

Planning Board Public Hearing and Meeting Minutes  
6/13/24

David Walker: Regular meeting and public hearing for June 13, 2024. My name's David Walker and I will be your chair tonight. Let's begin the meeting with a regular pledge of allegiance to the flag. Thank you.

Group: I pledge allegiance to the flag of the United States of America, and to the Republic for which stands one nation under God indivisible with liberty and justice for all.

David Walker: Thank you. There quite an agenda tonight. So we'll start right in with a public hearing item number one. Proposal site plan. Remove 6-unit apartment building and build new 3 unit apartment building. Applicant is Portland Avenue Associates. The location is 308 Wavelet Street, MBL 301-5-2, zoning in the BRD and LC.

Jeffrey: Roll call?

David Walker: Yeah. You want to do a roll call first?

Jeffrey: Sure.

David Walker: All right. Roll call, Jeffrey.

Jeffrey: Ms. Dube?

Robin Dube: Yes.

Jeffrey: Mr. Kelley?

Jay Kelley: Here.

Jeffrey: Mr. Winch?

Winthrop Winch: Yes. Here.

Jeffrey: Vice Chair Hitchcock?

Chris Hitchcock: Here.

Jeffrey: And Chair Walker?

David Walker: Here. And please note that, tonight Mr. Kelley will be a voting member as Marianne Hubert is excused absent as well as Sam Dupuis. So we will begin the public hearing at 6:32. If you're here to speak on that item, please approach the podium, identify yourself by name and address. Speak clearly so the public at home can hear you. Okay? Thank you. Yeah. Come on up.

Frankie John Domenico: So we're talking about the 38 Wavelet Street project.

Planning Board Public Hearing and Meeting Minutes  
6/13/24

David Walker: Yeah. Yes. We are.

Frankie John Domenico: Are there any maps or any diagrams or information about the building? I have seen none. I'm going to abutter. My name is Frankie John Domenico. I'm on 189 East Grand at Unit 205. I haven't seen any sort of plans or anything about what's going on.

David Walker: Okay. You can get those at the planning office from either Jeffrey or Michael, the planning manager and assistant manager right downstairs at the ground level. Okay?

Frankie John Domenico: So would I have to come during normal business hours?

David Walker: Yeah.

Frankie John Domenico: Okay.

Jeffrey: Actually, the notice, if it's you probably received a notice in the mail, the notice indicates that if you'd like to look at any information, you can contact our office and there's an email that's provided. Just send a request to that email and I'll make sure you get the plans.

Frankie John Domenico: Okay. *[Indiscernible]* [00:03:41] see you?

Jeffrey: You can stop in and we can get it to you too, yep, that way.

Frankie John Domenico: All right. Thank you very much.

David Walker: All right, Frankie. Thank you. Anyone else? Wow, that was easy. All right. We'll end this public hearing at 6:33 and move on to minutes. We received minutes for July 13th, August 10th of '23, 9th, September 14th of 2023, and April 11th, 2024. Are there any corrections, deletions, omissions, record?

Robin Dube: Yeah. You can correct the spelling on my name.

David Walker: Okay.

Robin Dube: On every one of these.

Jeffrey: On every one. Yeah.

Robin Dube: Last name.

Winthrop Winch: Just do that, I'll move approval.

Planning Board Public Hearing and Meeting Minutes  
6/13/24

David Walker: Move to accept by Winch.

Chris Hitchcock: Second.

David Walker: Second by Chris. All those in favor say aye.

Group: Aye.

David Walker: It's unanimous. The motion carries 5-0. Regular business. Item two, proposal site plan. Remove 6-unit apartment building and build new 3 unit apartment building. This is a final ruling. The applicant is Portland Avenue Associates and again, 38 Wavelet Street, MBL 301-5-2 zoning in the BRD and LC. Jeffrey?

Jeffrey: This proposal is for the removal of a 6-unit apartment building and replacing it with a 3 unit condo building. Currently, this building is in definite need of rehabilitation and is susceptible to significant damage due to flooding. When you pair a building that's in need of rehabilitation and flooding, really it comes down to, what are your options?

Usually, your primary option is to remove the building and build new, which is exactly what the applicant is doing. And in doing so, the applicant actually release, reduces the overall impact of the building by cutting the required need of parking in half, due to the splitting, or the reduction in units. Elevating the structure to reduce impacts, caused by flooding events. Building a structure that is compliant with fire and building codes, helping the environment by reducing improvise surface, planting vegetation and also addressing storm water.

So, overall, it's in my opinion, it's a big win for that particular area in that neighborhood and it's something that's definitely needed for that property. So, at the May meeting, the board determined the application complete conditioned on the applicant providing, responses to staff comments in the memo, and also providing supporting documentation to associated with those comments. So, this month, the proposal is up to final review.

And in response to that condition from last month, the applicant provided a letter addressing the staff comments in last month's memo, and also they actually have a DEP approval, and which is we haven't seen in some time. The, and the DEP approval, isn't your common permit by rule, which is a pretty easy permit. This the DEP, Department of Environmental Protection approval is more of the detailed approval that was required for this proposal. And, I think it took the applicant close to a year to secure this permit. So that's a big permit right there.

In this month's memo, I discussed conformance with the condition that was identified in last month's memo, and you'll see that there are a few items that I still feel need to address. One item was that I did not receive an answer on my question of use until this month. And, I had, I believe that the it was 6-unit apartment going to a 3 unit apartment, but it is actually this month, it was shown that it would be a 3 unit condominium.

Planning Board Public Hearing and Meeting Minutes  
6/13/24

There's still dwelling units. So, in terms of zoning, there's not a whole heck of a lot that changes, but it does change the structure of the ownership a bit. And, so that's resulting in some conditions that are attached to this approve, recommended approval, as you'll see. And what those, two conditions are, one is that the applicant submit condo docs and that the, parking spaces are numbered corresponding to the condo units.

So, there are a couple other outstanding issues, big one being floodplain where we're right in the middle of a change to floodplain. We want to make sure that what the applicant is doing is right up to date with whenever they're submitting and they're right on the brink of this change. That's something that is the responsibility of the code enforcement office, but we I just wanted to let you know that the applicant is committed to complying with it.

The building's pretty much looks like it's already in compliance or will be in compliance with it. It's just they need to secure the actual floodplain permit approval for that compliance. And, I recommend the board conditionally approve this proposal, and you'll find the, motion and conditions on page four of your memo.

David Walker: Jeffrey, do you have a green light on your microphone?

Jeffrey: Mm-hm.

David Walker: All right. It's not sounding as if it's on.

Jeffrey: I have a, I'm not, I'm sick, maybe.

David Walker: Yeah. Okay. All right. Is the applicant here? Would you care to say anything? I think you are going to, you have a big plan.

King Weinstein: Yep. King Weinstein, the President of Portland Ave Associates. I have Architect, Jay Brad Weger, if you have any questions can answer on that. As to notice to the neighbors, we did in fact notify the neighbors as part of the DEP process. And we had a local hearing and his association had multiple people there. And we sent documents that had quite a bit of input on it.

David Walker: Okay. Anybody on the board have any questions for Mr. Weinstein?

Winthrop Winch: No.

David Walker: Well, you're getting off scot free tonight, I guess.

King Weinstein: The other thing was I did, I don't know if he responded. The fire chief, there was a question. And I did talk to him. He thought he was okay with it and was going to give, the final letter. I don't know if he communicated back with you yet, but that was.

Planning Board Public Hearing and Meeting Minutes  
6/13/24

David Walker: That will be a conditional.

