I said, I think it's going to reduce the traffic coming in and out of West Grand Avenue and reroute it to the safer, less traffic side streets.

Chair David Walker: Yes, but the concern of the residents was that those cuts will take away from available parking spaces to them.

Gordon Smith: There may be parking spaces that are added on West Grand from those curb cuts that are being removed.

Chair David Walker: No, there's parking [crosstalk].

Gordon Smith: There's no parking there? Okay. That is an accurate statement that where you put curb cuts in, there's not going to be parking.

Chair David Walker: Yes, I just wanted to make that clear to you that that was the issue.

Gordon Smith: Yes, but the waiver standard is not about parking. It's about creating unsafe conditions. Just to close the loop on that, the question that was raised about why are we referencing the September 12 letter in our October 27 waiver request. There was a September 12, I believe, letter from Trillium to the board in which the waiver requests were made, and there was some support in it. I just referenced that that, look, this waiver request was made. In this follow-up letter, we're providing additional reasoning and support for why we're requesting the waivers.

Chair David Walker: Thank you.

Gordon Smith: I think we're going to hear from Dave Matero, the architect. He's going to walk through the plans that have been amended and probably go through some of the space and bulk issues that have been raised. Thank you very much.

Chair David Walker: You're welcome.

David Matero: Thank you. My name is David Matero. My company, David Matero Architecture, is located in Bath. Am I able to present using that microphone next to the laptop?

Chair David Walker: I can't hear you. Is it possible?

Michael Foster: Yes, you can.

Ms. Marianne Hubert: And one side up there. Go ahead.

David Matero: Oh, my God. Thank you. I can address a couple of these questions. I do want to talk about safety around this site, and it should be noted that we are removing those curb cuts on West Grand, much busier road, but the traffic that'll be entering and exiting both Bay and Comfort, now those cars will be pulling forward out of our parking garage. No one's backing out into the street, and that's always a much safer method of exiting a site.

Regards to fire safety and the neighbor, which is-- I could see a concern from the neighbor, but it should be noted that this is our lot line right here, and our building is set back just over 10 feet from that lot line. If our building was forward of that, then our wall would need to be a rated wall, and because we're 10 feet from the lot line, our wall of our building does not need to be rated.

In addition, this entire building is fully sprinklered, so it has a full sprinkler system, both from the garage all the way up to the upper floors. I think in terms of fire concerns, hopefully that negates some of the concerns of the neighbor. Furthermore, the engineering of this building and the foundation, that will be a critical job for our structural engineer. They are, well, certified, registered engineers in the state. They're also familiar with the site of Old Orchard Beach and the sandiness.

They will be designing this building so the building does not move, and designing the foundation so it does not underpin or undermine any neighboring structures. That's going to be very important, that it gets down to much more of an engineering component, and we're just dealing with design. I just want to make a note that that's going to be an important consideration for engineer, so hopefully that is not a concern for the neighbor as well.

I think everybody's familiar with the project. The full ground floor is all parking, along with egress stairs, elevator. The second floor are one-bedroom apartments. It's definitely an oversight that we did not include a half bath in the office. That was

definitely an oversight on our part. There definitely will be plumbing in that office space. The upper floors are three dwellings on each floor, four bedrooms each. I think everyone is very familiar with the building. Let me talk about the design a little bit. [coughs] Excuse me. Getting over chest cold, it's been two weeks.

We met with the design review committee twice. We had some really good design meetings with them, and we spent a real focus on minimizing, as best we can, the mass and scale of this building. It has to be noted that although our building-- I'm going to go to our PDF that's included in your package, that although our building is four stories high-- I just got to find your zoning map of Old Orchard Beach. Give me one second. I'm sorry. Oh, here we go. Okay. We're in this spot right here, in the gray. This is a snippet from your zoning map. We're in the DD2 district, which is represented in gray. If this building gets built, we will not be close to being the tallest building in the DD2 district. There are six-story and eight-story buildings already in DD2.

Now, our building pokes into the purple here, which is somewhat unusual, but that purple zone is a BRD district. That BRD district also allows 45-foot-high buildings, and we will not be the tallest building in that district either. There's an eight-story building in that. Actually, I'm sorry, eight stories in the yellow. There are two other four-story buildings in the purple. Even though there's still residential mixed properties in the zone, the zoning ordinance not only allows 45 feet, it encourages three and four-story buildings.

The zoning ordinance, when this was written, apparently wants more dense properties in this district. Our three and four stories is actually what the ordinance is asking for. However, we do recognize that it's a big building around houses, so we have tried to reduce the scaling mass of the building as best we can. We're adding gray tones to the building. We're not using bright colors. We're providing a base to the building with a shiplap that actually has a little curve to the shiplap that then is also reinforced by our large **[unintelligible 01:26:18]** that not only helps reduce the scale of the building, helps hide things that are on the roof, it also helps provide shades and shadows throughout the day on the building.

The residential nature of West Grand is represented by their windows. Our fenestration has double-hung windows, a two-over-two, more of a residential character. This would be representing the front door here. Then we also have these box windows that protrude out from the facade, which further helps break up the mass. This actually protrudes in on the upper floor. You can see we've added some curved cedar elements up here that also relates to the curvature of the cornice. The color changes allow us to break down the mass from the base of the building as it goes up to the second, third, and fourth floors.

As we turn the corner, now we're facing the ocean. Obviously, we're here to take advantage of the amazing views of the ocean. That's why now these windows go from the residential nature to more almost a commercial grade, where we're opening up our facade to the views of the water, incorporating balconies, which further break up the mass and add shades and shadows. Even the balcony, the railing at the roof is all glass

to help keep the scale down. This cornice, I think, is at about just over 40 feet. It's not at 45 feet high, which is allowed. The top of this building is a little bit lower because up above, where we are hiding mechanical units, those are behind this wall here.

All of our mechanical units are on the west grand side, but because they're set back from the roof, you will not be able to see them from the sidewalk. The cornice helps hide that, too. That cornice sticks out quite a bit from the facade. We're trying to mitigate as best we can the volume, mass, and scale of this building. We understand it's a big building, but it enables us to develop this lot with-- a fully developed lot, still stay within the zoning ordinance of the town, of this district, and then, at the same time, allow-- construction's expensive, but a full development of this property.

Chair David Walker: David, could you go to the abutter on the south side, please?

David Matero: This is person view right now?

Chair David Walker: Right. She walks out of a porch, and there's cars right there.

David Matero: Yes. I'm not sure this line might represent the lot line right here, or close to it.

Chair David Walker: Thank you.

David Matero: We did do a sun study using-- [coughs] There's a program that utilizes both Google Earth, and it's called Forma. We can show both the worst-case scenario and best-case scenario in terms of a sun study. This is the winter solstice, so this would be worst-case scenario. December 22nd, sun doesn't come up until 7:00 in the morning or so. It's down by four o'clock in the afternoon. This represents the full day right here.

You can see at probably seven or eight o'clock in the morning, certainly the neighbors across West Grand are in the shade, but they are from the houses next door as well. Everyone is. The sun is so low. As we come up, in the worst-case scenario, this is probably around eleven o'clock or so. That's when the sun will start hitting the neighboring homes, again, on the winter solstice. You can see even the next door, across the street, the old restaurant, they're getting sun up until noon, full sun, until we start to shade that building, or West Grand starts to shade that building.

In the afternoon, it's this structure being affected by the sun. Then, it's not until very late in the day, when everyone is, you can see the shades and shadows are hitting the houses across Camp Comfort. That, again, is worst-case scenario. In terms of sun, winter solstice, during the summer, much better. We have sun from about just after five o'clock in the morning all the way to 7:00 PM. You can see early in the morning, probably about, I don't know, 8:00 in the morning or so, there are no shadows on any building across the street. Then, it continues like that all the way until the very end of the day, when we start to hit this neighbor over here, which is probably six o'clock at night.

Honestly, I was surprised at our sun study. It's a 45-foot-high structure. It's going to affect some people. I think, overall, because we're crossing roads before we start to

affect people, and we don't affect our eastern neighbors until the afternoon in terms of the sun because that's when it's getting towards the west. I'm happy to answer any questions you might have.

Chair David Walker: I think that's fine. Thank you. Anybody else on the board need anything?

Gordon Smith: Yes. [inaudible 01:33:17]

David Matero: I can be. No, I'm done unless you have more, Gordon. I just want to get to the west branch side of the site.

Gordon Smith: Oops. Very briefly, just a couple of points. I forgot to mention that in the peer review from Sebago Technics. Sebago Technics recommended that the waivers that we're requesting be granted based on the submission that we made.

Chair David Walker: They saw no problem with the request. They didn't recommend that they be granted, I believe. I have it right here. Hold on a minute.

Gordon Smith: Jesus. The response question included demonstration of need for waiver requests. This is on--

Chair David Walker: Justifying this waiver.

Gordon Smith: Paragraph? I'm sorry?

Chair David Walker: Paragraph 2.

Gordon Smith: This is on paragraph 2 of the Sebago Technics peer review.

Chair David Walker: Yes, I got it right here. Number 2. It doesn't say that it should be approved. It says justified this waiver. Justified.

Gordon Smith: Yes, justified. Okay.

Chair David Walker: Okay.

Gordon Smith: Good. I like that precision in the language. Very good.

Chair David Walker: Well, I'm very precise.

