

**OLD ORCHARD BEACH PLANNING BOARD**  
**Public Hearing and Regular Meeting**  
**12 November, 2015 - 7:00 PM**  
**Town Council Chambers**

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| <b>Call to Order: 7:00 pm</b>   | <b>Call to Order</b>        |
| <b>Pledge of Allegiance</b>   | <b>Pledge of Allegiance</b> |
| <b>Roll Call:</b> Win Winch, Linda Mailhot, Chair Eber Weinstein <b>Absent:</b> Mark Koenigs<br><b>Staff Present:</b> Jeffrey Hinderliter, Planner; Valdine Camire, Administrative Assistant; Megan McLaughlan, Assistant Planner.  | <b>Roll Call</b>            |
| <b>APPROVAL OF MINUTES:</b> There were no minutes to approve.   | <b>Minutes</b>              |
| <b><u>Public Hearing</u></b><br><br><b><u>ITEM 1</u></b><br><b>Proposal: Site Plan: Construct 4,000 sq. ft. equipment building</b><br><b>Owner: Town of Old Orchard Beach</b><br><b>Location: 24 Manor St. (Waste Water Treatment Facility), MBL: 108-1-3, R3</b><br><br>There being no one speaking for or against the proposal, the Public Hearing closed at 7:01 pm.   | <b><u>ITEM 1</u></b>        |
| <b><u>Regular Meeting</u></b><br><br><b>ITEM 2</b><br><b>Proposal: Site Plan: Construct 4,000 sq. ft. equipment building</b><br><b>Action: Applicant Update; Final Review</b><br><b>Owner: Town of Old Orchard Beach</b><br><b>Location: 24 Manor St. (Waste Water Treatment Facility), MBL: 108-1-3, R3</b><br><br>Jeffrey Hinderliter stated that at the October 2015 meeting the Planning Board members requested more information, primarily the site design plans. Engineering firm Woodard and Curran prepared some bid documents which gave further written details, also the building design and a site plan. The Planning Board had a site walk at the last meeting and at the workshop the members felt that with the initial review performed that evening that more information was needed. Specifically in regards to how the storm water system will be designed to handle the 25 year storm event. Also a revised site plan showing the proposed building setbacks, dimensions and any site improvements associated with the new proposal.<br>Chris White, Old Orchard Beach Wastewater Superintendent consulted with the consulting engineer and provided the reply from them. The consulting engineer basically says that they do understand the need for a design system for the 25 year storm event which they will prepare, but will not have it in time for this month's meeting or December's meeting. The consulting engineer suggests for | <b><u>ITEM 2</u></b>        |

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| <p>the Planning Board to consider if they are comfortable in issuing a condition of approval.</p> <p>Jeffrey Hinderliter recommends that the Planning Board has 2 options:</p> <ol style="list-style-type: none"> <li>1. Conditionally approve the application</li> <li>2. Table until the stormwater plan and site plan are submitted to the Board.</li> </ol> <p>If the Planning Board decides to approve the application, there are 2 conditions:</p> <ol style="list-style-type: none"> <li>1. The stormwater management plan shall be designed for a 25 year storm event. The plan shall not be implemented until it receives approval from the Planning Office. Stormwater system shall be constructed before building occupancy.</li> <li>2. A revised site plan shall be prepared showing building setback, building dimensions and all proposed site improvements associated with the proposal. The construction associated with this proposal. The construction associated with this plan may not begin until after it receives planning staff approval.</li> </ol> <p>Linda Mailhot would like to see those items in place before approving it, as opposed to a conditional approval.</p> <p>Chair Weinstein would like to see some sort of storm water site plan with setbacks and dimensions.</p> <p>Chris White told the Board Members that he has no problem taking the time to get details back to the Board Members. (Storm Water and Site Plans)</p> <p>Win Winch made a motion to table this item until they get more information back. Seconded by Linda Mailhot.</p> <p><b><i>Jeffrey Hinderliter called for the vote:</i></b></p> <p>Win Winch - Agree<br/>Linda Mailhot - Agree<br/>Chair Weinstein - Agree</p> | <p style="text-align: center;"><b>MOTION</b></p> <p style="text-align: center;"><b>VOTE</b></p> <p style="text-align: center;"><b>(3-0)</b></p> |
| <p><b><u>ITEM 3</u></b></p> <p><b>Proposal: Sawgrass Subdivision Amendment: Approved 40 unit condo project modified into a 22 unit single family house lot project</b></p> <p><b>Action: Applicant Update; Final Review</b></p> <p><b>Owner: Sawgrass LLC</b></p> <p><b>Location: Wild Dunes Way (Dunegrass Sections J &amp; L- Sawgrass); MBL: 105A, Lot 1, PMUD</b></p> <p>Jason Vafiades, here representing Pine Ridge Realty (Barbara and Ronnie Boutet) introduced himself.</p>   | <p style="text-align: center;"><b><u>ITEM 3</u></b></p> <p style="text-align: center;"><b><u>MOTION</u></b></p>                                 |