King Weinstein: Yeah.

David Walker: Item on the approval.

King Weinstein: Okay. So, it will be sprinkler.

David Walker: Okay.

Robin Dube: Yes, sir.

David Walker: Yeah.

Robin Dube: I'll make a motion to conditionally approve the site plan review application proposing to remove a 6-unit apartment building and struck a 3 unit condominium building located at 38 Wavelet Street, MBL 301-5-2. Applicant, Portland Avenue Associates with the conditions. One submits condominium documents to the plan of before any construction activity begins. Two, at or before the time of building permit submission, amend the site plan to show designated parking spaces for each unit inside property line setbacks.

Three, applicant owner shall work with the Boulder Beach Fire Department and secure approval of fire safety measures before the building permit is approved. Four, applicant owner shall secure applicable fold hazard development permit from the old Orchard Beach floodplain coordinator.

David Walker: Motion by Robin Dube, D-U-B-E.

Winthrop Winch: I'll second.

David Walker: Second by Winch? You want to make the roll call, please, Jeffrey?

Jeffrey: Ms. Dube?

Robin Dube: Yes.

Jeffrey: Mr. Kelley?

Jay Kelley: Yes.

Jeffrey: Mr. Winch?

Winthrop Winch: Yes.

Jeffrey: Vice Chair Hitchcock?

Planning Board Public Hearing and Meeting Minutes  
6/13/24

Chris Hitchcock: Yes.

Jeffrey: And Chair Walker?

David Walker: Yes. That motion carries 5-0. Thank you, everybody.

Robin Dube: And, look, I just got one thing to say. If you want to go look at their plans, go ahead, because they got them right there and they're going out the door.

Male Speaker: *[Indiscernible]* [00:12:52].

Robin Dube: Well, that's so we can see it. So, if you want to go take a peek at it, go for it.

Chris Hitchcock: Through the chair.

David Walker: Yes.

Chris Hitchcock: If I could just interrupt one second.

David Walker: Please.

Chris Hitchcock: Michael or Jeffrey. I don't have a memo packet. Do you have an extra one over here?

Jeffrey: You didn't pick it up?

Chris Hitchcock: I did, but I don't have the memo.

Jeffrey: Oh, you don't have the?

Chris Hitchcock: No.

David Walker: Did Marianne pick up hers? Maybe you can give them Marianne's.

Chris Hitchcock: All right. Thank you.

David Walker: Is it okay to proceed?

Chris Hitchcock: Yes. Go right ahead.

David Walker: All right. Item three, proposal subdivision amendment extend Long Cove Drive, create three residential lots. This is a final ruling and the applicant is Atlantic Resource Consultants. The owner is Dominator Golf LLC. And the location is Long Cove Drive adjacent to holes 56. MBL 105-1-200 zoning in the PMUD.

Planning Board Public Hearing and Meeting Minutes  
6/13/24

And we, and I this is a Jeffrey. Right?

Michael: No. This one's...

David Walker: That you? Okay, Michael. Let's go.

Michael: Thank you. Yeah. So Long Cove Drive is a three lot proposal on an extension of Long Cove Drive, proposed to be named Daily Drive. And this is just past the existing Sawgrass Subdivision and the intersection of Long Cove Drive in Blueberry Lane, and a site walk was held in June 2023 and the public hearing in October of '23. And last month, the determination of completeness was made subject to the following, to be submitted. Assessing department approval of addressing and road naming, updated fire truck access plan, and responses to Wright Pierce memo comments.

The applicant has consulted with assessing, added road name of Daily Drive with addressing to the plan, and the road names pending approval. And the responses were provided by the applicant to the right Pierce comments. And then for the updated fire truck access plan, it doesn't appear that this was included, and the fire department wanted to confirm access with the changes to the plan. And we last met with chief Gilboy at our 29 May town development meeting, and they were still looking to confirm this.

And some question did come up about Long Cove Road ownership and development rights. Some of the comments from last month's meeting is we were thought this was resolved from our previous research, but there was still some questions when DEP storm water was discussed and that the ownership of the road is unclear. So to review rights and ownership, we looked at the Long Cove Drive warranty deed and release deed from the roadway to the town. And our questions were, does the owner have the right to ingress, egress, and right to alter and pave?

The warranty deed language, does have reference to perpetual easement to Dominator Golf and others with rights for ingress and egress. And, that to us made it clear that they had the rights to use Long Cove Drive. But then the other question wasn't clear is if there's rights to alter and pave, because there's other reference specifically to that. So it appears Long Cove Drive would remain private to those wood rights and would remain private until accepted as town ways by the town of Orchard Beach.

The planning board should consider these comments and decide if additional information is needed. This shouldn't hold up a final decision, but still needs to be considered. And we recommend any approval be conditioned to this being resolved. For the DEP permit status, we did receive the notice of intent to file a site location development act amendment application, and that was dated June 11th, 2024. It doesn't appear we received a copy of that yet, but it sounds like its pending.

We just still need a letter from Maine Water. There's some comments for storm water. Just to reference grading plans and individual deeds and add a note, or and approval condition for certifying residential site layout for grading. There were comments about

Planning Board Public Hearing and Meeting Minutes  
6/13/24

potential needs of some sort of barrier at the road end, but the fire department agreed that it's not needed and access is sometimes needed beyond that point. But there should be dead end signage and road end sign at end of that road.

And then there's some plan notes to update, and then just, fire hydrant construction details, were noted. And the applicants said they're still working on the unit count table. So for recommendations, the main outstanding item from the determination of completeness was subject to receiving was the fire truck access plan. Water ability to service still needed. With the determination of completeness made last month, we should really have that truck access plan. But we did provide a optional motion for conditional approval, if you're interested, and that's on page 11. And that's all I have for this evening.

David Walker: All right, Michael. Thank you. Jason?

Jason: None of those packets had a fire truck access plan on it? So sorry. Yeah. Yeah. We, I remember because we even emailed it over to the chief too. So, I'll help you chase that down. But...

Michael: We did get one previously, and...

Jason: I think switched the truck.

Michael: Yeah. I think it was or it was before the change to three lots, so I don't believe it was significant. But chief Gilboy did say he wanted to see the...

Jason: No. Completely understand, but, yeah, that that should have been done. That I'm up I've looked at that plan, like, three times, moved it on my desk. So, it does exist. So, Yeah. So, Mike, as always, thanks for your, thorough review. So, yeah, so the ownership thing's new that that was new in the memo, I think, that we discussed before.

So, I, if you have specific questions on that, I can answer them. But, it's actually an interesting it's an interesting process because when the town puts the sewer in for, I think its Sider Hill down off of e Cummings. The town had to have the ownership of the right of way because the sewer goes through the long Cove Drive entrance. And I believe, just speaking with attorney Ordway about this recently that he thought the town actually had the deed, but it was never adopted by the council. And so, if you want to note that in. So, technically, ownership of Long Cove Road would go to the abutters until the town council formally accepts Long Cove Road way so, we, that could chase.

David Walker: Well, that could take a few months.

Jason: Yeah. Yeah. And so, and as you noted, when we originally submitted this permit, we had the notice the notices, just weren't issued because we thought it had been over the last permit. So, they made us reissue the notices. So, they're going to take a couple months on that anyway. So, if, and we do we do actually have timelines for approvals on



Planning Board Public Hearing and Meeting Minutes  
6/13/24

amendments now. That's a staff change that DEP made that we've been working with. So, we actually know we can predict when these permits are going to come in now from, specifically to the bigger ones like D and E.

