

**PUBLIC HEARING PLANNING BOARD
WORKSHOP
MEETING MINUTES
Thursday, April 3, 2014
Town Council Chambers & On-Site
5:30 pm**

Call to Order at 7:05 pm	Call to Order
Pledge to the Flag	
Roll Call: Chair Carl D’Agostino, Mark Koenigs, Mike Fortunato, Win Winch, Eber Weinstein. Staff: Jeffery Hinderliter; Town Planner, Valdine Camire, Administrative Assistant.	
<p>SITE WALK (On-Site)</p> <p>Proposal: Site Plan Amendment & Conditional Use: Construct a 48 x 48 storage building Owner: Town of Old Orchard Beach Location: EE Cummings Blvd. & Ballpark Way (Police Department), MBL: 207-3-6; (5:30 PM on-site)</p> <p>Proposal: Conditional Use (Home Occupation): Seamstress/Tailoring Services Owner: Linda Pollard Location: 18 Milliken Mills Rd., MBL: 101-2-5; (5:45 PM on-site)</p> <p>Proposal: Conditional Use (Accessory Dwelling): Establish 1 Accessory Dwelling Unit Owner: Elegant Homes Location: Portland Ave. (Elegant Homes Subdivision), MBL: 101-2-7; (6:00 PM on-site)</p>	
<u>Regular Meeting</u> 6:10 PM	
<p><u>ITEM 1</u></p> <p>Proposal: Conditional Use: Construct a Skateboard complex Owner: Town of Old Orchard Beach Location: 14 E. Emerson Cummings Blvd (Ballpark); MBL: 207-3-6</p> <p>All agreed that this proposal is very straightforward proposal and should be able to approve this at the next Planning Board Meeting.</p>	<u>ITEM 1</u>
<p><u>ITEM 2</u></p> <p>Proposal: Site Plan Amendment & Conditional Use: Construct a 48 x 48 storage building Owner: Town of Old Orchard Beach Location: EE Cummings Blvd. & Ballpark Way (Police Department), MBL: 207-3-6</p> <p>Mr. D’Agostino asked how much this will cost. Mr. Hinderliter informed the Board Members that it was in the original bond so it is already paid for.</p>	<u>ITEM 2</u>

<p><u>ITEM 3</u> Proposal: Conditional Use (Home Occupation): Seamstress/Tailoring Services Owner: Linda Pollard Location: 18 Milliken Mills Rd., MBL: 101-2-5</p> <p>All agreed that this proposal is very straightforward proposal and should be able to approve this at the next Planning Board Meeting.</p>	<p><u>ITEM 3</u></p>
<p><u>ITEM 4</u> Proposal: Conditional Use (Accessory Dwelling): Establish 1 Accessory Dwelling Unit Owner: Elegant Homes Location: Portland Ave. (Elegant Homes Subdivision), MBL: 101-2-7</p> <p>Mr. Hinderliter stated they can build a single family dwelling without any conditional use but because of the zoning district they want the in-law apartment (the accessory dwelling) and this is what triggers conditional use in the zone.</p>	<p><u>ITEM 4</u></p>
<p><u>ITEM 5</u> Amend the Town of Old Orchard Beach Code of Ordinances, Chapter 78 (Zoning), Article VI (Districts), Division 8 (General Business District 1), Sec. 78-803 (Conditional Uses) to allow Tattoo Parlors as a Conditional Use within the General Business District 1 (GB-1) and to amend Chapter 78 (Zoning), Article I (In General), Sec. 78-1 (Definitions), to add a definition “Tattoo Parlor.”</p> <p>Tattoo establishments are not allowed in the DD-1 Zone. Mr. Hinderliter stated that with the amendments that he provided in his memo, it will be a prohibited use within the historic overlay district. This business was allowed in the previous location but it was an incorrect interpretation by our prior Code Enforcement Officer, he defined it as a personal service. The definition of a personal service doesn’t provide for the care of a person.</p> <p>The business decided to vacate that building which is just down from the OOB Campground and went to a new location (which is in the same DD-1 zone). They then had to go through business licensing again, so this is where they noticed that this business was not allowed in this zone. It states in the ordinance in Chapter 78 that if it is not an identified use in the district, it is not permitted. So it was our decision that it was not a permitted use. It also went before the Zoning Board of Appeals earlier this year and the ZBA upheld that decision that it was not a permitted use. Jeffrey Hinderliter said that the only way that he would move forward with this would be to continue to identify this as a Tattoo parlor, and get definitions within chapter 78 and make tighter standards to go forward.</p> <p>The Planning Board will make a recommendation, then it will go before the Council (Public Hearing) on the 15th of April.</p>	<p><u>ITEM 5</u></p>

<p><u>ITEM 6</u> Proposal: Site Plan: Removal of existing building and construction of a three story retail and residential 10,976 sq.ft. building Action: Determination of completeness; Schedule site walk and public hearing Owner: The Harrisburg Group Location: 11 East Grand, MBL: 306-3-3</p> <p>Jeffrey Hinderliter stated that he has been working with the Owner and the Architect on this proposal for 2 years. They want to remove the old building and replace it with this new building. They will have retail on the 1st floor and condos on the 2nd and 3rd floor. There will be parking at the rear of the building and there will be 2 parking spaces per unit.</p> <p>There is a question about storage in the basement exclusively for the uses on the property. Mr. Hinderliter would recommend that be a condition of approval.</p> <p>They will have about 6 trucks every year. This is addressed in the written documentation of the plan on how the access will be to the rear of the building. Mr. Hinderliter understands that the trucks will be entirely off site.</p> <p><u>Major issues:</u></p> <p>Are they using the basement for storage for uses on site. Truck deliveries.</p>	<p><u>ITEM 6</u></p>
<p><u>ITEM 7</u> Proposal: Subdivision Amendment: Amend Sandy Meadows Subdivision (Formerly known as LaCosta Key) to allow garages to certain dwelling units identified on plans Action: Consideration of proposal and rule on amendment Owner: LaCosta Development LLC Location: Sandy Meadows Subdivision (Wild Dunes Way), MBL: 105A-1-A</p> <p>What they are proposing to do is to amend what was originally approved, so a number of the units will now have garages. It alters the parking and it will create some driveways too. The Board Members are concerned about the impervious surface and Mr. Hinderliter stated that this should be addressed within the engineer’s letter. Eber Weinstein would like to have both the previous plans and the future plans for comparison.</p>	<p><u>ITEM 7</u></p>
<p><u>Other Business</u></p> <p><u>ITEM 8</u> Status update and discussion of next steps regarding the disposition of the conditions of approval for Summerwinds Development.</p> <p>They have brought in a much more detailed snow removal plan. This should address what the Planning Board is looking for.</p>	<p><u>ITEM 8</u></p>

<p><u>ITEM 9</u> Administrative approvals and discussions regarding in-process land use applications.</p> <p>Mr. Hinderliter will have more information on this at the next Planning Board Meeting.</p>	<p><u>ITEM 9</u></p>
<p><u>GOOD AND WELFARE</u></p>	
<p>ADJOURNMENT CARL D'AGOSTINO, CHAIRMAN</p>	
<p>Meeting adjourned at 7:15 pm</p>	<p>Adjournment</p>

I, Valdine Camire, Administrative Assistant to the Planning Board of the Town of Old Orchard Beach, do hereby certify that the foregoing document consisting of Four (4) pages is a true copy of the original minutes of the Planning Board Meeting of April 3, 2014.

Valdine Camire