Gordon Smith: Yes. They agreed that there was justification for the waivers. Then, just to highlight what David was just talking about in terms of the recommendation for the ordinances, encouragement of taller structures in the DD2 district, this is on section 78-686 of the ordinance B2 where it says "Building Heights." "In order to maintain the street enclosure of the downtown districts, foster vertical stratification of land uses, and increase the critical mass of downtown commercial center, all buildings should be a minimum of at least two stories, with three to four stories preferable." I just wanted to point out the actual language in the ordinance.

Chair David Walker: While we're doing that, let's go to number 1, okay?

Gordon Smith: Yes.

Chair David Walker: Because that's the one that bothers me the most. I had staff relate that back to your team in April. This one says mass and scale. "Mass and scale of all proposed buildings shall be compatible with the surrounding structures or the local building fabric. Proposed structures should neither be of overpowering mass and scale so as to visually dominate the streetscape to the visual exclusion of other structures or, on the reverse side, should not diminish or be diminutive in size to create holes in the street fabric. Structures exposing broadband mass to street should be visibly broken into smaller components."

You try to do that with the way that you put facades on the building. I'll agree to that. You can put a gown dress on an elephant, but it's still an elephant. You know what I mean? Not to be a wise guy or anything, but this is huge when you look at the streetscape and the surrounding buildings. Yes, there are other buildings this size elsewhere in that district, but it really bothers me that we have something this large that was referred to us from the DRC and we haven't approved it yet. That didn't come to us with a unanimous vote either, so clearly, they had some problems with the mass and scale as well. I need to know what my other board members feel here before we move any further.

Ms. Marianne Hubert: I have an issue. I think that the mixed use does not pass the legitimate test with a small office in the upper floor. Sure, it's maybe an office, but--

Chair David Walker: Doesn't pass the smell test, is what you're saying?

Ms. Marianne Hubert: It does not pass the test, yes.

Chair David Walker: In light of the fact that there's also business space at 93 that's been vacant for a year and a half.

Ms. Marianne Hubert: Yes. How much smaller would a building that needs to meet just residential standards?

Robin Dube: Maybe two. It's commercial, somewhat.

Gordon Smith: I'd have to look at the ordinance requirements specific to that.

Robin Dube: It's a commercial area.

Chair David Walker: Would be minimal density, less density.

Gordon Smith: Yes.

Ms. Marianne Hubert: It's a densities thing.

Chair David Walker: [unintelligible 01:38:40] should be broader too.

Gordon Smith: Under ordinance section 78-7750 has space and bulk requirements for the DD2 district and for minimum lot area per family unit. It's 1,000 square feet minimum lot area for a mixed-use building, and it's 2,500 square feet for a purely residential use. It's two and a half times the square footage requirement per dwelling unit.

Ms. Marianne Hubert: Chair.

Chair David Walker: Yes.

Ms. Marianne Hubert: Now, if you look at East Grand Avenue, it's all down that way, too. The buildings are getting higher, and residents are getting third floors. Same thing's happening down in Ocean Park. It's not the quaint little buildings that it used to be. People are putting up these new modern ones. I see no reason for this building not to be able to go there. I deal with the tourists at my home. As the sun goes, my neighbors can cut down some of the trees. I'd like to have more sun, too, but this is not going to hurt anybody. It's going to bring in more people. Like tax-based people that are going to buy these properties.

Chair David Walker: It's going to hurt all those people that are sitting over there. I don't say it isn't going to hurt anybody.

Robin Dube: I don't think it's going to hurt them at all.

Chair David Walker: Jay, do you have anything to say?

Mr. Jay Kelley: No, not right now.

Gordon Smith: Okay. I just wanted to close. Scott D'Errico, the owner, wants to come up and just say something really quick. I think that we're open to additional changes to satisfy the board. It may be premature tonight to take the final vote, especially given that the stormwater has not been peer-reviewed, as the neighbors had talked about. Scott is very open to working together to try and find something that does satisfy the board.

Chair David Walker: Would you be willing to go back to the DRC and work with them to develop a new plan that would be acceptable, that they could bring forward to us?

Gordon Smith: That would be one way to do it. I think, given that the planning board doesn't have to follow what the DRC does,-

Chair David Walker: No. We know.

Gordon Smith: -that satisfying the planning board is really--

Chair David Walker: All right. You want us to table this for tonight, and then you can work with staff and maybe come back with something different before we make any kind of motions? We still want to see the stormwater plan reviewed by our peer engineers

anyways, so it gives you some time to take a look at our thoughts from tonight and the public's view, and maybe come up with something more in that.

Gordon Smith: Yes. I heard the mixed-use question, and I heard the mass and scale question. Are there any other comments that--

Chair David Walker: Through the Chair? Yes.

Mr. Jay Kelley: I understand where you're going. If you come back with the same building or the same concept, I don't think it's going to go. You need to change the whole thing, I think. Therefore, I'm not sure that's a way for you to go. To come back with another plan or something, I don't know. I know the people in that neighborhood down there deserve not to have a big square box sitting in the middle of their neighborhood. I don't like the concept of it. I don't think it's good for what that neighborhood is. It's amongst single-family homes.

I personally don't like it, and that's me speaking personally for me. I'll leave it at that.

Chair David Walker: All right.

Mr. Jay Kelley: We can come back to it if you'd like. I won't be here, but--

Robin Dube: Through the Chair, I'd like to make one more comment. It's not against any of these people either, but you people all rent out your places for short-term rentals. I know you don't, but a lot of these other people do rent for short-term rentals. You've got traffic coming in and out too. A lot of them are renting to college kids because I've got a house next door to me that's doing it. They're in and out every other week. There's a new batch of college kids.

Chair David Walker: What's the relevance? Short-term rentals isn't up for discussion?

Robin Dube: They brought it up numerous times.

Gordon Smith: [unintelligible 01:43:57].

Robin Dube: No.

Chair David Walker: Hi.

Scott D'Errico: How are you, Chairman Walker?

Chair David Walker: How are you?

Scott D'Errico: First, I'd just like to open up and say I appreciate all of you and the work that you put into this.

Chair David Walker: You have no idea. [laughs]

Scott D'Errico: Actually, I do because I hired these guys to develop the concept in the first place.

Chair David Walker: Yes, they're working hard, too.

Scott D'Errico: I want to say thank you to my team. You guys have done a great job. I love this project, obviously. I'm supporting it, and I'm sure you all realize the amount of money that I've spent on the engineering and the design and all of that. I think one of the letters said before, and I'm paraphrasing, I'm looking to usher in a new era of development for Old Orchard. I understand tried and true, and the way that the neighborhood is. I can understand your concerns with the Vulcan space, but that is an ugly parking lot.

No matter how you slice it, I would think, my opinion, that any building on that lot would be preferable to what's there now. I don't know. I'm going to go in a couple of different directions. Again, I'm looking at Old Orchard and what it's going to look like in 20 years, not what it looks like today. That's why I'm hoping that you support my project. I've learned a lot throughout this process. I would do some things differently. Having said that, if you choose not to support the project, I'll see you again in a few months. I don't know what the project will be.

I don't know what it will look like. One of the things that somebody had suggested to me, dig down, parking underneath, and then have the whole first floor be commercial space, and then the same-size building on the second, third, and fourth floor. Marianne, to answer one of your concerns, I think that the minimal amount of commercial that we are proposing is actually less intrusive than if I were to develop an entire first floor that's all commercial, and then we add the parking underneath. We have the ability to do that.

I'm not sure that that's where I wanted to go. Maybe that's what the next submission will be. I'm not sure. Maybe the next submission will be voted down because of space and bulk, and we'll go back and forth until the ordinance is changed. I don't know. I would say I don't know if any of you remember what the old Venetia's building looked like before I developed it. I ripped the entire first floor off that building, and I renovated the second floor. It's important to me that we do a quality job, and I want everyone to be happy knowing that you can't always please everybody.

Having said that, Chairman Walker, to your point about the space being vacant on the first floor, I was waiting to see if this property would get approved in order to determine what I'm going to do on that first floor. I may or may not need parking. Currently, I don't need parking to keep it as a restaurant, but in order to do some other things that I'm considering, I would need the extra parking that I was proposing for this project.

Chair David Walker: I appreciate that, yes.

Scott D'Errico: Just to answer your question about why that's been vacant. I think there are also just some other changes to the state of Maine law. They recently passed LD-1829. I don't know if any of you are familiar. I've actually talked to Michael and Jeffrey. By the way, thank you, Jeffrey. Thank you, Michael. I know, Michael, you've spent a ton

of time on this. I also appreciate you both and the work that you've done. I think LD-1829, I would still have to go to the design review committee, but I believe, under that law, and I could be wrong, that I could do eight units in this parking lot just following the new law.

I think my opinion is to give you, the planning board, the opportunity to weigh in on the building that I'm proposing. It's been invaluable, but something is going to be put in that parking lot. It's not going to be a parking lot forever. I'm trying to, like I said, move Old Orchard forward, in my opinion. I'm not a resident, but I would love to become a resident, and I would love to go ahead and live in one of those condos. I had one more point, and I keep missing it and wanting to come back to it.

Chair David Walker: That new law is the density law enacted, what, June or July of next year, right?

Jeffrey Hinderliter: Yes. Real quick on that law, too, is it's not only density, it entirely reduces parking requirements to what we can do, and it also requires the municipality to increase heights by 14 feet. We are bound by state law to follow that. That's going to be a tough one, and there's nothing we can do about it.

Scott D'Errico: Thank you, Jeffrey. I remembered the last point that I have. Like I said, I've learned a lot through this process. I would do some things differently. The challenging thing is the rule about no ex parte communications. I would love to grab a beer with you, Chairman Walker, and sit down and have you tell me what you would and would not approve at this site, but unfortunately, we're not able to do that.