David Walker: I didn't hear. What were your timelines for approval?

Jason: So, we think less than 60 days on this one considering that we've they've already sort of reviewed it, and we've, we actually already have an agreement with Goose Fair and Brook Watershed. That was another thing that we had to chase down. It was a surprise to me that this part of Old Orchard Beach is in the Goose Fair Brook watershed because one of the ponds and the golf course drains back the other way.

So, Joe Laveria over at City of Saco. Zoom coordinates that. So, we had to get some coordination with Joe. Basically, we just got him a check, when the approval comes in. But DEP needs to know that they're willing to accept that money. Otherwise, they can't issue the private. So.

David Walker: All right. Any questions from board members? All right. We have two options for a motion. I prefer the one on page 11.

Robin Dube: I will go with the optional motion to conditionally approve. I make a motion to conditionally approve Dominator Golf LLC amendment to approve Dungan subdivision application proposing a three lot single family residential subdivision located along a proposed extension of Long Cove Road, adjacent to Golf LLC 56, MBL 105-1-200 with the following conditions.

Approval is dependent upon and limited to the pro the proposal and plans contained in the application dated April 24, 2023, and all supporting documents and oral representation submitted and affirmed by the applicant and its agents and conditions, if any imposed by the planning board, any variation from such proposals plans, supporting documents and representation are subject to review, and approval by the planning board, board provided, hang on a minute.

David Walker: That diminished variation.

Robin Dube: That, yeah. I just had to open the page. That diminunce verification is subject to review and approval by the town planner. Two, applicant to provide the ED permit to town prior to pre-construction meeting and prior to any land disturbances. Three, applicant to provide updated fire truck access plan to fire department for review and approval for the engineer shall rec- of record shall provide a residential site layout that certifies the grading is in the conformance with the approved plans.

Five, questions regarding rights for construction of roadway maintenance within Long Cove Drive. Right of way needs to be resolved prior to the pre-construction meeting and prior to any land disturbance. Six, applicants provide responses to Wright Pierce comments to the satisfaction of town staff.

Planning Board Public Hearing and Meeting Minutes  
6/13/24

David Walker: Motion by Robin Dube, D-U-B-E.

Jay: Second.

David Walker: Second by Jay. You want to call the roll, please?

Jeffrey: Ms. Dube?

Robin Dube: Yes.

Jeffrey: Mr. Kelley?

Jay Kelley: Yes.

Jeffrey: Mr. Winch?

Winthrop Winch: Yes.

Jeffrey: Vice Chair Hitchcock?

Chris Hitchcock: No.

Jeffrey: And Chair Walker?

David Walker: Yes. The motion carries 4-1. And you're free from those vote for now.

Jason: I think I'll be back in a little while.

David Walker: Yeah. Thank you, Jason. Item four, proposal, conditional use, shore land non conformity. Remove, rebuild 30% expansion, single family dwelling. Action, determination of completeness, schedule a public hearing, schedule a site walk. Applicant is Northeast Civil Solutions. The location is 18 Tioga Avenue, MBL 321-26-3, zoning in the R53, the RA, and the hat. And this is you, Jeffrey?

Jeffrey: Yep. Mm-hm. So, this proposal is for a tear down, of a single family dwelling and replacing it with a newly built single family. The planning board is reviewing this structure because it is considered a non-conforming structure in the shore land zone. And the reason it's non-conforming is the structure is located within 100 feet of the highest annual tide. The planning board responsibilities when reviewing these structures. You have several responsibilities, but there's really two primary responsibilities.

One is ensuring that the structure isn't any closer, to the highest annual tide, than the existing structure. And then, the second one is ensuring that, if an applicant is expanding the structure as part of the project that that expansion has a limit to it' volume and square footage. So, regarding this proposal, I'm quite sure that you really wouldn't even see this

Planning Board Public Hearing and Meeting Minutes  
6/13/24

if it wasn't for the flooding events, that we had earlier this year. I go by this, fellow's house quite a bit, and he was always working on it.

You could tell that he took a lot of pride in this structure. And it's a beautiful home, and he did a real good job on that. But mother nature came and kind of took that away from him. And as you can see in the packets, it was, if you drive by the house, you would never guess what happened to it. It looks fine, but it was completely inundated by the flooding waters. There were propane tanks, floating around, inside, outside, and it was rendered uninhabitable. So, the applicant really didn't have much choice than to, remove this structure and, and, build new.

But, one advantage of that is, you know, if you look at it, from the natural environment perspective and also a floodplain perspective, he is now building it more into conformance with shore land zoning standards and also into conformance with floodplain standards, which is very good. And, just a couple things to know, is that first in the staff member, memo, I noted that, we need an additional plan that's also made it to one of the conditions for determination of completeness, and, what this additional plan requested, pretty simple.

We just need to see the highest annual, tide line on a plan that shows both the existing and the proposed structures to ensure that the proposed structure is not closer to that line than what exists. I, you don't have that. We received it after the submission deadline, but I did take, we received it a couple days ago. I did take a quick peek at it, and, that line is there, so I'm confident it meets that standard, and I'm confident that we can also remove that condition when we get to the determination of completeness.

So that's one item. The second is floodplain compliance, which really is demonstrably, the most important part of this proposal. The applicant provides documentation showing how the structure will be designed with flood vents. If the proposal is approved, the applicant will, need to submit, the full permitting package associated with floodplain development to the code officer. The applicant is aware of that, and I'm certain they're prepared to do that.

So, I recommend the planning board, make a determination of completeness without a condition. You'll see the motion on page 17 of your memo includes a condition. You can remove that, and also schedule a public hearing for the 11th of July. You have, site walks optional. It's very accessible. You can drive right by and see this property. And our next normal site walk date falls on the 4th July. But I'll leave that option up to you.

David walker: Okay, Jeffrey. Thank you. So, is the applicant here? Good evening.

Jim Fisher: Good evening, mister chairman, members of the board. I'm Jim Fisher with Northeast Civil Solutions. We're here this evening, as Jeffrey just explained, to simply replace a, an existing structure that's been in its place on Tioga Avenue for about a 124 years, with a new structure. And without the interest of brevity, without repeating a lot of what Jeffrey said, essentially, a single family home to be replaced with a single family

Planning Board Public Hearing and Meeting Minutes  
6/13/24

home, this one to be elevated above the new flood plain that's going to be going into effect, so there should be no issues with that.

The house is actually located, further away from the hat line area, and, is fully compliant as far as the expansions are concerned, the elevation of the structure above that flood plain. And it's simply, as Jeffrey mention we're only here is because we are in natural zone area and the hat area and the building does not exceed. In fact, it's slightly smaller in square footage and volume and the existing and again it's moving further away from the hat area.

So toward that end, happy to answer any questions or address any comments, and we're just looking for that scheduling of the public hearing if you wish. And then, we'd be happy to accompany you on a site walk if you wish. but as Jeffrey mentioned, it's just a single family house on the corner of, Tioga and East Grand. So, there shouldn't be any issues to it. There shouldn't be any issues toward that end.

David Walker: Okay, Jim. Thank you. Yeah, I'm, I go by there every day, so I'm pretty familiar with it. I don't think he finished, staying in his shingles actually, just as you know that I was familiar with it beautiful piece of property and the work he did was outstanding. Any questions from board members? These are pretty standard these days for us. We get a lot of them. So, if there's no outstanding questions, I'll entertain a motion.

Chris Hitchcock: I'd made a motion.

