

OLD ORCHARD BEACH PLANNING BOARD

Workshop Notice, Public Hearing Notice

February 4, 2016 6:00 PM

Town Council Chambers

<b>Call to Order at 6:00 pm</b>	<b>Call to Order</b>
<b>Pledge to the Flag</b>	
<b>Roll Call:</b> Chair Eber Weinstein, Mark Koenigs, Linda Mailhot, Win Winch. <b>Absent:</b> Mike Fortunato. <b>Staff:</b> Jeffrey Hinderliter, Planner; Valdine Camire; Administrative Assistant, Megan McLaughlin; Assistant Planner.	
<p>• WORKSHOP</p> <p>CALL TO ORDER (6:00 PM)</p> <p>ELECT CHAIR AND VICE CHAIR</p> <p>Public Hearing (To be held on 11 February 2016, 7:00 PM)</p> <p><b>ITEM 1</b></p> <p><b>Proposal: Major Subdivision: 8 Lot Residential Subdivision</b></p> <p><b>Owner: Dominator Golf LLC</b></p> <p><b>Location: Various locations along Wild Dunes Way (Dunegrass), MBL: 107-2-1, PMUD</b></p> <p>Planner Jeffrey Hinderliter brought the board up to date on these agenda items. They will have a public hearing on the 8 lot subdivision. There are no changes to the plan. It was determined complete at the last meeting. This will be the second public hearing and can vote on final review for this meeting if they so choose. The proposal does not include sidewalks however staff still thinks we need sidewalks for the 8 lots in question.</p> <p>Win Winch stated that after they put in the sidewalks for the 8 lots, then the town or association will have to connect them all.</p> <p>Other issues that were discussed with this subdivision is traffic, unit count and capacity for the pump station, but there is too much out there to have answered in time for this meeting. Jeffrey Hinderliter suggested to have a workshop on all of Dunegrass to discuss unit numbers, open space, what defines the unit and when is a traffic count required. Even though the Planning Board can vote on final review at this meeting, they need time to look at Dunegrass as a whole. Mr. Hinderliter has been discovering signed agreements with other developments that are outside of Dunegrass which dealt primarily with pump stations</p> <p>Updates: Chris White, Wastewater Treatment Superintendent is currently working with Wright Pierce to come up with an idea of what the capacity is of the pump stations that are in Dunegrass. Should have this information in the Spring.</p> <p>Mr. Hinderliter asked our town attorney if the Planning Board can request a traffic study that doesn't have factual information to support that request. The Planning Board can request the</p>	

<p>applicant to provide further information in order to insure that they meet a particular standard review criteria.          Need to establish today’s baseline with the 589 unit count.</p> <p>Chair Weinstein stated that he would like a letter from all departments stating that they do not have a problem with this proposal.</p> <p>Win Winch would like to see a unit count to see where we are now, what is there and what has been approved.          Mr. Hinderliter believes that the count is around 330 but that is going to go up a little bit with recent permits (that are actually built). But he will check for sure.          Jeffrey Hinderliter added that these 8 lots are remaining from Cherry Hills.</p>	
<p><b>Regular Meeting</b></p> <p><b>APPROVAL OF MINUTES: 2/12/15, 4/22/15, 7/9/15, 7/23/15, 8/6/15, 11/12/15</b></p>	
<p><b>ITEM 2</b>  <b>Proposal: Major Subdivision: 8 Lot Residential Subdivision</b>  <b>Action: Applicant Update; Final Review</b>  <b>Owner: Dominator Golf LLC</b>  <b>Location: Various locations along Wild Dunes Way (Dunegrass), MBL: 107-2-1, PMUD</b></p>	
<p><b>ITEM 3</b>  <b>Proposal: Site Plan: Dunkin Donuts- Construct 2080 sq. ft. building and associated parking</b>  <b>Action: Applicant Update; Discussion; Schedule Final Review</b>  <b>Applicant: JFJ Holdings, LLC</b>  <b>Location: 14 Ocean Park Rd, MBL: 210-1-6, GB1</b></p> <p>Mr. Hinderliter asked our town attorney if the public can still speak without a scheduled public hearing. Town Attorney stated yes, it is up to the Chair and see if it is ok with the Planning Board if they want this to happen.</p> <p>Another issue that came up is that 30 days after a public hearing or 60 days after an application is determined complete you are required to make a decision to a vote. But there is an exception to this where the applicant requests an extension in writing. If you wish to extend the date of decision, ideally you want both the planning board and the applicant to accept that.</p> <p>Mr. Hinderliter stated that the last time they let the pubic speak they had a different traffic plan then they do now. And traffic is a primary concern. Now that we have the final plan, it would be smart to let the public speak on the new plan. He also suggested that if they do open it up to the public, make sure that it is specifically about the traffic issues.</p> <p>Mark Koenigs stated that letting the public speak would be pointless, because if they opposed it then, they will oppose it now.</p> <p>Eber Weinstein stated that he would agree to let the public speak because there is a lot of public interest in this project.</p> <p>Win Winch also agrees that they should have the right to speak if they have anything new to bring to the board.</p> <p>Linda Mailhot agrees with both sides of this issue.</p>	