Chair David Walker: We could have a scotch, though, couldn't we?

Scott D'Errico: You have a scotch, I'll have a beer, but long story short, I don't know, Jay, I heard your comments. Too big, not right for this neighborhood. What is the best building that I can design for this property that you would accept? That's the problem.

Mr. Jay Kelley: If it were me, that building, I'd be for it 100% if it had style to it, if it wasn't a square box. If there was something, when somebody drove by, they would say, "Ooh, look at that building. That's pretty nice." That's a square. It's a tissue box. I've lived in this town my whole life, and it just doesn't make it for me. That's all I'm saying.

Scott D'Errico: To respond to that, I will redesign the building and make it not a square box. I would like to keep as much of the space in bulk as I can because that's more advantageous for me. Again, I want to live there, and I want to have a really nice condo that I live in.

Mr. Jay Kelley: Let me just say one other thing, too. I will not be in this seat next month. Whoever takes over may have a whole different look at this than I do.

Scott D'Errico: Again, I've learned a lot. I would do things differently. I sincerely hope that you support my project. I understand your concerns with space and bulk, and all of the concerns that were raised here today. It's a parking lot now, and I think this is a

planner's dream, other than it's a square box, and it's big. I just think my building would look tremendous there. Anyway, thank you for your time. Thank you for your consideration. I appreciate all the efforts that you put into this. I will take all of that under advisement, and we'll go from there. Thank you very much.

Chair David Walker: Thank you. By the way, it is a beautiful building to me architecturally. You did a great job. It's just the size and scope that grabs me by the jugular. Honestly, I don't think this board has ever turned down a proposal, have we? No. Anyways, I'd like to make a motion to table this until we get peer review on it. Do you want to make that motion?

Robin Dube: No, go ahead. I'm just pointing to the date.

Chair David Walker: Go ahead. I'll read it.

Robin Dube: Motion to table 95 West Grand Avenue proposal until the December 2025 planning board meeting. The applicant shall address the following for December and submit to planning by the-- Do we still want all of these?

Chair David Walker: No, we have those.

Robin Dube: All right. Planning by Monday, 24th November deadline. This is the problem, is we've got to get these letters in from these people, or we can't move anywhere either. Mr. Walker, I didn't read any of these yet.

Chair David Walker: Oh, condo docks, parking, snow removal plans. We'd like to have those by December. I didn't hear you say that. Update site plan criteria. That will do it.

Gordon Smith: We won't have condo docks by December.

Chair David Walker: No condo docks?

Gordon Smith: No.

Robin Dube: How can they?

Gordon Smith: Those are probably not going to get even developed until we have an approval. That's a whole other process.

Chair David Walker: Maybe we won't get an approval until we get a condo dock. How about that?

Gordon Smith: The board can put conditions on saying, "We need to have the condo docks as a condition of building fulfillment," or you can say where the applicant has said the building rules will prohibit parking.

Chair David Walker: Let's talk a little bit about short-term rentals. Is it your intention to do short-term rentals on this property?

Gordon Smith: You're saying, are we intending for the condo docks to prohibit short-term rentals?

Chair David Walker: Yes.

Gordon Smith: No.

Chair David Walker: Your idea of short-term rental is what? Six months? One week?

Gordon Smith: I think short-term rental is anything less than a month.

Chair David Walker: A month?

Gordon Smith: I think it's anything less than a month.

Chair David Walker: Anything less than a month. Nothing less than a month.

Gordon Smith: No. The no was the condo documents will not prohibit short-term rentals.

Chair David Walker: Anything short-term rentals being anything less than a month?

Robin Dube: A week? A month? How long are these rentals going to be? [crosstalk]

Gordon Smith: The condo documents will not prohibit it, so it doesn't--

Chair David Walker: Oh, so you're going to have short-term rentals?

Gordon Smith: Yes.

Chair David Walker: Okay. Maybe as a condition for waivers, we request that you add no short-term rentals.

Gordon Smith: That's not an appropriate use of the ordinance. The waiver standards.

Chair David Walker: There is no ordinance.

Gordon Smith: There's no ordinance.

Chair David Walker: For short-term rentals, no.

Gordon Smith: That's right. The ordinance does have a waiver standard. The waiver standard is what the ordinance says, and it doesn't have to do with short-term rentals.

Chair David Walker: I understand.

Gordon Smith: If there's a standard in the ordinance in which the board finds that short-term rentals would violate that standard, then we can talk about that. I haven't seen that. We just heard, as Ms. Dube said, the neighbors are doing short-term rentals.

Everyone's doing short-term rentals around there. To single that out as the problem, I think, is not necessarily appropriate. If the board feels that it wants to deny the project based on the fact that, like every other property in this area, short-term rentals are allowed, I'm not sure that would--

Chair David Walker: You're building a high-class product here. You want a bunch of studs from a bachelor party renting one of those out for a week?

Robin Dube: Come back to us.

Gordon Smith: I'm not sure this is a productive conversation right now.

Robin Dube: [unintelligible 01:56:32].

Chair David Walker: All right. It is done. We've got a motion by Robin. Second?

Ms. Marianne Hubert: I'll second.

Chair David Walker: By Marianne. I want to call for the vote.

Jeffrey Hinderliter: Sure.

Jeffrey Hinderliter: You're sure about that motion. I just want to make sure that you're absolutely sure about the motion that you included--

Chair David Walker: It's not the motion that I really wanted to make.

Jeffrey Hinderliter: -everything you need. We'll vote. Mr. Kelley?

Mr. Jay Kelley: What's the motion here?

Chair David Walker: To table it.

Robin Dube: Just to table until December.

Chair David Walker: To table this project until next month.

Jeffrey Hinderliter: Is there any specific reason?

Chair David Walker: We need peer review on the stormwater.

Jeffrey Hinderliter: Maybe withdraw the motion and make a motion that specifically identifies what you're looking for?

Chair David Walker: Sure.

Robin Dube: I think you've got these under first motion. Update site plan criteria. Submit condo docks, outlining, parking, and snow removal plans, which they had

already done that because I read it. Address peer engineering review comments, and if needed, provide any other items the planning board needs.

Chair David Walker: Which is stormwater review.

Robin Dube: Stormwater review.

Jeffrey Hinderliter: With the condo docks, I do understand the applicant's point on that, where that may be difficult, especially where the town does not enforce the covenants, the restrictions of the condo docks. It would be appropriate for a condition for our attorney to review the condo docks before, let's say, a building permit is issued to make sure they meet state condo law. If you want to look at the condo docks due to the concerns about short-term rentals, short-term rentals is a whole other discussion.

Chair David Walker: I know. I withdraw that.

Jeffrey Hinderliter: Okay. If it were me, I would strike the condo docks because there's really nothing--

Robin Dube: Strike number two.

Jeffrey Hinderliter: Yes.

Robin Dube: Through the chair, I do remember we had a big conversation about short-term rentals.

Chair David Walker: Comes up all the time.

Robin Dube: When the barrettes turned over from motel to condos, we had a big thing about what they could do.

Chair David Walker: All right. Motion by Robin, second by Marianne. Back to Jay for a vote.

Mr. Jay Kelley: Yes.

Jeffrey Hinderliter: Ms. Hubert?

Ms. Marianne Hubert: Yes.

Jeffrey Hinderliter: Ms. Dube and Mr. Walker?

Chair David Walker: Sure. We spent two hours, and we just pushed this down the road again.

Jeffrey Hinderliter: No, I don't think you pushed it down the road again. What would be ideal, too, is if the applicant provided responses to the abutters' comments tonight. I think the applicant has some clarity as to just what you're looking for in order to do that final vote, not only with your motion but also with the concerns you offered them.

Chair David Walker: All right. I've lost a lot of sleep over this. I'll tell you right now. Okay. Thank you, everybody.

Susan Sheehan: Can we come back in December [unintelligible 02:00:06]?

Chair David Walker: You can come back in December if you want. Yes, you can come back every month and watch us enjoy ourselves.

Susan Sheehan: Will we have to enjoy this meeting again, or is it going to be one of those?

Robin Dube: It's the same conversation.

Chair David Walker: No, it won't be a public hearing. No.

Robin Dube: No, we don't need it.

Susan Sheehan: I just want to make sure because [unintelligible 02:00:28].

Mr. Jay Kelley: No. We're still live here.

Susan Sheehan: I can bring it back after we're done.

Cassidy Jacobson: I didn't understand if I could please [unintelligible 02:00:38]

Mr. Jay Kelley: We don't know yet. They don't know. It's only [crosstalk]

Cassidy Jacobson: I said there's comments in the peer review about the fire service. That was one of their points, that they were going to be--

Robin Dube: We don't have that in front of us.

Cassidy Jacobson: No, I understand, but I want to make sure as we're pushing this down the road another month, if we're looking at everything.

Robin Dube: Their job is to get it to us.

Chair David Walker: There's an open seat here if you want to come.

Robin Dube: There's going to be many open seats this year.

Cassidy Jacobson: If I can sit in that seat and be done.

[background conversation]

Chair David Walker: Thank you, everybody. All right. I want to get home before the football game is over.

Robin Dube: I have a question for you. How many meetings have we had about this project?

Jeffrey Hinderliter: Mike would be better than me, but probably at least five.

Robin Dube: I mean, we've already about this project.

Chair David Walker: Shh, Marianne.

Ms. Marianne Hubert: Not Marianne.