David Walker: Go ahead, Chris.

Chris Hitchcock: To conditionally determine the applicant Northeast Civil solution eliminary plan application, proposing a tear down new construction and then 30% expansion of a non-conforming structure in a shore lane zone locates at 18 Tioga Avenue MBL 32-26 compete. Period.

Robin Dube: Second.

David Walker: No, no amendment on sheet 11?

Chris Hitchcock: There's one amendment.

Robin Dude: No, he's got one condition.

David Walker: Okay. So, we get a motion by Chris and a second by Robin Dube. Okay. You want to make the roll call Jeff?

Jeffrey: Ms. Dube?

Robin Dube: Yes.

Planning Board Public Hearing and Meeting Minutes  
6/13/24

Jeffrey: Mr. Kelley?

Jay Kelley: Yes.

Jeffrey: Mr. Winch?

Winthrop Winch: Yes.

Jeffrey: Vice Chair Hitchcock?

Chris Hitchcock: Yes.

David Walker: And Chair Walker?

David Walker: Yes. That motion carries 5-0. Now in terms of a site walk, is there a desire by any board members to conduct one? I'm seeing negative. Okay, that's good news. Then we'll schedule, a public hearing for July 11th, our next regular meeting, Jeffrey.

Jeffrey: Yes.

David Walker: And, we'll thank Mr. Fisher very much for his presentation tonight. We'll see you next month.

Jim Fisher: Thank you all for your time.

David Walker: Okay. All right. Item five, conditional use shore land nonconformity. Remove, rebuild 30% expansion, single family dwelling. Action, determination of completeness. Schedule public hearing. Schedule a site walk. The applicant is in Vivid Architecture. The location is 127 West Grand, MBL 319-12-4, zoning in the R3RA, and hat. Jeffrey?

Jeffrey: Yep. Thank you. So, this proposal is very similar to, 18 Tioga. If you could cut and paste what I just said, you can spare me a little bit. And, but, you know, just it really is. The circumstances are the same. It's a, proposal that was in the shore land zone. It's nonconforming due to the H-A-T setback, and, it was, damaged due to the flood, and again, is another uninhabitable, structure.

So, the only difference about this, and, is, aside from, you know, different it's a well designed building, another very attractive building that's going in, but the on difference, and this is kind of a weird one, and I almost feel like it's, like, nitpicky, but it's the pergola. And, on with this particular proposal, there is a pergola, that will face, the, I forget what the road is at not West Grand Ave, but the other road that runs perpendicular to the beach. But there's a pergola. So, what this pergola what it would appear to do is encroach further into the setback if it was attached.

Planning Board Public Hearing and Meeting Minutes  
6/13/24

But I don't think it's based on my review, Dave and I, we discussed this briefly. He thinks it might be attached as something we'll ask the applicants to clarify. But, going along with thinking that it's not attached, the shore land zone ordinance does allow, for some reduced standards for setback requirements when it comes to, structures that are 80 square feet, that are accessory, and that are not any closer to the shoreline or to a tributary stream.

So, what's interesting about this, it is a structure, when we think about it, but it doesn't have any square footage. Also, so does that mean that it is a structure? And other pieces, is it closer to the shoreline or to a tributary stream? I think you could make an argument, that it's not because the H-A-T actually does not have a shoreline, and there is, and there the shore land zoning regulation isn't associated with a tributary stream. The mo- the closest, area that would be regulated is the wetland, kind of across the street, but this is almost on the opposite side of that, and further away, so there's not that issue.

So, in, in my opinion, if the pergola is not attached, I think it's okay where it is. If the pergola is attached, then it becomes part of the main structure. That's where it gets into a bit of a different standard, because then that brings in the main structure into the whole setback conversation. So, that's my main comment on this one. There are a couple of other comments. I know the applicant submitted, a follow-up today. I haven't had a chance to look at that, so maybe some of these items are addressed. But, we'll see that at your meeting next month.

But I, nonetheless, I would still recommend that the planning board determine, that this application is complete, subject to the two conditions and the schedule of public hearing for the 11th July site walk with this one is optional too.

David Walker: Okay. Thank you, Jeffrey. Is the applicant here?

Female Speaker: *[Inaudible]* [00:39:28].

David Walker: That's okay. It's all right. We have them in our packets. So, I guess maybe the biggest issue if you could hear, the manager is whether that paraglia is connected to the house or not.

Female Speaker: No. It would be freestanding. It would be freestanding.

David Walker: It's freestanding? Perfect. That's perfect. That's probably the biggest question that we had as a board. Any other members have any questions?

Robin Dube: No, same question.

Group: No.

David Walker: No? So again, good job.

Planning Board Public Hearing and Meeting Minutes  
6/13/24

Male Speaker: Okay. Thank you.

Female Speaker: Thank you.

David Walker: All we need is a motion now from one of the members.

Chris Hitchcock: I would make a motion.

David Walker: Okay, Chris. Thank you for doing that.

Chris Hitchcock: To conditionally determine in vivid architecture preliminary plan application proposing a tear down, new construction, and 30% expansion of a non-conforming structure in the shore land zone located at 127 West Grand, MBL 319-12-4 as complete with two conditions. Applicant shall submit responses to 78-34 E standard conditions in the shore land zone and section 78- 781240 conditional use standards, on a report 24 June, 2024.

Second, submit a plan showing HAT location and proposed building footprint on or before 24 June, 2024.

Male Speaker: Second.

Robin Dube: Second.

David Walker: All right. Motion by Chris, and you didn't hear it, but when the second did.

Robin Dube: Okay.

David Walker: You want to make a roll call, please, Jeffrey?

Jeffrey: Ms. Dube?

Robin Dube: Yes.

Jeffrey: Mr. Kelley?

Jay Kelley: Yes.

Jeffrey: Mr. Winch?

Winthrop Winch: Yes.

Jeffrey: Vice Chair Hitchcock?

Chris Hitchcock: Yes.

Planning Board Public Hearing and Meeting Minutes  
6/13/24

Jeffrey: And Chair Walker?

David Walker: Yes. That motion carries 5-0. You do have some work to do, based on those conditions. Site walk. This is just down the street from the last project that we just decided we didn't need to walk by. Is there any desire to look at this one? Okay. So, we will forego the site walk and schedule a public hearing for July 11th, Jeffrey. Okay?

Jeffrey: Okay.

David Walker: All right. Thank you very much. All right. Item six, contract zoning application. Establish a contract zone named contract zone six to allow development of an 18 units single family condominium project. Tonight's action is discussion, schedule public hearing, and site walk. Applicant is Saland Development Incorporated and the location is 4 New Colony Drive, MBL 103-1-59, zoning in the rural district. Jeffrey, this you as well?

Jeffrey: Mm-hm. So, this proposal is for a new contract zone, and what the contract zone includes is 18 single-family detached, condominiums, and it's located on a 2.05 acre lot. The lot is located at the end of New Colony Drive, which is accessed off of Ross Road. And just to kind of orient you, if you were to, drive by here on Ross Road, you would just think that this new Colony Drive is an access to a multifamily development. And it is an access to a multifamily development, but it is also a road that the property owner, our applicant tonight has rights to.

So, proposal connects to public water and public sewer, which is good. All units are proposed to be more affordable than the median home cost in Old Orchard Beach, and when I say what the median home cost, it's insane. It's like, literally insane, but this is from the main state housing authority, and the median home cost in Old Orchard Beach is \$525,000. What's interesting about that number is, during 2023, there was not one home sold, that met the medium home, medium household income cost for their ability to afford a home.