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| <p><b><u>ITEM 4</u></b><br/> <b>Proposal:</b>      <b>Conditional Use/Relocation of Non-Conforming Structures:<br/>Remove two detached residential units and replace with one residential duplex.</b><br/> <b>Action:</b>        <b>Consideration of Amended Proposal</b><br/> <b>Owner:</b>        <b>Estate of Stanley Weinstein Et Al</b><br/> <b>Location:</b>     <b>2 Puffin St., MBL: 303-7-2, BRD and Limited Commercial Districts</b></p> <p>Jeffrey Hinderliter stated that this item has been tabled, however the owner contacted Jeffrey and wanted it to be on the agenda. He stated that this proposal has changed a bit so they intended to submit a different version of the proposal that was tabled. Jeffrey Hinderliter has not received any information as of yet. No action at this time.</p>   | <p style="text-align: center;"><b><u>ITEM 4</u></b></p>  |
| <p><b><u>ITEM 5</u></b><br/> <b>Proposal:</b>      <b>Conditional Use (Home Occupation): Establish bakery within existing accessory structure</b><br/> <b>Action:</b>        <b>Ruling</b><br/> <b>Owner:</b>        <b>Ruling on Application: Table/Withdrawal</b><br/> <b>Location:</b>     <b>165 Portland Ave., MBL: 103-6-4, RD</b></p> <p>Owner Bryan Murphy who is proposing this bakery with an on-site retail sales did not meet all of the home occupation requirements. The applicant gave Mr. Hinderliter a withdrawal letter and they intend to bring the proposal back in another form. Mr. Murphy was here for this meeting but had to leave.</p> <p>Win Winch made a motion to vote on the withdrawal per the owner’s request, seconded by Linda Mailhot.</p> <p><b><i>Jeffrey Hinderliter called for the vote:</i></b></p> <p>Win Winch – Yes<br/> Linda Mailhot – Yes<br/> Chair Weinstein - Yes</p> | <p style="text-align: center;"><b><u>ITEM 5</u></b></p> <p style="text-align: center;"><b><u>MOTION</u></b></p> <p style="text-align: center;"><b><u>VOTE</u></b></p> <p style="text-align: center;"><b><u>(3-0)</u></b></p> |
| <p><b><u>ITEM 6</u></b></p>  | <p style="text-align: center;"><b><u>ITEM 6</u></b></p>  |

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| <p><b>Proposal:</b> To provide a recommendation to Town Council concerning the proposal to allow Cafes as a Conditional Use within the General Business District 2 (GB 2). Amendments: Chapter 78 – ZONING, Article VI – DISTRICTS, Division 9 – GENERAL BUSINESS DISTRICT 2 (GB-2), Section 78-833. – CONDITIONAL USES.</p> <p><b>Action:</b> Review Proposed Amendments, Schedule Public Hearing and Ordinance Recommendation to be Held on 10 December 2015</p> <p>Owner Toni Maestre had a hairdressing business called curl up a dye which was previously a restaurant. She has had this building on the market for some time and a lot of the people who are looking at this are interested in the food service type businesses. However, this is not permissible in this district. The best option is to look into a zoning change.</p> <p>Evaluation of this proposal, the use that could fit the best in this district is a café. Because this is a change to Chapter 78, it requires a Planning Board recommendation to the council, then the council would go through their procedure for an ordinance change parking for cafes.</p> <p>Chair Weinstein questioned if there is any ordinance discussing parking requirements for cafes.</p> <p>Jeffrey stated that there is nothing specific however, they would have to comply with some kind of parking requirements because it is a part of the Condition Use Review. We can also add parking standards into the parking requirements.</p> <p>Owner Toni Maestre introduced herself and she stated that she is looking to change the ordinance to allow this usage. It ran for over 30 years as a restaurant at one time and was licensed for 36 seating capacity when she bought the property. There are approximately 9-10 parking spaces and parking was never an issue.</p> <p>A public hearing was set for December 10, 2015.</p> |  |
| <p><b><u>ITEM 7</u></b></p> <p><b>Proposal:</b> Conditional Use (Home Occupation): Establish off-site delivery conditional use home occupation Establish off-site delivery catering business existing accessory structure</p> <p><b>Action:</b> Discussion; Determination of Completeness; Schedule Site Walk and Public Hearing</p> <p><b>Owner:</b> Kathi Russman</p> <p><b>Location:</b> 163 Portland Ave., MBL: 103-6-604, RD</p> <p>Jeffrey Hinderliter got an email from the applicant, and it looks like this may be withdrawn.</p> <p>Win Winch made a motion to table it item, seconded by Linda Mailhot.</p> <p><b><i>Jeffrey Hinderliter called for the vote:</i></b></p> <p>Win Winch – Yes</p>  | <p style="text-align: center;"><b><u>ITEM 7</u></b></p> <p style="text-align: center;"><b><u>MOTION</u></b></p> <p style="text-align: center;"><b><u>VOTE</u></b></p> <p style="text-align: center;"><b><u>(3-0)</u></b></p> |

