

TOWN OF OLD ORCHARD BEACH
PUBLIC HEARING/PLANNING BOARD MEETING MINUTES
Thursday, March 11, 2010 at 7:00pm in Town Council Chambers

Call to Order at 7:00pm	Call to Order
Pledge to the Flag	
Roll Call: Win Winch, Don Cote, Tianna Higgins, Mark Koenigs. Absent: Karen Anderson, Eber Weinstein. Staff: Jessica Wagner & Gary Lamb.	
APPROVAL OF MINUTES: February 11, 2010 Meeting Minutes Mr. Koenigs motioned to approve the February 11, 2010 minutes. Mr. Cote seconded. <i>Motion Carries 4-0</i>	MINUTES Motion Vote
ITEM 1: Issuance of Design Review Certificate: 8 West Grand Avenue, MBL 307-3-1 in DD1 Zoning District, façade renovation (Based on DRC recommendation).	ITEM 1
<p>Mr. Koenigs: The material on this building is made up of vinyl siding and trim. The Design Review Ordinance specifically discourages vinyl materials. In the Draft Findings of Fact, it states “<i>many newly renovated buildings in downtown Old Orchard Beach have included this type of siding material</i>”. As a former member of the DRC, I remember allowing vinyl siding on the second stories of buildings, but not on the first story. I would like to know why this vinyl material is allowed if it is discouraged by Ordinance and where this statement came from in the Findings of Fact. I would also like to know what the simulated stone along the bottom of the building is made out of.</p> <p>Ms. Wagner: (Handed out the Materials Pallet sheet submitted to the DRC) This sheet shows the proposed vinyl siding and simulated stone cement. These clapboard and shingle style materials are commonly used in the downtown area. It was selected by the building owner and allowed by the DRC because it is low maintenance and looks like wood. This building currently has wood siding and it is in terrible condition. They owners wanted to avoid this with the renovations. The statement in the Findings of Fact was taken from the architectural comments submitted to the DRC with the application. The Committee agreed with this statement. The DRC felt the proposed vinyl siding (designed to look like wood shingles and clapboard) met the intent of the Ordinance. The simulated stone material at the base of the building is composed of concrete. This is also supposed to appear as though it is a natural material.</p> <p>Mr. Koenigs: This building needs to be renovated. I just want to make sure it is done in compliance with the Ordinance. I suppose the vinyl material today are much better than the vinyl materials available 10+ years ago when this Ordinance was written. Perhaps this Design Review Ordinance needs to be revised.</p> <p>Mr. Lamb: It is in the hands of the Ordinance Review and Design Review Committees revise this Ordinance. They know they need to make changes here. It needs to be done. The Ordinance Review Committee is going through everything, but they have not gotten to Chapter 78 yet.</p> <p>Ms. Higgins motioned to grant a Design Review Certificate to 8 West Grand Avenue, MBL 307-3-1 in DD1 Zoning District.</p> <p>Mr. Cote seconded</p> <p><i>Motion carried 4-0</i></p>	Motion Vote
ITEM 2: Conditional Use Amendment Review: Determination of Complete Application: Smith’s Garage, located at 2 Whispering Pines Drive, MBL 105-1-16 in the RD Zoning District.	ITEM 2

<p>Mr. Koenigs motioned to determine the application complete. Ms. Higgins seconded. <i>Motion carried 4-0</i> Mr. Winch scheduled the following site walk and public hearing:</p> <ul style="list-style-type: none"> • Site Walk at 5:30pm on April 1, 2010 • Public Hearing at our meeting on April 8, 2010 	<p>Motion</p> <p>Vote</p>
<p>ITEM 4: Site Plan Review: Determination of Complete Application: Proposed Police Station on E. Emerson Cummings Blvd, MBL 207-3-1.</p>	<p>ITEM 4</p>
<p>Mr. Tom Emery (Stantec): we took this project from concept design to final design. He explained the one-way drive and angle parking, the location of the gates, and the secure fencing. There are 14 parking spaces for the general public and 52 secured spaces that will be for police staff and cars. We have not disturbed enough area for a DEP stormwater permit. We are extending 350ft of sewer up E Emerson Cummings. There will also be a sewage grease trap in the rear of the building to pick up pollutants from the garage. There will be flowering trees along the side walk, large deciduous trees between the school and the proposed police station. The total disturbed area is about 40,000 sf. The total impervious area is about 29,000sf.</p> <p>Mr. Koenigs: does the lot size meet the standard? We have had a lot of planning on this Ballpark area, but I want to know how this was planned? I don't have a problem with this site, but I want to know why this project was placed here. We are not really planning this site. I would like to know how the Town Council convinced the Town Planner this was a good idea.</p> <p>Mr. Lamb: a new lot in the PMUD district needs to be 19 acres in size. We cannot create a new non-conforming lot. Some deed work is still in the hands of legal counsel between the Town and the RSU. I don't know that the lot lines have been settled. We hope they will be before final approval.</p> <p>Mr. Emery: when the issue of this being a larger lot first came up, we needed to define this lot as a part or separate from the ballpark for our DEP permit. If it was on the same parcel as the ballpark, we would need to amend the site location permit. The DEP has reviewed the plans and the deeds and determined this is not to be considered as part of the Ballpark property.</p> <p>Mr. Koenigs: I would like the Town to know that this is not a planned project in the sense of long range planning. A small group of individuals have decided that this is a good spot for a police station, and have decided to circumvent the proper planning of this parcel. I have several issues with this application, and I do not believe it is a complete submission.</p> <p>Mr. Lamb: Please submit your review comments to the Planning Department as soon as possible so that we can include it with our comments to the Applicant.</p> <p>Ms. Higgins motioned to determine the application complete Mr. Cote: seconded <i>Motion carries 3-1</i> Mr. Winch scheduled the following site walk and public hearing:</p> <ul style="list-style-type: none"> • Site Walk at 5:45pm on April 1, 2010 • Public Hearing at our meeting on April 8, 2010 <p>Mr. Lamb: will the lighting fixtures be full cutoff fixtures? Mr. Emery: yes, it will be. Mr. Lamb: It should also be noted that the stormwater currently has an increase of .08cfs and we have zero increase policy for stormwater runoff. This needs to be amended in the next submission.</p>	<p>Motion</p> <p>Vote</p>