So that's just a median price. That does that's not median household income. Median household income ability to afford a home, that home's looking at around \$250,000-ish, right around there. A 100% of the homes sold in Old Orchard Beach in 2023 were not affordable. I hate to laugh, but it's, I don't know what we're all going to do about it as but I won't get into that.

But nonetheless, the, what the applicant is seeking to do is to not make these homes affordable per the typical for the main state housing, to meet the median home income, but to make them more affordable than what the median home price is in Old Orchard Beach. And, so, they intend to drop that price by temp-, the, home sale price by the, by 10% of the \$525 or whatever the value may be once the new data comes out.



Planning Board Public Hearing and Meeting Minutes  
6/13/24

So that's the main really the, in my opinion the most important piece of this proposal is making home more affordable. The proposal was introduced to the planning board during February now before the planning board to schedule a public hearing so the applicants moving forward to take the next step. There are really no significant changes since you last reviewed this. The submission's better. There's more information, so it's a better packet than what we received in February, which is good.

But, there are a couple items that I'd like to note. And, first, I question the benefits that the applicant says that the contract zone is offering. And after I just went into that affordability piece, I'm going to, in a way, counter that, you know. And I do commend the applicant, trying to make this more affordable. But, as far as I understand, what the applicant is offering is more affordable housing only to the first sale of each unit. Meaning, you all know, and you all see the writing on the wall with that.

As these, unlike other developments, one we have tonight that was associated with the contract zone, where they actually meet main state housing affordability guidelines and we required, and the council actually also required that by deed. This doesn't have that, and that is a significant concern to me, where the subsequent sales will, most likely not be affordable. So, you could lose that benefit within weeks of this. So that is, one concern. Another per another item that I'd like to, bring up I mentioned it, you know, there's pages in your memo about this. I'm just briefing you now, assuming you all read that memo.

The second item is there is only one access, and the unit count is over 15. So, the applicant provides for a second means of act, access, which could go through the Homewood Park development, but that Homewood Park development, the road there, it's not developed. And based on what we've seen in the history of Homewood Park, I don't know when or if or Homewood Park has been trying to develop since the 1916s. And, this is, like, the last leg of Homewood Park, and there are certainly other areas in Homewood Park that would develop, before this last leg.

But so, really, a second access coming to use that for a second access, I think is unrealistic. But I do also, and, you know, I continue to question the need for or the requirement for a second access when we're talking about units and not lots, where I believe the standard is clear that you, if you have 15 or more lots, you need a second access. Units, although it's still a habitable structure, it still functions the same. Units are different than lots. So, I in the past, the planning board has always, has applied this standard, so units are the same as lots. But I just wanted to bring that to your attention, because that is something that should probably be worked out in some manner, before the applicant makes any significant investment to move forward. So they would at least have the guidance from planning board on that item.

David Walker: So, Jeffrey, just to interrupt. I would want, a sign off from the fire department on that if we're only going to have one means of egress, because I think that's important.

Planning Board Public Hearing and Meeting Minutes  
6/13/24

Jeffrey: Let me just note that real quick. Okay. And third, there's a number of miscellaneous comments, in your memo, that, I recommend, you consider that the applicant consider, follow-up. But, really, right now, I do recommend the planning board schedule a public hearing for the 11th July. Remember, with contract zones, I think this is our sixth one now, with contract zones, you don't have a determination of completeness or anything like that. So, you can just move forward with a public hearing, and site walk is optional.

David Walker: So, I'd like to do a site walk, but I prefer to do it on June 27th instead of July 4th, if that's possible. That's the Thursday before, right?

Jeffrey: Yeah. We have to get the notice out.

David walker: Oh, yeah. Will that give you time to get the notice out?

Jeffrey: I should be able to make that happen. What I'll need to do is get right on, because there's a legal notice for the newspaper and since we have a weekly newspaper, I have to time that just right. And then there is a notice requirement for abutters where I have to get that out in a certain amount of time. There's also a holiday next week, federal holiday. I'm almost sure I can get it. We can go with the assumption that I can get this altogether and meet those deadlines. But just to let you know.

David Walker: Well, we'll let you notify us if you're able to do it and tentatively say June 27th at 6:00 PM.

Jay Kelley: Sure.

David Walker: All right?

Jay Kelley: Yeah.

Robin Dube: That's *[inaudible]* [00:52:31].

David Walker: Yeah. We could do that too, Jeffrey, postpone the site walk till August.

Jeffrey: Postpone the site walk until August?

David Walker: Yeah, if we can't get it on the 27th.

Jeffrey: Yeah, because well, this could be scheduled for a recommendation at your July meeting, a council recommendation, so.

David Walker: Do you think you're going to get all these, nuances resolved?

Jeffrey: The applicant's not required. They can move forward with...

Planning Board Public Hearing and Meeting Minutes  
6/13/24

David Walker: Okay. So, it could be a negative.

Jeffrey: It could be a negative recommendation. Yeah.

David Walker: Okay. Yep. And do you know if there's an appetite to deed that restriction of tempest?

Jeffrey: There is not an appetite to do that.

David Walker: Okay. All right.

Jeffrey: Mm-hm.

David Walker: Thank you.

Jeffrey: Mm-hm.

Robin Dube: I've got a quick question for you, Jeffrey. The medium cost of homes of 525, is that only because it's an ocean community that the rates are so high?

Jeffrey: Boy, there's a lot of factors.

Robin Dube: You know on the other side it was not like that.

Jeffrey: Yeah, and Old Orchard Beach has become very desirable community over the past, 10, 15 years. And, more than I you know, for residential development for, but also for vacation homes.

Robin Dube: They're overpricing anybody in the state of Maine that can afford to buy a house in this you know what I mean? In these areas?

Jeffrey: Yeah. I believe that the income, the household income to afford the medium price house is a \$168,000, right around there.

Robin Dube: Even half, you know.

Jeffrey: It's...

Robin Dube: I just think they're overpricing main families.

Jeffrey: And there aren't too many people, making that kind of money.

Robin Dube: Exactly.

Jeffrey: So I, you know, I do commend the applicant for working to address that problem.

Planning Board Public Hearing and Meeting Minutes  
6/13/24

David Walker: All right. Thank you, Jeffrey. Is the applicant here?

Gary: Yes.

David Walker: Good evening.

Gary: Questions? No? All right. Gary Salamacca, proposing these 18 units. Originally this property was approved and zoned for three buildings, 24 units. Somehow, it got rezoned for two homes. But I was talking to a councilman at the football game, and I said, you know, I'd like to try this affordable housing, small homes. Well, Lord should like that. So, I said, well, I'll give it a go. So, I came up with this plan. The only thing is, Jeff wants to control what you can make on your investment, and I'm just, really scared of that.

I remember being young long ago and, buy my first house. It wasn't perfect, but it was a house down in York. And, I was hoping that I'd get enough money out of that first house to maybe move up to a second house. And it happened and worked out pretty well. But if we control what you can make on your investment with these homes, I just don't know who's going to buy into it. I know I wouldn't. There's no way I'm going to spend all my money. I put all my money together for this first house, everything I had, and hoping I can move up. And if you control what this person can make on everything they put into their first house, I just don't know if I mean, I wouldn't buy one.

So, I think the sticking point here is whether I want to move forward at all if it's going to, you know, if you're going to, the town's going to try to control the second sale. And maybe I shouldn't worry about it, but I do as far as would you buy one if I said you can only make 3% on your investment?

David Walker: No. That's not what we're saying.