Chair David Walker: Item two, contract zone. Okay. 10-story, 16-unit building and nine duplexes for a total of 178 residential units. Good night. Action. Discussion. Council recommendation. Applicant, Goosefare Crossing LLC. Location, multiple properties off Smithwheel Road, MBL 107-2-7, 23, 33 zoning in the R4, in the ID district. Industrial zoning.

Jeffrey Hinderliter: Okay. Where a 178-unit proposal seems easier [laughs] than an 11-unit, right? How about that?

Chair David Walker: What did I say?

Jeffrey Hinderliter: Just to let you know, for the next three items, I placed some notes, what I'm going to discuss on your desk. I know it's getting late. I'm going to be as brief as I can. I was intending to go over all of this, but I'm going to try to summarize, unless you prefer.

Chair David Walker: I read it. I think what we want is for all those summaries to be incorporated into next month's discussion and decision to move to council.

Jeffrey Hinderliter: Thinking about this, I think that you can-- if the applicant is comfortable with-- and I shared these notes with Brandon, too. Drew. Oh, Drew. Jesus, who is Brandon? I shared the notes with Drew. If he believes that the folks that he represents are comfortable with the conditions that I'm recommending, to be attached, I think you could also vote on the contract zone tonight. If you look at the second page of the notes that I provided to you on your desk, I'll just go right to that since you're all familiar, and, again, because it's late.

We know, and we've been reviewing this since September 2024. When you have a contract zone, there are three primary standards an applicant must meet.

Chair David Walker: We know that.

Jeffrey Hinderliter: The first two, I think it's clear. It's the third one that I'm stuck on. Why I'm stuck on that third one is I feel that the public benefits should be realized throughout the project, versus the conclusion of the project, because when you're talking about a conclusion of a project, you're looking at least a 10-year project here. Some of the folks that buy into it may never see these benefits.

The town, who knows what happens in 10 years? I believe that these benefits should be realized earlier in the project. If the planning board conditions that and adds those two other conditions that I'm recommending, one is that there's a substantial completion date for each phase, and then two, that construction of the second access is tied to the 15th unit, not the 15th building, because we have no idea how many units that will be. It was probably just an understandable typo anyway.

The planning board makes their recommendation and says, "Hey, Council, this is what we want to see." The applicant still says, "Hey, you know what? We don't want to agree to it." That's still up to the applicant to make that decision. Then the council to make their ultimate decision when they know what the planning board has decided.

Chair David Walker: Can we have a beginning and an end date for the public benefit?

Drew: Yes, we can provide that easily.

Chair David Walker: That way, it's not at the end of the project?

Drew: Yes, that's no problem.

Chair David Walker: All right, Drew. Any other concerns that he had? You can find end dates for each phase?

Drew: Yes, there's no issue with that. That's easy enough.

Robin Dube: I don't think he's ever completed any of them. They're all still ongoing.

Chair David Walker: All right, well, then that sounds good.

Jeffrey Hinderliter: If you want to be directed to your memo, what I recommend you do is-- and, again, if this all seems rushed to some folks who are just coming in and saying, "Hey, this is a 178 proposal," it's been reviewed by the planning board for a long time now. It's really reached its conclusion point where we beat the applicant up enough with this.

Chair David Walker: He doesn't look black and blue.

Jeffrey Hinderliter: Yes, right. Got a ways to go.

Chair David Walker: All right, factor number one, is consistent with the comprehensive plan. Somebody want to make their motion on page 21?

Ms. Marianne Hubert: I'll make a motion.

Robin Dube: Yes.

Ms. Marianne Hubert: I'll make a motion to find the contract zone agreement between Goosefare Crossing LLC, and the Town of Old Orchard Beach to allow the establishment of a 178-unit residential development to be located on several properties

of Smithwheel Road. More specifically, identified as MAP 107 in the following block and lots 2-1, 2-23, 2-27, 2-33, 2-36, 4-2, 4-3. It is all consistent with the comprehensive plan.

Chair David Walker: Motion by Marianne.

Mr. Jay Kelley: Second.

Chair David Walker: Second by Jay. Call for the vote, please.

Jeffrey Hinderliter: Mr. Kelley?

Mr. Jay Kelley: Yes.

Jeffrey Hinderliter: Ms. Dube?

Robin Dube: Yes.

Jeffrey Hinderliter: Ms. Hubert?

Ms. Marianne Hubert: Yes.

Jeffrey Hinderliter: Chair Walker?

Chair David Walker: Yes. That motion carries 4-0. Jay, you're going to be able to hear this as a council member shortly.

[laughter]

Mr. Jay Kelley: I'm getting both ends of this one.

Chair David Walker: Finding number two is consistent with, but not limited to, the existing uses and allowed uses within the original zone. Motion?

Robin Dube: [unintelligible 02:08:09] Marianne?

Mr. Jay Kelley: I'll make a motion to find the contract zone agreement between Goosefare Crossing LLC and the Town of Old Orchard Beach to allow the establishment of a 178-unit residential development to be located on several properties off Smithwheel Road. More specifically, identified as MAP-107 and the following blocks and lots 2-1, 2-23, 2-27, 2-33, 2-36, 4-2, 4-3, is consistent with the existing uses and allowed uses within the original zone.

Ms. Marianne Hubert: I'll second.

Chair David Walker: Second. Motion by Jay. Second by Marianne. Call for the vote, please.

Jeffrey Hinderliter: Mr. Kelley?

Mr. Jay Kelley: Yes.

Jeffrey Hinderliter: Ms. Dube?

Robin Dube: Yes.

Jeffrey Hinderliter: Ms. Hubert?

Ms. Marianne Hubert: Yes.

Jeffrey Hinderliter: Chair Walker?

Chair David Walker: Yes. Finally, the third and final motion.

Ms. Marianne Hubert: I'll make a motion to find the contract zone agreement between Goosefare Crossing LLC and the Town of Old Orchard Beach to allow the establishment of a 178-unit residential development to be located on several properties off Smithwheel Road. More specifically, identified as MAP-107 and the following blocks and lots 2-1, 2-23, 2-27, 2-33, 2-36, 4-2, and 4-3, and it is all subject to the conditions sufficient to achieve the purpose described in Section 78-2131 of the contract zoning ordinance.

Chair David Walker: Motion by Marianne.

Mr. Jay Kelley: Second.

Chair David Walker: Second by Jay. Call for the vote, please.

Jeffrey Hinderliter: Ms. Dube?

Robin Dube: Yes.

Jeffrey Hinderliter: Mr. Kelley?

Mr. Jay Kelley: Yes.

Jeffrey Hinderliter: Ms. Hubert?

Ms. Marianne Hubert: Yes.

Jeffrey Hinderliter: Chair Walker?

Chair David Walker: Yes. Finally. The final vote for the recommendation to council.

Robin Dube: You want to make it?

Chair David Walker: I can. Sure. Project recommendation. The planning board can make a motion to recommend the council. I make a motion to recommend the council approve a contract zone agreement between Goosefare Crossing LLC and the town of

Old Orchard Beach, proposing the establishment of a 178-unit residential development to be located on several properties off Smithfield Road. More specifically identified as MAP 107, and the following blocks and lots 2-1, 2-23, 2-27, 2-33, 2-36, 4-2, 4-3, pursuant to 30A MRSA Section 432, parentheses 8, Chapter 78, Article 9 of the Old Orchard Beach Code.

Vote of ordinances.

Mr. Jay Kelley: Second.

Chair David Walker: Motion by Dave, second by Jay. Call for the vote. Yes.

Jeffrey Hinderliter: I recommend that you attach the conditions that I--

Chair David Walker: You want me to attach those conditions?

Jeffrey Hinderliter: Yes.

Chair David Walker: Okay.

Jeffrey Hinderliter: That's in your notes.

Chair David Walker: Public and residential benefits shall be identified and included in each of the contract zones. All right, with a beginning and end date, please. Each phase shall have a reasonable substantial completion date, with the meaning of substantial completion included in the contract zone agreement. Three, construction of Goosefare Landing second access to Smithfield Road will be complete before the occupancy permit for the 15th unit is issued. Yes, I want to call for the vote then.

Jeffrey Hinderliter: Mr. Kelley?

Mr. Jay Kelley: Yes.

Jeffrey Hinderliter: Ms. Hubert?

Ms. Marianne Hubert: Yes.

Jeffrey Hinderliter: Ms. Dube?

Robin Dube: Yes.

Jeffrey Hinderliter: Chair Walker?

Chair David Walker: Yes. Motion carries 4-0. Drew, any questions?

Drew: No. I'll sit here. Thank you.

Chair David Walker: All right, buddy. Sorry to keep you so late.

Drew: No problem.

Chair David Walker: All right. All right. Item three, campground lot ownership change from site rental to site ownership, discussion, recommendations, applicant Atwood Landing LLC, MBL 101-1-1, 101-2-8. I have a question, Jeffrey.

Jeffrey Hinderliter: Yes.

Chair David Walker: When in the package, it said that it would substantially increase tax revenue for the town?

Jeffrey Hinderliter: If you think about it, for taxation purposes, as a campground, really, it's just centered on more of a personal property. With this, the condo, they actually become unit sites. They become more of a real property than a personal property for taxation purposes. You're looking more at almost similar to, like, taxation of a lot compared to whatever sits on the lot.

Chair David Walker: What you're saying is the owner of the campground gets a tax break because of massive scale? Maybe no?

Jeffrey Hinderliter: No. No. Actually, a tax break is built into campgrounds, if you will, because taxation is limited to what you can actually assess a tax on. When the owner originally went through this, I'm sure they weren't even thinking about those taxes. Now that they've had some time to look at some of the options and the condo switch seems like a real option, when they looked at that option and when we looked at option, we realized that there is more of a tax benefit not to the owner but to the town because the taxation of the sites change to more of a real property compared to a personal property unit matter.

