

**TOWN OF OLD ORCHARD BEACH  
PUBLIC HEARING/PLANNING BOARD MEETING MINUTES  
September 10, 2009**

<b>Call to Order at 7:03pm</b>	<b>Call to Order</b>
<b>Pledge to the Flag</b>	
<b>Roll Call:</b> Win Winch, Don Cote, Tianna Higgins, Mark Koenigs. <b>Absent:</b> Karen Anderson, Eber Weinstein. <b>Staff:</b> Jessica Wagner & Gary Lamb.	
<b>Acceptance of Minutes:</b> August 6, 2009 Site Walk & Workshop, August 13, 2009 Meeting and August 24, 2009 Special Meeting. <b>The Board</b> tabled the acceptance of the minutes to the October Planning Board meeting.	
<b>ITEM 1: Conditional Use Review: <i>Public Hearing</i>:</b> Proposal to approve an existing Accessory Dwelling Unit at 188 Portland Ave. MBL 103-1-23 in the Rural District. Owner and Applicant is Janie Newcomb.	<b>ITEM 1</b>
Public Hearing opened at 7:04 and closed immediately with no one present to speak for or against.	
<b>ITEM 2: Conditional Use Review: <i>Final Review</i>:</b> Proposal to approve an existing Accessory Dwelling Unit at 188 Portland Ave. MBL 103-1-23 in the Rural District. Owner and Applicant is Janie Newcomb.	<b>ITEM 2</b>
Janice Night (Applicant's representative was present). <b>Mr. Winch:</b> parking seems to be in order. Any additional comments? <b>Ms. Higgins</b> made a motion to grant conditional use approval to approve an existing Accessory Dwelling Unit at 188 Portland Ave, MBL 103-1-23 in the Rural District. <b>Mr. Koenigs</b> seconded. <b>Motion carries 4-0</b>	<b>Motion</b>  <b>Vote</b>
<b>ITEM 3: Site Plan Review/Conditional Use Review: <i>Public Hearing</i>:</b> Powderhorn Campground (MBL 104-1-1) proposes expand the maintenance area into MBL 104-1-11 in the Rural District, Applicant is David Ahearn, Agent is BH2M.	<b>ITEM 3</b>
Public Hearing opened at 7:06pm and closed immediately with no one present to speak for or against.	
<b>ITEM 4: Site Plan Review/Conditional Use Review: <i>Final Review</i>:</b> Powderhorn Campground (MBL 104-1-1) proposes to expand the maintenance area into MBL 104-1-11 in the Rural District, Applicant is David Ahearn, Agent is BH2M.	<b>ITEM 4</b>
<b>Mr. Thompson</b> explained the proposal to the Board. <b>Mr. Lamb:</b> we saw on the site walk that the existing vegetation is sufficient to provide the necessary year-round buffer. <b>Ms. Higgins:</b> have the plans been submitted on Datum yet? <b>Mr. Lamb:</b> yes, there is nothing remaining in the Staff Recommendation of Staff Notes that needs tending to. <b>Mr. Cote</b> motioned to grant Site Plan Review and Conditional Use approval for Powderhorn Campground (MBL 104-1-1) proposes to expand the maintenance area into MBL 104-1-11 in the Rural District, Applicant is David Ahearn, Agent is BH2M. <b>Ms. Higgins</b> seconded. <b>Motion carries 4-0.</b>	<b>Motion</b>  <b>Vote</b>
<b>ITEM 5: Subdivision Amendment: <i>Preliminary Review</i>:</b> Proposal to amend JNJ Surfside Condominium (originally approved April 2006). Located at 180 East Grand Avenue, MBL 301-7-1 in the BRD district. Applicant is Scott Curley, Agent is Mitchell & Associates.	<b>ITEM 5</b>