Gary: No. What are you saying?

David Walker: So, if you buy it at 10% reduction at \$500,000, right?

Gary: Yeah.

David Walker: And that's the medium price and maybe I don't understand this, but I'm going to try to explain it. And then next year, the median price is \$600,000.

Gary: Yeah.

David Walker: You only have to sell at a 10% reduction of that \$600,000 median price, which means you've made \$60,000 on your original investment. Correct?

Gary: Correct.

Planning Board Public Hearing and Meeting Minutes  
6/13/24

David Walker: And so you're not losing any money as long as you're following the marketplace.

Gary: I'm not losing any money anyways. I'm thinking about the second guy in and whether they're going to want to buy into that. And who's going to enforce that kind of structure? The town? But...

David Walker: If it still be that...

Gary: Let me back up a little bit.

David Walker: Sure.

Gary: So I, if this plan stays in it intact, which it may or may not, then it's up to the planning board, we're shooting for \$300,000. The high threes. The condos in front because I was involved in those years ago. When we built those, it was we built them for \$499. And had a hard time selling them, actually. The last one sold last year for \$273,000. So, they're going to continue to climb. And these are 8 unit buildings. You got a guy above you, a guy behind you, a guy on the side you, a wall Walmart parking lots.

And they may end up, I think and I could be wrong. They may end up being more money than these single family homes because you're trying to control this. And I'm just I don't know if I can buy into it. But we're trying to if this plan stays in effect, we're probably looking at \$385. Now we talked a little bit about this 18 unit and two accesses and this and that. I could shift up and say, okay. We're dropping to 15. But now, everything you do here affects me. So now, you would be into about the high fours. So if this plan stays in effect, I'm pretty sure you'll be in the high threes. And you're only a \$100,000 more than a 725 square foot condo. No basement. Guy above you. Guy beside you. Guy in back of you. So that's kind of what we're doing here. But the but the rent control or price control, I'm just I don't know if I can buy into that. We That's why I've been dragging my feet.

David Walker: Yep. Okay. Thank you. Robin?

Robin Dube: Through the chair. We can't control your prices, honey. Not a, they, you know what I mean? We can't say what you're selling your building for or whatever. It's just a conversation of medium incomes in the state of you know, people are coming from out of state to buy this and stuff. But don't let that stick with you because we can't tell you you're going to sell your house or sell your building for that amount of price or you're not.

Gary: Right. Yeah.

David Walker: Well, that's what the contract...

Planning Board Public Hearing and Meeting Minutes  
6/13/24

Gary: That's what the contract says allows you to do. Remember, he's looking for an exception. Right now, he can only get two units out there.

Robin Dube: Yeah.

Gary: So he's looking for an exception to the ordinance to increase that to 18 units.

David Walker: I understand.

Gary: And our deal in the contract is the affordability piece. That's the only piece that really remains after I tried to negotiate a public Site Walk. Public water, that's nothing. We need public water, but what's proposed with this application is they're going to stub up, bring it to a property line. It will help Homewood Park, which is really where this is geared to. Only if it goes to Homewood Park, and, again, it gets into dealing with, is this portion of Homewood Park ever going to be developed? So it's realizing the benefits aren't short term, and that they are true benefits to the public.

Robin Dube: Like you said, Homewood Park's been going since the 60s, and I don't think there's any money back there. And that's why it's never been developed for one thing.

Gary: Yeah. It was hard to go.

Robin Dube: The second access is giving him the boost maybe to do something back there. But...

Gary: I know Jeff talked about medium income five thou-, 523. I don't really care about that because I'm shooting for the three Honda high threes. So I don't know how that all kind of meshes, but I'm not, you know, I don't care about \$523,000. And the market sets its own. I mean, we can come up here and say, I'm selling this for this. Well, you're not because the market determines what you're going to sell it for. An appraiser says, you're overpriced. Then you have to drop your price to try to sell it. So we can say all we want, but the market sets the price, and appraisers set that.

David Walker: So what's the benefit to the town?

Gary: Well, I keep hearing a benefit. I bought a piece of land that was approved for 24 units. And now I've got a piece of land that has two units. So, I don't want to be too, but what did the town do for me? So I don't know. Either you want housing in the threes, and you need housing or you don't. They're not going to be summer rentals. And then Homewood Park, it's going to be developed. And everybody knows there's low water pressure there. And if I just go over there and build my house, which fine with me. I'm not bringing an 8-inch water line through my property to Homewood Park. So I don't know. You'll have to determine if I'm giving the town anything.

David Walker: All right. Any questions from other...

Planning Board Public Hearing and Meeting Minutes  
6/13/24

Winthrop Winch: Yeah, through the chair.

David Walker: Yep.

Winthrop Winch: One quick question. Are any of these rentals?

Gary: They could rent them. But they can't rent them weekly.

Winthrop Winch: Well, what I'm saying is, is somebody could buy one?

Gary: Yeah.

Winthrop Winch: And then rent it...

Gary: Yeah.

Winthrop Winch: For \$2 a month?

Gary: Yeah.

Winthrop Winch: \$2,500 a month.

Gary: They could.

Winthrop Winch: That's not affordable.

Gary: Well, I don't know it's affordable because I thought I could build affordable. And then I heard that - and no one's really come up with a real this is the affordable number.

Winthrop Winch: Right.

Gary: I've asked and asked and asked here, Sacco. Jeff came up with the closest thing, I guess, which is what, \$201,000?

Jeffrey: Yeah.

Gary: The hell of a house lot's \$201,000. So, you know what I mean?

Winthrop Winch: Right.

Gary: I don't know where you're going. You know? You can only do so much, but...

Winthrop Winch: Yeah.

Planning Board Public Hearing and Meeting Minutes  
6/13/24

Gary: I guess either in the threes is good or it's not. But I'm not much into socialism, and I don't like government controlling a whole lot. I'm retired coast guard. But so I'm used to government control. But, you know, if you buy a house, it's your investment. If you can rent it and, you know, they're not made to rent. I think you're going to find out they'll be first time home buyers. There's two bedrooms up and, you know, living room, kitchen, laundry room, bathroom down. Older people don't want to climb up the stairs. I know I don't. So I don't think that's going to happen. But it'd be a first-time home, married couple, maybe with a child. And that's probably what you're going to get in there.

Winthrop Winch: Okay. Thank you.

David Walker: That 200,000 number that you just mentioned, is that a state number?

Jeffrey: Yes.

David Walker: Yeah.

Jeffrey: Yeah.

David Walker: Affordable by state definition.

Jeffrey: Which is, I think, a pretty uniform definition throughout the country too.

David Walker: Okay.

Jeffrey: Mm-hm.

David Walker: Yeah.

Gary: How do they come, I mean, is that kid coming out of high school and they're making 25,000? How do they come up with that?

Jeffrey: I believe there's a formula that the state uses.

Gary: Everybody in that bundle?

Jeffrey: It's...

Gary: Starting right out of high school?

Jeffrey: Yeah. What the – a couple of things. The data that I'm quoting is specific to Old Orchard Beach. So we could go to, we could go to Kennebunk. It could be way higher. But there is one uniform of number that's used for the entire state, but that's not realistic, because that's not what we're dealing with here at Old Orchard, Old Orchard Beach. And the big factor that they base that on is the median household income. And then...



Planning Board Public Hearing and Meeting Minutes  
6/13/24

Gary: For two people or one? I had to have both people working to get my first house.

Jeffrey: Yeah. And there's a certain percentage of that income that they say can be applied to your housing costs.

