

Old Orchard Beach Planning Board Workshop
November 5, 2009 at 6:00pm Council Chambers at Town Hall

CALLED TO ORDER: 7:05pm

ROLL CALL: Win Winch, Tianna Higgins, Karen Anderson, Ever Weinstein. **Absent:** Don Cote, Mark Koenigs. **Staff:** Jessica Wagner, Gary Lamb.

ITEM 1: Site Plan Review: *Discussion for Determination of Completeness:* Proposal to place modular classroom building on existing parking lot at OOB High School. Located at 40 E Emerson Cummings Blvd, MBL 207-3-1 in the PMUD District. Applicant is the Regional School Union.

Mr. Lamb explained this modular building would be used for alternative education students. He used the site plan to show the board where this building is located in relation to Birch Hill Condos and the main High School building. This classroom is placed on existing pavement so not to create any additional impervious surface. The building will be fully skirted. He stated that this application is before the Board because it is an expansion of a non-residential use. He also suggested the Planning Board schedule a site walk.

Mr. Weinstein confirmed that this building was currently located on site, and asked if it was hooked up to sewer or electric.

Mr. Gary Curtis (representing RSU/applicant) stated: It is currently onsite because we needed to move it in order to keep it. The RSU was able to obtain this classroom for a minimal amount of money, and had nowhere to store it prior to site plan approval. He stated that we still need to hook up the classroom to sewer and electric following Planning Board approval.

Ms. Wagner passed out photos of the site to the Board.

ITEM 2: Subdivision Amendment: *Discussion for final review:* Proposal to amend Dunegrass Section B from 76 multi-family style condo units to 24 single-family style condo units. Located on Wild Dunes Way, MBL 105A-1-B in the PMUD. Applicant is Ron Boutet, Agent is BH2M.

Mr. Lamb stated: the applicant decided that instead of going public with the pump station, it would be a privately maintained pump station instead. This has changed the angle of our Wastewater Department and engineering peer reviews. Prior to final approval, we are waiting for an updated review memo from Wright-Pierce addressing sewer and pump station review. We are also waiting for review comments from Chris Vaniotis, addressing the proposed Declarations. We hope to have both of these reviews completed prior to next Thursday's meeting.

Mr. Lamb pointed out where the mailbox will be located.

Ms. Higgins asked if the existing streetlight was enough light to shed on the mailbox?

Mr. Thompson (BH2M) stated yes, there is enough light from the existing street light to illuminate the mailbox cluster.

ITEM 3: Subdivision Amendment: Discussion for final review: Proposal to amend Regis Acres Subdivision (approved 11/8/2007, amended 3/12/2009) from a 4-lot subdivision to a 6-lot subdivision. Located at Ross Rd. and Portland Ave, MBL 103-6-6 in the RD district. Applicant is Ronald Regis, Agent is Northeast Civil Solutions.

Mr. Lamb: pointed out the intersection of Portland and Ross Roads on the site plan for Regis Acres, and pointed out location of the Ross Road pump station. He noted that the sewer manhole is outside of private property and in the public right-of-way. By ordinance, the corner lot is forced to connect to sewer (Section 58-90). Mr. Regis is asking for a waiver from Sec. 74-277(d)(2), to allow septic on proposed lots 3 + 5. This request waives the requirement that all parcels within 1,500ft of public sewer be connected. Lot 6 on the corner will connect directly to a public sewer manhole. Public Works and Wastewater support this waiver request.

Ms. Anderson asked who put the sewer manhole in the public right-of-way?

Mr. Lamb: I don't know if it was the town or Mr. Mailhot. It is in the public right-of-way, so the Town owns it regardless of who put it in.

Mr. Weinstein asked Mr. Regis why he does not want to connect lots 3 + 5 to public sewer?

Mr. Regis stated that his waiver request is based on the financial cost of installing a sewer force main and supported by a recommendation by the OOB wastewater superintendent.

Mr. Lamb explained that Mr. Regis was requesting a waiver for Sec. 78-216(4), to allow an increase of 0.13cfs flow through culvert under Ross Road onto MBL 103-7-9. This request allows the increase in stormwater runoff from proposed lot 5 to flow through the existing culvert under Ross Road. This waiver is an alternative solution to creating a shallow drainage storage area maintained with a drainage easement on lot-5. The Town's peer review engineer supports this waiver request.

ITEM 4: Discuss proposed amendment to Section 78-1 regarding 'drug paraphernalia' and 'head shop' definitions.

Mr. Lamb stated that the Town of Old Orchard Beach wishes to prohibit the sale of drug paraphernalia. The easiest way to disallow head shops is to define them in the Zoning ordinance and then not list them as a permitted or conditional use in any zoning district.

Mr. Weinstein asked where this language came from.

Mr. Lamb stated it was provided to us by the Town's attorney, likely taken from other local and state regulation.

ITEM 5: Discuss wind study tower height amendment to definition Section 78-1 and add new Section 78-2122.

Mr. Lamb stated the Conservation Commission has applied for a grant to establish anemometer wind test towers. The wind tower will be located between where the Skate Park used to be and the High School track. In order to make these towers allowable per ordinance, we need to amend the Town Ordinance. The proposed zoning amendments define and allow temporary anemometer wind test towers in the PMUD, R-5, Rural districts.

Ms. Higgins asked why we are amending ordinances in all three districts, if the towers will only be located in the PMUD district?

Mr. Lamb stated: We added wind test towers as permitted uses in the R5, PMUD and ID prior to knowing exactly where the test towers would be located. The location of the test towers has now been decided. There is no foreseen harm in making these test towers allowable in all three districts.

Mr. Weinstein asked how this ordinance relates to real windmills.

Mr. Lamb stated: there have been some discussions about real wind towers, but we didn't go to that level with this Ordinance revision because we didn't have time too. These ordinance revisions will not automatically expand into windmills. Anemometer test towers and wind power towers are two separate items.

Mr. John Bird (Conservation Commission) confirmed that this isn't a windmill or functioning system. This is simply a test tower for 1 year.

GOOD & WELFARE

Meeting Adjourned at 7:56pm.

I, Jessica Wagner, Secretary to the Planning Board of the Town of Old Orchard Beach, do hereby certify that the foregoing document consisting of three (3) pages is a true copy of the original minutes of the Planning Board Workshop on Thursday, November 5, 2009.