Chair David Walker: Does Atwood Landing maintain ownership for all 100 units and then sell them off one by one by one?

Jeffrey Hinderliter: They'll be able to help you out with that one more than me.

Ms. Marianne Hubert: Will they be like flat lots that the people pull in with their camper, or is it going to be like little houses like at Seaglass?

Speaker 11: No, it's going to be gardens. Nothing is changing. We just want the option to possibly sell some of it as a condo.

Ms. Marianne Hubert: People won't be able to put a permanent structure?

Speaker 11: No, it's still a camper. It's park models.

Robin Dube: The park models, all the new things they make them bring into the campgrounds--

Chair David Walker: Park models or?

Speaker 11: No. We don't want to change anything.

Ms. Marianne Hubert: They're not hooked to a tree.

Speaker 11: We want to look at exactly what we're going to do with it. Entertain possibly condoning some of the property.

Chair David Walker: Why did they have to come to us for that?

Jeffrey Hinderliter: Because it actually requires a subdivision. One of the reasons is you are selling these unit sites. If you transfer through a sale three or more unit sites within five years, then it triggers subdivision. That goes back-- Dave can correct me if I'm wrong, back to a case in Bethel.

Dave Ordway: Naples.

Jeffrey Hinderliter: Oh, Naples. Thank you. Naples. It's really interesting. I was floored about this. I totally didn't think it was ever possible. After working through it, looking at the case law on this, looking at Wells Moody Campground in Wells, it's totally legal. As I began to think about it more, I could see-- Think of my perspective, let's say, as an abutter. If I look at a condo campground, I'm going to know who my neighbors are more than if I look at a non-condo campground, where there is definitely more of a transient nature to it. There's definitely benefits that way.

Then there could also be negatives from a town perspective, a town economy perspective. Where if you have more changeover, then you'll likely have more people visiting places downtown, for example, because they're not here all the time. They want to see that. When you have someone here that's more on the seasonal nature, permanent seasonal, you may not have that. Then the town also would benefit in taxation purposes. Ultimately, I think it's a win for the applicant, it's a win for the town, and it's a win for potential residents of the campground.

Ms. Marianne Hubert: I have another question. Does it change anything for the DEP permit?

Jeffrey Hinderliter: I don't know the answer to that. Maybe Matt or Dave might be able to--

Dave Ordway: What was the question?

Jeffrey Hinderliter: Does it change anything in regards to the DEP permit?

Dave Ordway: No. Let me introduce myself and at least tell you why we're here. My name is Dave Ordway. I am here on behalf of Atwood Landing. With me is Tammy Hearn, who's the managing member, and Mr. Orr, who is the engineer for the project. Probably, you all were on the board when you approved the site plan for Atwood Landing. We are here with an approved project. The only piece left for Atwood Landing is we're just waiting for the paperwork from DEP. Briefly, my background, I was telling

Jeffrey when I came in here that this is sort of the 50th anniversary of my first appearance before the Old Orchard Beach Planning Board.

Chair David Walker: You were an attorney, aren't you? You helped us with something, I recall, right?

Dave Ordway: Yes. I was noting that my first appearance was at the school, and the chairman of the planning board at the time was Emerson Cummings. I go back a ways with appearances before the planning board. I haven't been here for a while, but nobody seems to have missed me.

Chair David Walker: Oh, we missed you.

Dave Ordway: My involvement with campgrounds goes back many years. I've represented virtually every campground in Old Orchard Beach. I've represented campgrounds all the way from York to Bar Harbor, and in several other states as well. In addition, I owned a \$550,000 site campground in Old Orchard Beach and operated it personally for 14 years, so I have a little more than a passing interest and a passing background with campgrounds. What happened was after this project was approved, then Tammy and her partner, Archie St. Hilaire, started doing some marketing inquiries.

Speaking to people and getting feedback as to what was the best business plan, the best way to approach the development of Atwood Landing. They were getting some reactions from seasonals. Just so you know, when I speak of seasonals, the campground that I owned was 550 sites, all seasonals. That meant that every camper in that campground paid one flat fee for the entire season. Most of them left their units there from year to year. With respect to the tax part of it that Jeffrey spoke about, I was the person who actually drafted the current version of the Old Orchard Beach campground ordinance back in the early 1990s.

At that time, and I think it's probably still true today, three or four of the top 10 taxpayers in Old Orchard Beach were campgrounds. There's an interesting way that campgrounds are taxed then and now. Campgrounds, the owner of the campground, the land and the buildings that are on it, and the like, are taxed as real estate by the Old Orchard Beach tax assessor. For those people who choose to leave their RVs, their park models on site, if the unit is on site on April 1st, which is the assessment date every year, if it's on site on April 1st, then the owner of that unit has the option of either coming down to Town Hall and paying an excise tax on that unit.

If they do not excise it by April 1st, then the tax assessor will assess them a personal property tax for the unit. If they have an add-a-room on the unit, that will be part of the personal property tax assessment, and many of them have sheds, and there's an additional few dollars that are tossed on. Because those are depreciable, both as personal property, then it does end up differently than if you had a condominium where the owner owns the fee interest in the land and the unit that is on it.

I suspect, even though I haven't talked to the assessor about it, that they would then change the way they assessed that. They'd be assessing the fee interest to each

individual owner, not one big value to the campground that I had 80 acres of land that was being assessed. Even then, the combined tax benefit to the town and the way part of my sales pitch when I drafted the new campground ordinance was that not only did I point out that 4 out of the 10 top taxpayers in town were campgrounds, but that campgrounds, by their very nature, are almost pure profit to the town of Old Orchard Beach.

In our case, we provided all of the sewer, we provided all of the roads, we provided our own security. About the only benefit or cost, and no kids in school because you have the season, and you weren't allowed to send any kids to school. About the only benefit that our taxes paid for was we had a sewer connection, so that the sewer from the campground for the sewer system that we installed went to the treatment station. Virtually everything else was pure profit. We were paying over a quarter of a million dollars a year back in 1990 to taxes to the town of Old Orchard Beach.

The only thing that cost the town was to treat the sewer that, again, was only used for nine months out of the year. With that said, that's a little bit off track, but since it had come up, I just thought I would toss that out there. The reason we are here is because this is unique as far as the town of Old Orchard Beach is concerned. At Jeffrey's suggestion, before we made the investment of time and money to make an application for subdivision approval, Jeffrey thought it wise that we come and at least get some feedback.

We're not here to ask you for an advisory opinion. We're not here to ask you to make any irrevocable commitments as to what you would do if you had an application before you. We are interested in your feedback. The development of plans, condo plans, condo documents, and the like is an expensive proposition. We don't want to be in the same position that the previous applicant was in, getting to the end of the process and then saying, "No, we don't like the idea."

Chair David Walker: You feel my pain. Go ahead.

[laughter]

Robin Dube: They can feel it.

Mr. Jay Kelley: We just went through that, didn't we?

Dave Ordway: We're here just on an exploratory mission at Jeffrey's recommendation, and to basically deal with two issues, as far as I'm concerned, as representing the applicant. Number one is, and I'm very comfortable, Jeffrey quoted me at length in his summary leading up to this meeting. I told him an old story that while in the process of drafting the campground ordinance, I specifically had in mind the possibility of a condominium campground. Condominium campgrounds have existed in the state of Maine since 1986.

That the Wells Moody campground is a roughly 100-site condominium campground that has operated consistently since it was approved in 1986. The campground up in Naples

was the one that brought the issue to the fore, where they started selling sites without benefit of subdivision approval, and the town of Naples said no. The case went to the Maine Supreme Court, and the Maine Supreme Court said, "While we have previously ruled that campgrounds as campgrounds do not require subdivision approval, that when you get to be selling fee interest, splitting up and fractioning the land, that by definition becomes a subdivision.

When it got all done through the Supreme Court, the campground in Naples does exist. They opted to make it a cooperative rather than a condominium, but that's still a version of the condominium, but they did have to go through subdivision approval, nevertheless. The story I told Jeffrey was that back years ago, Dale Blow came to me, and he was interested in buying Hidden Pines Campground, and he had the idea, "Can I make it a condominium?" The problem that ultimately I reviewed it and said no.

He was greatly disappointed, but the reason was that without a campground ordinance which defined dimensional requirements, specifications for campgrounds, that basically if you wanted to condominiumize any of the older campgrounds, you'd basically be starting from scratch because they have sites here, they have sites there, but they don't have dimensions. They wouldn't qualify. You wouldn't be able to do a subdivision plan without just going back and starting from scratch. With that background, I'm entirely comfortable with the concept of condominium campgrounds.

They exist all across the country. Perhaps in the hundreds or even thousands, I identified probably 40 or 50, just with a quick search, just in Florida, so that it's not entirely new. It is new to the town of Old Orchard Beach, and that's part of why Jeffrey thought, let's get some feedback.

The second, and I think the critical issue for me, is that if Atwood Landing moves forward with this idea, and we still have a number of marketing plans, approaches in mind that are still being worked on and developed. We're still getting feedback from people. One of the complaints we hear consistently is these big guys, they keep on going up and up and up every year. To partly address that, a condominium is at least a way for the seasonals to have some skin in the game, to actually be the condominium association is made up of seasonals, the operation of the campground is made up of seasonals. They actually get to shape their own destiny, if you will.