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| <p>Linda Mailhot – Yes<br/> Chair Weinstein - Yes</p>   |   |
| <p><b><u>ITEM 8</u></b><br/> <b>Proposal: Major Subdivision: 8 Lot Residential Subdivision</b><br/> <b>Action: Preliminary Subdivision Review; Schedule Site Walk and Public Hearing</b><br/> <b>Owner: Dominator Golf LLC</b><br/> <b>Location: Various locations along Wild Dunes Way (Dunegrass), MBL: 107-2-1, PMUD</b></p> <p>Bill Thompson, Project Manager from BH2M introduced himself to the Board Members and presented an overview/presentation of the 8 lot residential subdivision that is being proposed along Wild Dunes Way. Within these 8 lots, DEP is going to require that we manage the increased run off. Will accomplish that with a wooded buffer. The 8 lots are on the land owned by Dominator Golf LLC. They will be all on the frontage of the existing roads of Wild Dunes Way. Lots 1-6 will connect to a pressure sewer on the Westerly side. They will have public water. Has a letter from Maine Water indicating their capacity and willingness to serve. Water service coming in from the streets to the lots. Wright Pierce has asked for more detail on the pressure sewer and grading plan. Storm water report from Wright Pierce will be finished up over the next couple of week also erosion control details. In reference to the cluster mailbox near lot #6 is within the right of way so there is no impact with the development. Linda Mailhot asked about an existing building on lot #2 that needs to be relocated. Domenic stated that this will be moved. Dominic also stated that he picked these 8 lots with the least amount of infrastructure. Chair Weinstein asked Mr. Hinderliter when you have a buffer zone, how much of the lot is considered open space and how much is considered to be built upon? Basically the definition of lot coverage. Jeffrey Hinderliter will get back to the board with that question. They would like to start in the Spring. The Board Members set up a public hearing on December 10, 2015. And a site walk on December 3, 2015 at 5:30 pm.</p> | <p style="text-align: center;"><b><u>ITEM 8</u></b></p> |
| <p><b>Design Review Certificates</b></p> <p><b><u>ITEM 9</u></b></p>  | <p style="text-align: center;"><b><u>ITEM 9</u></b></p> |

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| <p><b>Proposal:</b> Parking lot buffer plan<br/> <b>Action:</b> Certificate of Appropriateness Decision<br/> <b>Owner:</b> Good Shepard Parish<br/> <b>Location:</b> 6 Saco Ave., MBL: 206-30-1, DD-2</p> <p>The original proposal was for the demolition of the building and the creation of a parking lot. The DRC decided to split the proposal into 2. The DRC accepted the proposal for removal of the building and the Planning Board accepted the DRC's recommendation. The part that remains is the parking lot buffer. The parking lot plan was submitted to the DRC and they felt like they would like more information was needed before they provided a recommendation. The DRC tabled it so we do not have a recommendation on the parking lot at this time. Chair Weinstein asked if Mr. Hinderliter could find out how many times an item can be tabled.</p> <p>The Planning Board recommended to take no action on this proposal at this time.</p>   |                              |
| <p><b>Other Business</b></p> <ol style="list-style-type: none"> <li><b>1. Cherry Hills Pump Station Update</b></li> <li><b>2. Orchard Estates Update</b></li> </ol> <p>Cherry Hill: This is still serviced by the temporary pump station. Jeffrey stated that there are 2 things:<br/> The gallons per minute and the 40 unit, whenever one of those are exceeded then he permanent pump station should be constructed.<br/> Chair Weinstein asked when they put up the bond, did that include the pump station. Jeffrey will get back to the Board on this issue.<br/> As part of the conditions when they approved this, they were supposed to give a monthly report.</p> <p>Orchard Estates: Jeffrey Hinderliter has met with the developers, construction foreman and abutters that had concerns. The Engineer from Wright Pierce was out on site. It is moving along quite quickly. They have divided it into 2 sections for construction purposes. They are concentration on the side of Portland Avenue currently. It has been cleared for the infrastructure, the sewer and water is in. They are currently installing the storm water systems and are going to have base coat down next week which is Phase 1. They are also doing underground electrical. Phase 2 is scheduled to be worked on in the Spring with completion by the summertime. A model home will be placed on the first lot around mid-December. There are a lot of interested potential buyers due to the design. The owners have a design professional to evaluate the brick house. Trying to determine if the building is structurally sound. In the process of the submitting the report.</p> | <p><b>Other Business</b></p> |

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| <p>Jeffrey Hinderliter met with one abutter who is a homeowner in Beachmont and he was concerned how close this development is to his property. Mr. Hinderliter sat down with this abutter and explained the process to him and he seemed to be satisfied.</p> <p>Mr. Hinderliter also spoke with another abutter who owns a house in the middle of the development. He met with her and the construction foreman. One of the issues is the encroachment of the storm water system on her property. Mr. Hinderliter will continue to work on this issue with possible re-working of some of those drainage issues. One of the questions is whether the culvert should be closer to where the road is going in.</p> |                           |
|  | <b>Good &amp; Welfare</b> |
| <b>Adjournment at 8:55pm</b>   | <b>Adjournment</b>        |

*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 nine (9) pages is a true copy of the original minutes of the Planning Board Meeting of November 12, 2015.*

*Valdine Camire*