<p>Mark Koenigs asked if they have a traffic movement permit from MDOT? Diane Morabito, Traffic Engineer stated that she believes they will have it by next week.</p> <p>Jeffrey Hinderliter stated that there is a weight limit on Smithwheel Road that is in the ordinance. It only allows emergency and municipal vehicles that are over 9,000 lbs. gross weight limit to go through. All agreed that it would be up to the owners to abide by this ordinance.</p>	
<p><b>Design Review Certificates</b></p> <p><b>ITEM 1</b> <b>Proposal: 30x40 waste transfer building</b> <b>Action: Certificate of Appropriateness Ruling</b> <b>Owner: Town of Old Orchard Beach</b> <b>Location: 77 Milliken St., MBL: 203-3-1, DD-2</b></p> <p>This is a waste collection building for the transfer of bagged waste that comes from the beach and downtown area to temporarily be stored in this collection building. This only requires Design Review because it is in the DD-1 DD-2 Districts. It went through 2 DRC meetings. They designed it to look much more like a residential building then an industrial look. DRC unanimously approved it. Mark Koenigs asked about DEP permit. Jeffrey Hinderliter stated that that this may be required to have DEP regulation, however in terms to local review its just DRC approval. Mark Koenigs also asked if a site plan is required. Jeffrey Hinderliter stated that there is no site plan required because municipal projects are exempt. In the DD-1 and DD-2 districts, a site plan review is not required. Mark Koenigs expressed his concerns that in regards to the Milliken Mills parking lot, the Council wanted to get it done for less than half a million dollars so that they could build it without having to go to an actual vote in the town, so they did it piece meal. And no one from the public wanted it down there. Mr. Koenigs then went on to say that it is all wetlands down there and has had water problems. This is why the town has problems, because the people in politics want to just shove it down our throats, then they say the Planning Board approved it and that is B.S. Mr. Koenigs stated that if all the Planning Board is doing is rubber stamping this certificate, this is not approval of this site and where it is located. That is the town council and they need to own up to it. Mr. Koenigs feels that he needs to speak up for the citizens that cannot speak up about this other than through the town council and maybe the town council doesn't want to hear it. He also stated that he hopes the DPW Director and Town did their homework on this.</p> <p>Chair Weinstein asked the town planner if he can find out for sure if this needs a site plan review.</p>	
<p><b>Other Business</b></p> <p><b>1.Sign Beachmont Findings of Fact</b> They did this a couple of years ago, however Mr. Hinderliter couldn't find the signed version. Mr. Hinderliter asked if they could just sign this.</p> <p><b>2.Village at Pond View Update</b> Mr. Koenigs had asked Mr. Hinderliter for an update on this. Mr. Hinderliter had a chance to sit down with the developers so he will have an update at the next meeting.</p> <p><b>3.Sign Colindale Mylar</b></p>	

Good & Welfare	
ADJOURNMENT	
EBER WEINSTEIN, CHAIRMAN	
Meeting adjourned at 6:55 pm	<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 Four (4) pages is a true copy of the original minutes of the Planning Board Meeting of February 4, 2016.*

*Valdine Camire*