<p>ITEM 5: Site Plan Review: Determination of Complete Application: Proposed CMP Substation and Private Way, located off of Vallee Lane, MBL 107-2-34 and 107-2-27.</p>	<p>ITEM 5</p>
<p>Mr. Harding (Amec): This is part of the Saco Bay Reinforcement Project. This project runs from Saco to Biddeford. He explained the overview of this whole project. In regards to the substation itself, it will be accessed through the Blow Brothers property off Smithwheel Road. A new private way will be constructed to Town Private Way Standards. There is no sewer or water connection. The electrical is an inter-station connection. There will be four perimeter lights that will have cut-off fixtures and will be on all of the time. We will also have larger flood lights we will use only when personnel are working at the site. Power Engineers is working with peer review in regards to an increase in stormwater runoff. The DEP considers the filtration stormwater system as equivalent to zero run-off, but the municipal Ordinance does not. Most of the time, this filtration system would lower the peak flow. In the 25 year storm event, there is an increase in post development flow. We will be working with the Power Engineers to ensure there is no increase in runoff. This will ensure we meet your ordinance standards.</p> <p>Mr. Winch: do the transformers have oil? If so, could they leak?</p> <p>Mr. Harding: yes, they do have oil. If it leaks, the stormwater filtration system will take care of the spill and we will clean it up as soon as it is detected.</p> <p>Mr. Koenigs: motioned to determine the application complete</p> <p>Mr. Cote seconded</p> <p>Mr. Lamb: staff/the board doesn't have any wiggle room for an increase in stormwater runoff. You have plenty of room around the filtration area that could store water. Can you use this as a storage area?</p> <p>Mr. Harding: there are several ways we can mitigate this stormwater runoff. We will find a solution.</p> <p>Motion carries 4-0</p> <p>Mr. Winch scheduled the following site walk and public hearing:</p> <ul style="list-style-type: none"> • Site Walk at 6:00pm on April 1, 2010 • Public Hearing at our meeting on April 8, 2010 	<p>Motion</p> <p>Vote</p>
<p>ITEM 6: Discussion of draft Chapter 78 Shoreland Zoning changes and setting of public hearing for same on April 8, 2010.</p>	<p>ITEM 6</p>
<p>Mr. Lamb: I originally had April 8th scheduled as a public hearing, but this has been bumped up. We may have a simple presentation next month instead. These are State mandated Shoreland Zoning changes, and there will be at least two public hearings before these changes are approved by Council.</p>	
<p>GOOD & WELFARE</p>	
<p>Ms. Heather Ebenhoeh (124 Ross Road): I have a packet for the Planning Board in regards to Smith's Garage. I am giving it to you now so you have it for the Planning Board Site Walk.</p> <p>Ms. Higgins: I think it is overly ambitious to have four site walks in one evening. We should carpool.</p> <p>Mr. Winch: let's meet at Town Hall at 5:25pm and carpool from there.</p> <p>Mr. Higgins: our process for Planning Board is too fast. There should be a preliminary review in all phases.</p> <p>Mr. Lamb: This is a good point. You can always table it if you need more time for review.</p>	<p>Smith's Garage</p> <p>Site Walks</p> <p>Process</p>

<p>Mr. Cote: Does the existing commercial parking lot have a business license for his parking lot? I feel he should have a license for that.</p>	<p>Royal Anchor</p>
<p>Mr. Lamb: I agree with that. We will address this before the season starts this year.</p>	
<p>Mr. Koenigs: What happened to community planning for the ballpark parcel?</p>	
<p>Mr. Lamb: Andrea Berlin and I discussed the need for a long range planning process, but with the new ballpark renovations and the tournament this spring, it makes it difficult to plan future development on this parcel without knowing the future of the stadium.</p>	<p>Ballpark Planning</p>
<p>Meeting adjourned at 9:00pm</p>	<p>Adjournment</p>

I, Jessica Wagner, Secretary to the Planning Board of the Town of Old Orchard Beach, do hereby certify that the foregoing document consisting of five (5) is a true copy of the original minutes of the Planning Board Meeting of March 11, 2010.