The issue that troubles me a bit is most of the criteria in site plan review are similar to dovetail the criteria that are in the subdivision ordinance, so that reviewing the plan, preparing a new plan is not a big project. One, and there's some technical requirements in terms of what the plan has to show and the like. Those are easy. A very capable engineer can do those on his cat in his sleep. The one that jumps out at me is the street standards. The subdivision ordinance, as you know, has street standards. Those street standards, in my view, do not apply to campgrounds.

As somebody who has 40-plus years dealing with campgrounds, almost universally, campgrounds discourage the use of motor vehicles. They recognize that people have to go in and out to get to their site, but after that, they do everything that they can to

discourage people from driving around in cars. Campgrounds typically have a speed limit of 5 to 7 miles an hour, which is just slightly more than walking speed. If you're familiar with campgrounds, go 10 or 15 miles an hour down the street in a campground, and you'll hear it from all sides. You'll have to answer to your neighbors if you go anything over the speed limit in a campground.

The streets in a campground are for recreation, for walking, for bicycling, for those who need it, maybe riding a golf cart. The street standards, particularly the sidewalk standards, simply do not apply in a campground. The idea was reinforced when I looked at the campground ordinance, which said all internal roadways in a campground overlay district shall be classified as driveways. Roads designated for one-way traffic shall be minimum 10-feet wide, and roads designed for two-way traffic shall be minimum 15-feet wide in order to preserve the character of the campground setting.

Driveway surface and materials may remain as gravel or crushed stone. That's certainly consistent with what I'm telling you, and that if we move forward with the subdivision application, we will be looking for a waiver of the sidewalk requirement. We might even be looking at slightly modifying the street design standards. Particularly because there's no need for snow removal. The campground closes on October 31st. It doesn't open again until April.

Now, I had a couple of seasons where we made the seasonals walk to their sites because we didn't want them damaging the road in April, but we don't need a sidewalk as a place to get off the street. We don't have kids going down the sidewalk to go to the school bus stop or traffic coming in and out to go to soccer practice or the like. Campground is a destination, and so different rules apply. We wanted to bring that to you, at least start that thinking process going, add, and respond to any questions that you might have about what undoubtedly is a little bit of a new concept for you.

Chair David Walker: It makes sense, since it's seasonal, that you don't have to build a network of roadways in there. If a waiver can accomplish what you need, I think that that's probably the right way to go. When I was reading this, one of the things I remember from the approval is that each lot shares a septic system. Somehow, your condo docs have to address that, I would think. Other than that, I'm excited to do something different in town. I thank you for bringing this to us and giving us the opportunity. Anybody else?

Dave Ordway: Quick question, Jeffrey. In reference to the road's emergency vehicle, that must be a different standard than just a regular dirt road or whatever.

Jeffrey Hinderliter: Interestingly, when we went through the campground review process, we had full review from both police and fire. As designed right now, they already meet our fire and police requirements. It's always hard to get in your mind, but as Tammy said, it's still a campground. Basically, nothing's changing except the option for a different type of ownership.

Chair David Walker: Can an owner buy more than one lot? Let's say they want to have three sites, so they don't have neighbors on either side of them, they could do that, huh?

Dave Ordway: Just as an aside, I did the approval for Summer Winds and also did the condo docs and all for Church Street Station. Now, both of those are permanent year-round subdivision. The lots in this campground are actually bigger dimensionally than the condo sites at either of those cottage condominium projects.

Jay Kelley: Will there be an HOA involved in this?

Dave Ordway: Yes. Under Maine's condominium law, you can't convey a single lot without having an HOA incorporated and in place. The HOA would become the governing body for as long as Atwood Landing, and there's nothing to prevent Atwood Landing from continuing to own 10%, 15%, 20%, 50%, 75% of the sites, but they would be a voting member as would the individual unit owners of my sites.

Jay Kelley: What would an HOA cover?

Dave Ordway: What would it cover? Everything. It would be the managing--

Jay Kelley: For the infrastructure and all that stuff?

Dave Ordway: The entire operating budget would be funded through condominium fees.

Chair David Walker: Okay, and you have to maintain the rec house and the pool, those areas as well, right?

Dave Ordway: Not only that, but they have a vested interest in doing so. One of the things that we've talked about is doing the condominium documents in a way that ensure that it remains a Class A resort campground, which includes maintenance responsibilities and all of that. In my campground, I actually created our own code, zoning ordinance, so that the weekend guy who wants to build an outer room doesn't come in and starts tossing up this wooden structure that falls down in two years.

We had very strict standards in terms of what could be built, how it could be built. Actually, the town's former code enforcement officer, and [unintelligible 02:40:06] and Dana got into the outer room business and started building quality outer rooms at our campground and elsewhere.

Chair David Walker: Tammy, when you did your market research, there must have been demand for this kind of a configuration.

Tammy Ahearn: Yes, because of the corporations raising rates every year, and they're out of control. Some people have mentioned that they would like to own their own land and have an HOA and [unintelligible 02:40:40] and not be abused. We also were

going to put in short-term rentals. If, say, I have a site, I have to rent it for the entire season, for the six months, so they're looking on about [unintelligible 02:40:55].

Chair David Walker: Geez, I didn't even have to ask. [laughs]

Jay Kelley: Good.

Tammy Ahearn: [unintelligible 02:41:00] all the short-term renting stuff, so I thought I'd throw it out there.

Chair David Walker: Thank you.

Dave Ordway: As you may or may not know, Tammy owned Wild Acres for-

Chair David Walker: Yes. We know that.

Dave Ordway: -for many years. We bring some collective experience of the goods and the bads and the mistakes that we have made or others have made.

Chair David Walker: Nice.

Ms. Marriane Hubert: One quick question. How long is this going to tie them up? Whether planning on opening in the spring or whatever, how long is changing all this going to tie them up?

Tammy Ahearn: That [unintelligible 02:41:34]. That won't change anything.

Dave Ordway: No.

Tammy Ahearn: [unintelligible 02:41:36] environment.

Dave Ordway: They're going to build it, as approved. The site plan and the condo plan-

Jay Kelley: Already approved.

Dave Ordway: -are not going to be materially different, so they're going to build it and then work their way through what the demand is, what works for people. Some people, they're trying to wrap their heads around condominium, campground, while others say, we want to have a say in our future. We're trying to sort that out.

Ms. Marianne Hubert: A lot of complaining about the fees that they're being charged to maintain campgrounds. It's killing them.

Dave Ordway: Yes. We've got plenty of background and history to work from, so.

Chair David Walker: Will we have to do a formal process with a public hearing again?

Jeffrey Hinderliter: Yes. Sorry.

Dave Ordway: There are a lot of criteria you've already been through.

Jeffrey Hinderliter: Exactly.

Dave Ordway: We're not starting from scratch.

Jeffrey Hinderliter: It's going to be the same people coming down with the same complaints.

Ms. Marianne Hubert: Trying to understand that it's fixed units, not trailers coming in and out of there. That's the big concern people had at public hearing.

Tammy Ahearn: [unintelligible 02:42:50]

Ms. Marianne Hubert: That was the only concerns they had.

Chair David Walker: You might forget to put stamps on the notification letters, but just saying.

Tammy Ahearn: We just want to know what it's going to cost and if it's worth it and if you guys want more than all of that.

Chair David Walker: I'm on board. What about everybody else?

Jay Kelley: Absolutely.

Ms. Marianne Hubert: Yes. [crosstalk]

Jay Kelley: Absolutely. Go for it.

Tammy Ahearn: As far as engineering goes, it's just a lot of plans, right, Dave?

Dave Ordway: With condo planning, it's just a variation. We have to add some notes that belong on subdivision plans that don't have to be on site plans. A few things, but the big job is mine to create the condo docs.

Chair David Walker: We have to number each lot for--

Jeffrey Hinderliter: E911 purposes?

Chair David Walker: Yes.

Jeffrey Hinderliter: They're already done. It's already done, yes.

Tammy Ahearn: It's on the ground. [unintelligible 02:43:51]

Chair David Walker: All right. Well, thank you very much.

Tammy Ahearn: [unintelligible 02:43:55]

Jeffrey Hinderliter: I think one of the big parts, the second, was to educate you on the condo. The big piece, which it sounds like the board is agreeable to, is the road piece. When you submit the application, it'll be important to justify the waiver requests. Include that.

Chair David Walker: Yes. Good. Thank you very much.

Dave Ordway: Thank you. We appreciate your time.

Ms. Marianne Hubert: Thank you. Thank you, [unintelligible 02:44:31]

Tammy Ahearn: Thank you.

Chair David Walker: Thank you.

Jeffrey Hinderliter: Thank you.

Chair David Walker: All right. Item Number 4, Proposal. Site plan, two residential duplexes. Action, pre-application sketch plan, scheduled site walk, applicant goose fair, crossing LLC. That's 77 Smithwheel Road, MBL 107-2-23, zoning in the R4. Brandon is back.

Jeffrey Hinderliter: The first thing with this, and I wrote this in your email, and I don't like making mistakes, but I did make a mistake here. Brandon and I were in communication over the summer. When I interpreted a statute in a way that I thought site plan would be applicable, but when I was writing my comments for the memo, it's actually subdivision. A lot of the stuff is essentially the same. I don't think that in terms of your review, really, it matters. Now, if we figured this out at the final, that would be a whole different story. I still wanted to make sure that you were all aware that it was my mistake.