Gary: Well, okay. Not much else. So.

David Walker: All right. I appreciate it. Anybody else on the board have anything?

Jeffrey: If I may, real quick, just on this, just so I'm clear. Number one, I definitely support only one access. I don't I don't see the need for it. But the chair said to get the sign off from fire department. Is that pretty much the agreement? Because if the applicant requires to, he's probably going to walk away right now. And I wouldn't blame him.

David Walker: Yeah. And as long as the fire department signs off, I'm good. I know Chris echoed that.

Chris Hitchcock: Well, I've always had an issue with that standard, the 15. And we're supposed to be the ones that decide on safety, which I think is ludicrous. So that's I think this fireman chief ought to help us figure out what the layout of a development, whether it's safe or not, not us guessing at it.

Jeffrey: Right.

Chris Hitchcock: Which we've done a couple of times.

Jeffrey: Yeah. And why 15? Why not 20 or 10? It's - yeah. You're totally right. So, we'll go to the fire chief, see what he thinks and whatever he says is what.

David Walker: Perfect.

Jeffrey: Okay.

David Walker: All right. So we'll schedule a public hearing for the 11th. All right? And a Site Walk, if we can get it done, on the 27th of June. We'll come out and take a look at 6:00 PM at the property. Okay?

Gary: Okay. Thank you.

David Walker: All right. Thank you very much. Item 7. Subdivision Amendment. 27 single-family house lots. One lot with 45 townhouse units. Two open space lots, Action Preliminary Plan Review, Determination of Completeness, Schedule Public Hearing. Applicant is Atlantic Resource Consultants. Owner, D & E, LLC. Location is Dunegrass, Sections D & E, Inverness Drive, Pebble Beach Ave, MBL; 105A-1-D, and 105A-1-E, and 105A-1-200, zoning in the PMUD. Okay. Michael.

Planning Board Public Hearing and Meeting Minutes  
6/13/24

Michael: Yeah. So town staff had a developer review meeting back in February with the applicant, Ray Pearce, and owner to go over comments, and a site walk was held on 21 March, 2024. At the April planning board meeting, the applicant submitted a buffer plan and site walk comments were discussed. One item currently being reviewed is the sewer connection and pump station capacity. The town's having Wright Pierce complete a sewer pump station evaluation to better understand the Dunegrass pump station capacity.

And last month, for the May planning board meeting public hearing, no new materials were submitted for review. Feedback at that public hearing included concerns on location of the proposed access road off from Wild Dunes Way, impacts of short-term rentals, traffic, stormwater impacts, emergency access, and ensuring it remains as such, buffering of emergency access from abutters concerns with the proposed emergency access being use as a construction entrance and future public access and environmental impacts and conservation of trees.

So for the June materials update, the applicant submitted a updated plan set in response to town comments. For this month, it looks like the focus was on those town comments and clarifying some items with the emergency access road. And so in your packets, we did include the 2/14/2024 joint developer review meeting. And a lot of those comments have been addressed or are being addressed. And then this is the first full plan submission since that meeting.

And the applicant provided the updates in their cover letter. The following items identified from that joint developer review meeting don't appear to have been included in this month's materials. One of those was a DEP update on a previously referenced subdivision, either violation or non-compliance item. We thought this had been resolved to the planning board's satisfaction with the explanation the applicant provided at the February meeting. But this also came up at that joint developer review meeting, and the applicant explained they provided documentation to DEP, and they were going to provide confirmation to us.

We haven't seen that yet, but the town also hasn't been provided with any record of violation or non-compliance letter from DEP. And so if there is even still an outstanding issue with this, we would consider it to be a DEP issue, and it shouldn't hold up planning board review. And if it was some sort of issue, it would probably come up with their permitting. So I don't think at this stage it's anything for the planning board to be concerned about.

The other items were the emergency vehicle tracking study for the fire department. Willow Ave preconstruction photos was one of those items. If Willow Ave is not going to be used as a construction entrance, this might not be necessary, but should still be discussed. Is there a reason for the applicant to document existing roadway conditions if it's not even going to be used for access? Site lighting plan updates, open space calculation updates, flood zone, and then just a couple other items that are standard,

Planning Board Public Hearing and Meeting Minutes  
6/13/24

which is the addressing from assessing and just updated responses to 74-2 subdivision criteria.

And so for town updates, a big item discussed that needs resolution still, I think, is the emergency access. Based on the public hearing and discussions at the previous meetings, a locked gate on the emergency access was preferred. Public works comments were that for ease of maintenance, they prefer not to have a gate. I don't think that made it very clear for the applicant. But with those public work comments, it will be important to consider the location of the gate and snow storage.

Also, if private, HOA maintenance versus town maintenance. Town staff did have the shared concerns over use of the emergency access, both during construction and after and just how that will be restricted. So with that, if it should be gated to prevent access in the fire department, would need a Knox box.

And then with the other concerns over access during construction, the access road should be completed with gate installed prior to building permitting. And this should be included in any approval conditions. And one of the developers, Tim Swenson, did send an email to the town on 17th May, saying language would be added, stating we will not be using this for construction entrance. It doesn't look like this note has been added to the plans, and there is still reference to on the ESC plan of if it's to be used for contractor access to install a construction entrance.

Sewer items still ongoing Wright pierce is reviewing that buffering between the proposed Inverness and existing home on the corner of Woods Lane and Wild Dunes Way has been added, but the golf cart path was shifted with that buffering onto the site walk. And it doesn't appear buffering's proposed for the emergency access road. And with the golf cart pass, as the planning board's recognized with recent proposals the importance of ensuring adequate golf cart path connections for golf course users while keeping site walks separated to provide a space for pedestrians. Even the original Dunegrass approval had golf cart paths and walkways separated.

So this just should be considered where it overlaps onto the site walk and where the other connections go. And the other items were just some updates to plan notes. And one other thing, during our review, there are questions about wetland impacts. A couple of the lots had some wetland areas, and one of the lots, lot 28 appeared to be covered completely by wetland or stream setbacks. So just to consider those when looking at the individual lots and what that actual building envelope is. So we recommend the planning board provide feedback on the plan.

As I mentioned, this is that first full plan submittal since February. Emergency access road's been discussed multiple times. Applicant still needs to provide the traffic study, and town is currently reviewing pump stations. With these remaining items, no decisions needed, but you should provide feedback on the plan. Thank you.

David Walker: All right. Thank you, Michael. Anything from the board?

Planning Board Public Hearing and Meeting Minutes  
6/13/24

Robin Dube: Question. Is it going to be used for construction?

Jason: No.

Robin Dube: Absolutely not. Zero. Nothing.

Jason: I was going to say Michael gave you guys a lot of information. Do you want me to go down and tell you the updates on some of those things?

David Walker: Yeah. Sure. Yeah. Please, Jason. Yeah.

Jason: Yeah. So gated access, we agree. We'll do the Knox box. No construction access. Okay? So we don't have to worry about Willow Drive. We're not going to use it. That is kind of a confusing note on erosion control plan. Just we have to build it. So there will be a little bit of construction traffic going out there, but they're not going to run up and down to build other stuff again. So. So that one is taken care of.

Robin Dube: Just a quick also on here, it says to be accessible to fire employees only. That doesn't mean town public works.

Jason: Correct.

David Walker: They need to keep it clear in the wintertime.

Jason: Chris is worried about plowing it. And then, you know, I think that we can work out that out with Chris because I don't think it's not, it's going to be on the homeowner's association to keep it plowed. So the homeowner's association will have access to that road.