<p><b>Mr. Curley:</b> we are here to amend the site plans to amend the items that are not completed at this time. We received a list of items from the Town that were not completed according to plan. The site plan didn't indicate the AC compressors or the propane tank in the rear of the property. The curbing wasn't completed, and we would like them removed from the site plan. The grading is pitched to the drains. The sod works as a berm to block the drainage. We haven't had any water running off of the property.          I have a meeting set up with the DEP next Thursday at 2:30 to meet with the DEP on site to review the sod vs. dunegrass.          In regards to the fence, this is chain-link fence, and we did install the plastic slats along the full south side and only half of the north side.  <b>Mr. Winch</b> stated that we will have a site walk on October 1, 2009 at 5:45pm. This is a preliminary review.  <b>Mr. Lamb</b> stated that we don't have the finished grade showing the land is graded toward the stormdrains. We have had a complaint from an abutter about stormwater running off on their property.  <b>Ms. Higgins</b> asked if there was an as-built plan.  <b>Mr. Curley</b> stated that no, there is no as built plans. He will review the plans that he has, and they will wait until the site walk to look at the pitch. The biggest concern was about rain going out in the street.  <b>Mr. Winch:</b> He read the minutes from the April 6, 2006 minutes and the issue of snow removal was asked about at that meeting. At that time, it was told to the Planning Board that the snow removal areas were sufficient.  <b>Ms. Higgins</b> motioned to grant preliminary approval for the proposal to amend JNJ Surfside Condominium, located at 180 East Grand Avenue.  <b>Mr. Cote</b> seconded.          Motion carries 4-0</p>	<p><b>Motion</b>  <b>Vote</b></p>
<p><b>ITEM 6: Subdivision Amendment: Preliminary Review:</b> 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.</p>	<p><b>ITEM 6</b></p>
<p><b>Mr. Thompson</b> explained the project, and addressed the list of items noted in the Staff Recommendation of the Staff Notes document. He noted that in the original 1988 design, all the pump stations were designed to be public. All elements of this proposed design are geared towards being public. He also asked the Planning Board what they would like to see for street lighting, as the ordinance defers to the Planning Board.  <b>Mr. Winch:</b> is Cherry Hills Road going to be public or private?  <b>Mr. Thompson:</b> it will be public.  <b>Mr. Lamb:</b> staff does not have policy about how they handled the acceptance of public pump stations. He is uncomfortable with granting approval this evening since there are many issues regarding the pump station that need to be worked out. A site walk would be in order to keep the process moving along.  <b>Mr. Winch</b> scheduled a site walk for 5:15pm on Thursday, October 1, 2009.  <b>Ms. Higgins</b> motioned to table without prejudice.  <b>Mr. Koenigs</b> seconded.  <b>Motion Carries 4-0</b></p>	<p><b>Motion</b>  <b>Vote</b></p>
<p><b>GOOD &amp; WELFARE</b></p>	
<p><b>Mr. Lamb:</b> the Planning Board can give the CEO permission to approve amendments to site plans. The change to the site plan is the change to the dumpster pad and the construction of a</p>	<p><b>Acorn Village Dumpster Pad</b></p>

<p>dumpster building. Please see the submission he handed out to the board.</p> <p><b>Ms. Higgins:</b> stated she is okay with this.</p> <p><b>Mr. Cote:</b> stated he is okay with this.</p> <p><b>Mr. Koenigs:</b> stated he is okay with this.</p> <p><b>Mr. Winch:</b> felt this was okay, so it was a unanimous decision to give the CEO permission to approve this site plan amendment.</p> <p><b>Mr. Cote</b> asked about the progress of the Acorn Village project. “How is the completion of the punch list coming along? There are dump trucks and material stored on Leavitt Avenue. This is public land, and they are not supposed to keep trucks stored in the public ROW”.</p> <p><b>Mr. Lamb:</b> the intention is to have the performance bond raised based on engineering numbers that are being developed, to ensure this work is done to satisfaction.</p>	
<p><b>Ms. Higgins</b> motioned to adjourn at 7:52pm.</p>	ADJOURNMENT

*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 Meeting of September 10, 2009.*