Really, typically this isn't an overly complex proposal. I mean, just look at the past couple of proposals you had. It's two duplexes, but it is a subdivision. What makes this a bit more complex is it happens to be the first phase of the contract zone that was just recommended for approval. That was a good step. Now, applicants can run a subdivision, site plan, whatever it is, any portion of a project that is part of an unapproved contract zone. They can run it through the planning board before they receive contract zone approval from the council, but they can only run the subdivision piece through so far. They can't get final approval until the contract zone is actually approved.

Where this gets a little bit tricky is whether the applicant intends to make this an entirely standalone from the contract zone or still keep it as Phase 1. Now, the big reason why this is tricky is because of that road, or the access. Now, if we look at this as a standalone subdivision, a driveway type access is permissible because we're not creating any lots. It's basically condominiums or the townhouses on one lot with a driveway to access the condos. Where it gets tricky is the contract zone happens to

have specific road waiver modifications. You can't apply those, in my opinion, if this is just a standalone, if you remove this from the contract zone.

One of my big concerns with this proposal, and I believe Drew has answered this, is do you intend to keep this as part of the contract zone or as a standalone, non-contract zone project? What I heard from Drew is, yes, they prefer to keep this with the contract zone, which makes everyone's life, in my opinion, a lot easier because you're not approving this as an entirely separate project from the contract zone.

Now, Drew can continue with the proposal and continue to run it through the planning board, but he just can't get approval of this until the contract zone is approved. Interestingly enough, if you run these concurrently and you think of the council review now for the contract zone and this review through subdivision, they would probably come to their conclusion point right around the same time. In fact, the contract zone, because council meets twice a month, may actually come to a conclusion before the planning board would make a decision if we run along in the typical process.

Chair David Walker: I know of that.

Jeffrey Hinderliter: Yes, but you never know. I just wanted to let you know that I made the mistake. It's a subdivision, not a site. I advise that it was a site plan, and then I advise it was a subdivision. It is a subdivision, and Drew was just following my guidance. Also, if--

Chair David Walker: So we can approve pending contract zone-

Jeffrey Hinderliter: Yes. There you go.

Chair David Walker: -award. Then after they get the contract zone, they have to come back to us for site plan review.

Jeffrey Hinderliter: Subdivision and site plan. For the multi-unit portions, that's where the site plan kicks in.

Chair David Walker: At that point, we can review this?

Jeffrey Hinderliter: You can review it now. You just could not approve it until the contract zone is approved. It's really up to Drew. What I always recommend is that, to applicants, it's good to hold off on the contract zone until you get the contract zone approved, because then you'll know exactly what you're working with when you're working on the pieces that are included in the contract zone. I think that's particularly important with this case because the road access is such an important part of the contract zone. That'll be up to Drew and King and all you folks. Overall, it's a pretty simple-- [chuckles] God, it's pretty simple.

Brandon: Perfect. Thanks, Jeffrey. Again, just to be clear on why we submitted this so early along with the contract zone, we did design this site to meet the standards of the R4 zoning district because that's the zone it's currently in. It's not like the rest of the

contract zone area, which is currently industrial. We believe that this project could stand on its own as it is now.

Prior to submitting this application, again, I wasn't aware that this would muddy the whole contract zone process. That's why we are fully aware of that. We're willing to hold off on approval on this one before the contract zone gets done just to make it easier for everyone, like Jeffrey mentioned. Again, today is really just your initial thoughts on this layout, if any. Again, it's a pretty standard layout, I think. If you have any comments right off the bat, we'd be happy to take those in and address those for the future subdivision submissions.

Jeffrey Hinderliter: Dave, I think you had some questions actually on this when you were looking at the contract zone about the drive.

Chair David Walker: The frontage. What do you have for frontage on that?

Drew: Again, this is all one lot. What we've shown there for a road is technically a driveway. It's not providing frontage on these houses.

Chair David Walker: My thought was you're not restricted on the backside. You have plenty of space in the back. Maybe moving those buildings back was my thought initially on that, because what do you have, a garage? Then you have a driveway. It looks crappy with the car and the driveway kind of thing. I was thinking more on taking advantage of the space that you have out there. That was my only thought that I recall. Was that what you were thinking, Jeffrey?

Jeffrey Hinderliter: Yes.

Drew: Yes. I think it was just making sure the driveway even had enough space to park the car, making sure it was 20-feet long.

Chair David Walker: I think they were in the driveway, in the walkway if I recall.

Ms. Marianne Hubert: Especially it's going to be a busy road at some point, right?

Drew: We're expecting that most of the traffic for the back portion of the site would go through the other access part of Smith. We're really not expecting a lot of traffic here. That's really provided just because we need to have two access points eventually. This is what that provides.

Jeffrey Hinderliter: It looks fine to me.

Chair David Walker: Of course, I'm burnt out, Jeff.

Jeffrey Hinderliter: Yes.

[laughter]

Chair David Walker: Did you want a motion on this tonight? Does anybody have the desire to do a site walk?

Ms. Marianne Hubert: I think we should.

Chair David Walker: Okay. Yes?

Susan Sheehan: No.

Chair David Walker: No?

Ms. Marianne Hubert: No? I can go on my own.

Susan Sheehan: [unintelligible 02:54:26] down the road. With me, you got three can do it.

Chair David Walker: Well, you said you're not going to be here. He's not going to be here. It's just Marianne and myself. Jeffrey, you want to go out?

Jeffrey Hinderliter: Yes. I have no problem. The site walk would be December. Oh, December, not January. Yes, so December--

Ms. Marianne Hubert: Can we do it?

Jeffrey Hinderliter: You can do it anytime. I need to advertise it. It would have to be after Thanksgiving.

Jay Kelley: December 4th or the first Thursday.

Ms. Marianne Hubert: I would say that December the first Thursday at three o'clock.

Jeffrey Hinderliter: Yes.

Chair David Walker: December 4th at three o'clock? Can you stake out the property for us, Drew?

Drew: Is it just the building footprints you look for, or the road, or [crosstalk]

Chair David Walker: And driveways, yes.

Drew: Driveways, all of that? Sure.

Chair David Walker: Yes.

Drew: December 4th at 3:00?

Chair David Walker: Yes.

Ms. Marianne Hubert: Because we need to visit the other site, too.

Chair David Walker: Not for a while. There'll be snow on it by the time.

Ms. Marianne Hubert: No, no, the next one.

Chair David Walker: Oh, okay. All right. Anything else for Drew? All right, man. You put in a long night, too.

Drew: We got one more.

[laughter]

Chair David Walker: Oh, you have the next one, too?

Drew: Oh, yes.

Chair David Walker: Do you live locally?

Drew: I do.

Chair David Walker: Oh, good.

Drew: [unintelligible 02:55:51] This one's not for King. It's for his brother.

Chair David Walker: How'd you get the hat trick out of this one, anyway?

Drew: [laughs] They keep me busy.

Chair David Walker: All right. Item 5, proposal, site plan, one residential, four-unit building. Action, pre-application, sketch plan, schedule site walk, Neil Weinstein. That location is 6-8 St. John Street, MBL 206-24-32, zoning in the DD2 District.

Jeffrey Hinderliter: Yes, and I'll try to give you the full summary here since this is your first time seeing this without taking too much time. This is an introduction to a four-story, four-unit residential building to be located on an existing lot at 6-8 St. John Street. The property was previously used as a single-family residence, and prior to that, it was a church, and the existing structure is going to be demolished.

Just for point of reference, St. John Street is off from Saco Ave and adjacent to a coastal convenience store and gas station. Since this is an initial introduction to this proposal, it's a good time to provide feedback. For November, the applicants submitted a site plan application package. This is in the DD2 zone, so design review is required. The applicant has submitted the application, and DRC began review at their 3rd November meeting.

The DRC did share concerns over the structure's size in regards to mass and scale and how it's compatible with surrounding structures and local building fabric. They're requesting additional information on the building design, materials, and renderings for how the building will look in this location in compares to surrounding structures. If the

planning board has any feedback on the design, especially related to mass and scale, to help guide the DRC or to share with them, that would always be appreciated.

One thing for the planning board to decide is whether subdivision reviews required for dwelling units would be considered a minor subdivision, but there is the exception for division of a new structure into three or more dwelling units where it's subject to site plan review. Then we also wanted to ask the planning board about town peer engineer review. What are your thoughts on peer review of this proposal?

One of the specific items we typically rely on peer review for is stormwater. The applicant has provided a stormwater management narrative with some calculations, and it does state there's a slight increase in runoff, but that it's considered negligible. We could ask the town peer engineer reviewer if the methodology used for calculating stormwater by the applicant is acceptable or ask for a full review if the planning board wants stormwater and other items reviewed.

Chair David Walker: I want a full review.

Michael Foster: Okay. Public water and public sewer connections are proposed. Ability to serve for water and wastewater needs to be provided. It looks like the lot size checks out for the number of units proposed. Lot's 10,000 square foot, which meets the minimum lot size for DD2. Lot area per family unit for residential is 2,500 square feet. Setbacks in DD2 for residential uses is 15 front, 15 side, and 20 feet rear.

Just in looking at the legend on the site plan, there was some dashed lines around the building footprint, and it wasn't clear if those were designating edge or gravel or if it was roof overhang. Just if it is a roof overhang, it looks like it extends into the required setback, and if it does, a potential miscellaneous appeal or variance might be needed.

Then the maximum principal building height for residential uses is 35 feet. The application states it's 35 feet, but we don't have the elevation plans to confirm. Currently the site has one driveway. A second driveway is proposed so access can be provided via a one-way drive. It currently doesn't look like St. John's Street is an arterial or collector, but with these additional four units, it looks like it would make it a collector's street, and a collector's street is defined as serving at least 15 units of residential development.

Site distance should be shown on the plan just to confirm it meets the ordinance. Regarding parking, two spaces are provided for each unit. One space in the garage with the second space stacked in front. It looks like four visitor spaces are also shown. Access and maneuverability of the site should be confirmed because it does look tight, especially if all spaces are being used at the same time. Public safety access needs should also be considered.

It appeared the two visitor parking spaces at the front of the lot are partially located within the town right-of-way. Just to consider landscaping and buffering requirements, there are four street trees proposed within the right-of-way at the front of the property.

Then just for other comments about plans for snow storage removal, identifying storage areas on the plan.

There is a requirement in the ordinance for non-residential development or multi-family residential development where it abuts a public street. That if sidewalks aren't provided to the satisfactory, to the public works, there is a requirement to provide them. That would be something to probably confirm with public works. Just identify the plan for solid waste removal, whether it's garbage bins, dumpster, and where that will be located, and then the plan for mail delivery. Will units have individual mailboxes or will there be a requirement for cluster mailbox? Then just consideration of the location.

We haven't received any town department comments at this time, but we do anticipate we'll receive some comments. Really for recommendation, this is just an introduction. Planning board should provide feedback and request any additional documentation you need. Does the planning board want to have a site walk? For site plan ordinance, it's not required, but you may conduct one at any time. That could also be on that 4th of December, one around the time of the other one that's scheduled.

Chair David Walker: Michael, I'll get the printout. What is the dash line that you're concerned about? Is it the one that is 19 feet from the--

Drew: It's the building overhang, so we'll need to adjust that to meet setbacks.

Chair David Walker: All right, so you're--

Drew: I'm aware of that.

Chair David Walker: [unintelligible 03:03:08] a setback.

Drew: Yep, that's right. We'll have to revise that.

Chair David Walker: Are you going to get a variance or are you going to--

Drew: No, we'll revise the building design to get a setback.

Chair David Walker: Okay.

Drew: Yes, that's definitely the most outstanding piece in my eyes of this application is the building design. Currently, Neil was desiring the building that's located at 180 East Grand. I'm guessing you don't know that off the top of your head, but that's what he's envisioning for this site. Again, that's one piece I'd definitely like to hear feedback from the board on, if you'd be interested in seeing something like that on this property.

Chair David Walker: He gave us pictures of 180 East Grand and Attica--

Drew: Yes. That's right.

Chair David Walker: -and it's going to be that large? Those are pretty big.

Drew: That's the goal, yep.

Ms. Marianne Hubert: Church is pretty large over there, that building.

Chair David Walker: You don't go to church.

Ms. Marianne Hubert: Not that one.

[laughter]

Ms. Marianne Hubert: [unintelligible 03:03:59]

Chair David Walker: Okay, all right. That would be beautiful for that neighborhood. It would stand out in my mind, you know?

Drew: Sure.

Chair David Walker: Marianne wants to do a site walk there. Could we go there at 2.30 and then three o'clock over to the other location?

Drew: Yes. Perfect. Yes, and other than that, I know, Mike, thank you for your comments. We definitely have our homework to do for getting all the various site plan elements added to the plan. We'll definitely have a more finished product for you with the next submission.

Michael Foster: Yes, and I'll double-check my email. I apologize you didn't get notice of that meeting, so I'll make sure whatever happened doesn't happen next time.

Drew: Okay, perfect, thanks. I guess the other big question I had was if the board can decide whether this is only site plan or a minor subdivision, just so we make sure that we get everything that's needed if it is a subdivision also? Because it sounded like it's up to the board to decide that.

Michael Foster: Yes, so the way it works is it seems like with this, where it's subject to site plan and it's in the one, let me find the exact language here.

Chair David Walker: Jeffrey, did you see who the abutters were?

Jeffrey Hinderliter: I'm sorry?

Chair David Walker: Did you see who the abutters were?

Jeffrey Hinderliter: With this? Oh, yes. [laughs]

Michael Foster: Yes, so what it is because it's a structure being divided into four dwelling units, it falls under the subdivision review requirements, and that's state law. There is an exception in that for the division of a new structure into three or more dwelling units in a municipality where it's also subject to site plan. I think this has come

up previously. One of the big differences is road standards where there's not roads proposed with this. It could go either way.

Ms. Marianne Hubert: It's a public street, right, [unintelligible 03:06:12]

Drew: Okay, anybody have any questions?

Ms. Marianne Hubert: No.

Drew: My other question was the parking spaces and landscaping within the right-of-way. Is that something that the board will have to approve or disapprove, or is that more of a public works question?

Michael Foster: Yes, I can't recall another project we've reviewed where there was parking spaces within the right-of-way. I know with landscaping, I think the street tree requirement actually requires them to be in the right-of-way.

Drew: Okay.

Michael Foster: I think the concern with parking spaces in the right-of-way is if there's ever infrastructure improvements or the road needed to be widened for some reason, that those spots would be eliminated.

Drew: Sure.

Michael Foster: Then I don't know if there's any liabilities for the town if there's off private parking within the right-of-way. I think we could clear it up with public works and just discussing it internally. We can let you know for when it comes back next if it does require more of a decision by the planning board.

Drew: Okay, perfect.

Ms. Marianne Hubert: Are you putting where eight cars are supposed to be? Because it's two cars per unit, and you're only saying that he's going to have a parking space for two cars?

Drew: They each have a garage and a space outside of the garage.

Ms. Marianne Hubert: So your garage is underneath?

Drew: Yes, that's right.

Jeffrey Hinderliter: Under the new state law, only one space will be required with this.

Chair David Walker: That's not until June and July.

Ms. Marianne Hubert: Also, you're considering these four visitors parking spaces.

Susan Sheehan: These are going to be private-owned contracts, so I don't think we have to worry about--

Ms. Marianne Hubert: Yes, but those spaces are available and in front of the garage.

Chair David Walker: Is that what the new training is for, is the new--

Jeffrey Hinderliter: I don't think so. It's just planning board stuff.

Chair David Walker: Just regular MMA. All right. I've been through it twice.

Jeffrey Hinderliter: This is the last time [unintelligible 03:08:19]

Chair David Walker: You're right. It is the last time. All right, Drew. We'll see you at 2.30 at numbers six and eight, and then from there, we'll go over to Smithwheel.

Drew: Sounds good to me. Thank you.

Ms. Marianne Hubert: Will that be developed first, the Smithwheel project, this one?

Drew: These are two different owners.

Ms. Marianne Hubert: Oh, they're different owners?

Drew: Yes.

Ms. Marianne Hubert: Oh, it's not going to be part of it.

Drew: This is Neal Weinstein, and the other one is Kim.

Ms. Marianne Hubert: No, but I mean the-

Susan Sheehan: She's talking about the other one with the three houses.

Ms. Marianne Hubert: -whole project there, the 77 Smithwheel.

Drew: What was the question? Just which would go first?

Ms. Marianne Hubert: The three lots, will that be developed at the same time? It's two different applications, but will it be constructed at the same time or differently?

Drew: It would probably be the same.

Ms. Marianne Hubert: Same?

Drew: Yes.

Ms. Marianne Hubert: It would be part of the same project?

Drew: Yes, that's right.

Ms. Marianne Hubert: For construction. Okay.

Chair David Walker: All right. Thank you very much, Drew.

Drew: Thank you.

Chair David Walker: All right. I don't think there's any other business.

Jeffrey Hinderliter: Real quick, the first draft of the entire comp plan is complete.

Chair David Walker: Wow, congratulations.

Jeffrey Hinderliter: Yes.

Chair David Walker: That's outstanding.

Jeffrey Hinderliter: it is complete. It's going to council on the 16th of December. I was going to bring it to the planning board at the December meeting, but I think I'm switching that to January. It's finally complete.

Chair David Walker: Pick a month that we're not overwhelmed with the project.

Jeffrey Hinderliter: Yes.

Chair David Walker: All right.

Ms. Marianne Hubert: And you had a request. Now I remember. We need to do the training thing?

Jeffrey Hinderliter: Yes. Another result of the state law change is where board members need to do training within 180 days of their appointment. Now, when is their appointment? With your reappointments, with some of you coming up real soon, Robin and Dave, it could be 180 days after that. For Marianne, what we would look for you is just do it within 180 days. Where this was the Zoom, it seemed like an easy way to just get it out of the way.

Susan Sheehan: The Zoom meeting?

Jeffrey Hinderliter: Yes.

Ms. Marianne Hubert: Is it not the Freedom Act that's something different? The Freedom Act that you've done it?

Jeffrey Hinderliter: It's something different, yes.

Chair David Walker: It's on density. State density.

Jeffrey Hinderliter: No, it's the training that you've all had before.

Chair David Walker: Oh, the MMA?

Jeffrey Hinderliter: Yes, but this time you can do it on Zoom. It's just that planning board training. You could zone out in your house and flick on the TV, whatever, and have this blazing in the background.

Jay Kelley: You should probably pay attention.

Chair David Walker: Can I adjourn the meeting and then we can continue to talk so we can go home in the back?

Jeffrey Hinderliter: Yes, we can.

Ms. Marianne Hubert: Motion to adjourn.

Chair David Walker: Meeting adjourned.

Jeffrey Hinderliter: Thank you.

Susan Sheehan: Thank you.

Michael Foster: Thank you.

[silence]

[03:11:51] [END OF AUDIO]

I attest the above minutes were approved by the Old Orchard Beach Planning Board on 9 July 2026.

x 
Michael Foster

Town Planner