Robin Dube: Mm-hm.

Jason: So they'll keep it plowed to the Willow right away, and we're actually going to make a turn out to turn snow so that it's not dumping out on the Willow. So it's not an unusual situation. We can fix it. Do want to talk about the sewer? So we initiated the request for that capacity study back at our shared meeting. And the DEP, so we've had our pre app and a presummit with the DEP for this project.

And going all the way back to Red Oak, I don't mean to bring up old battle wounds. But we got beat up by the DEP because we can never get the right capacity letter from the sewer department. We had to go through the town manager to sort of help mediate what that was. And that was some Wright Pierce review.

We're going on six months now, and the DEP has, you know, we have a good relationship with the DEP, but they are adamant that we need that capacity letter as part of the original submittal, because technically, you don't need the standard. They could

Planning Board Public Hearing and Meeting Minutes  
6/13/24

just return the application if you don't have capacity letter from the sewer district. And I'm just wondering, Mike, if you, can you give me an update? Do they have a timeline on that? Because we're in the same situation in Yarmouth, and we've been waiting you know? So I just we - that's one thing I can't do. I need to get that through town staff somehow. So.

Michael: Yeah. Based on the last update I had expected to see it by now. So I'll have to follow-up because I know Wright Pierce was working with Chris on that.

Jason: Yeah. And we - so the sewer capacity because that could - I don't think there's going to be an issue. I mean, if there's a pump issue, we can work through that. But it's a kind of a big deal. Right? I mean, 81 units. And if they tell us there's no capacity in a line or there's a huge off-site upgrade that needs to be we kind of need to figure that out before I keep spending the applicant's money.

And update. So the cart path and the, so lot one of the turn where we were moving the cart path and the buffering, actually, Dominic has purchased that house. He closes, he's on a contract to purchase that house, and I think he closes tomorrow. And so that gives us a little room that we can sort of keep working through that. And then the traffic, we'll get to this on the next project as well.

David Walker: Wait a minute. Can I interrupt? What - I didn't take any, I don't understand what that point translates to.

Jason: Oh, so the applicant now has control of that house. So if anyone buying it would be buying it in the condition after the D & E Road gets built. I don't know what Dominic's plans are. But the - so we have control if we needed to move a fence or something like that.

David Walker: So the resident has sold the property?

Jason: Yes. To the applicant. Yeah.

David Walker: Okay.

Jason: Yeah. So, I guess if you had suggestions on gee, it would have been nice if you could take that type of thing. I mean, yeah. I don't know.

David Walker: But you're still going forward with the buffer...

Jason: We have the buffer to be maneuvered. Yes. Oh, yeah.

David Walker: Yeah.

Jason: Yeah. But still, we'll still be buffered. And that buffer may be installed previous to anything. So and then, so the traffic report, so they have to do those studies in a certain

Planning Board Public Hearing and Meeting Minutes  
6/13/24

period of time. I think we discussed that. Those studies are scheduled to happen as soon as DOT under the DOT guidelines, which is June 24th. So that study will be the field data will be being picked up over the next few weeks.

And then I think it's going to take them a couple of weeks to turn that around. So I may not have it in time for July's middle, but it'll definitely be part of your August package coming in. We have that scheduled down with them. And so that'll give you, and then they are looking at the access issues, and we have been talking internally about moving that access to a different location that's under our control that we might ease some of that some of the traffic concerns that abutters noted.

And I think, oh, and then for screening on the emergency access drive. That's a narrow, that's a 50 foot right of way. Fire chief has requested sort of a wider road going through there. For maintenance issues, would you prefer fencing or plantings? Does the board have a...

Robin Dube: I think fence is better, because planting is either maintaining *[overlapping conversation]* [01:22:12]...

Jason: Well, fencing is going to be easier. It's less maintenance, so.

Robin Dube: Exactly.

Jason: We're prepared to do either, but we just want to give that option out there.

Robin Dube: *[Inaudible]* [01:22:19].

David Walker: I don't have any preference. Do what's easier.

Jason: Fencing. Yeah. So easier to maintain for everybody. And I think that's it. And so we certainly, I don't – I think it's premature to even talk about another public hearing because I think we need to get the traffic study in and all those items. So.

David Walker: So will a traffic study be ready by the public hearing?

Chris Hitchcock: He said August.

Jason: No. It would be...

David Walker: August?

Jason: Yeah. It would be at, yeah. It would - you wouldn't ha-, you wouldn't have it because then you have to have it peer reviewed by Palmer. So you would want a peer review on that traffic study before it even, I think, gets to discussion. Correct?

Chris Hitchcock: I think that would be a good idea. Yeah.

Planning Board Public Hearing and Meeting Minutes  
6/13/24

Jason: Yeah. So I wouldn't worry about a public hearing at this point. I wouldn't worry about scheduling that. And then I'm still, like I said, I'm still hopefully, we can get that sewer easement up because then this will take some time into the DEP. We're told they'll hold to standard deadlines on this project. So, which is 150 days. So. If we can get that on that.

Robin Dube: Let me make sure on that.

Jason: Sure.

Robin Dube: Now do you not have another project that was done in comparative size to what this is to compare sewer usage? You know what I mean? To...

Jason: So we don't have any issues calculating the sewer issues, but I don't have the town's whole system. That's actually a model that Wright Pierce runs. So we - they have to do that. They work for the town. Because it's sewer outside of our project. Right? So it's all the little places it goes till it gets to the plant. So that's what we're waiting on. I don't have a lot of information.

David Walker: We just received a letter from a concerned citizen about clear cutting trees. And I just wanted to ask you how many of the existing trees do you plan on preserving? Is that potty a plan or are you just clear cutting everything?

Jason: How many?

David Walker: Well, I...

Jason: But yeah. So...

David Walker: Is it in your plan to preserve?

Jason: I can give you a tree cover by square footage. Right? So, we'll give you the total cleared area, note on the plan, and then total preserved area. And then also, in that open space, you can see where the tree line is, so you'll know that area can't be cut. So.

David Walker: That'd be great.

Jason: We could, yeah. I could give you something. Yeah.

David Walker: Yeah.

Jason: Absolutely.



Planning Board Public Hearing and Meeting Minutes  
6/13/24

David Walker: Anyone else? No? All right. So we're going to hold off on the public hearing. And we thank you for your time, your diligence. And I know Michael will be bird dogging that...

Michael: Yeah.

David Walker: Letter for you.

Michael: Yes. I'll follow-up on that.

David Walker: Thank you very much, Jason. All right. This is about when I fell asleep today. All right. Item 8. Proposal. Major Subdivision & Site Plan, 61-unit, single family condominium development. "The Forest". Named the forest. Preliminary Plan Review, Determination of Completeness, Scheduled Public Hearing. The applicant Atlantic Resource Consultants. And the location is 63-91 East Emerson Cummings Boulevard. MBL: 207-1-2. Zoning: Contract Zone, PMUD. That you, Jeffrey?

Jeffrey: Mm-hm. So as you read, chair, it's a 61-unit single family condo development located off of E Emerson Cummings Boulevard, right across from the high school. Seven of the 61 units are affordable housing that meet the affordable housing, the actual definition. And they are deed restricted affordable housing units. That was all part of the contract zone, which was allowed the creation really that they gave the blessing for this project to move forward. Proposed development includes public utilities, roads will be private. There is 10 acres of open space, which is very good. That means half of this project is actually preserved. That's why it's clustered kind of all in one portion of the property. Also, public trails will be constructed.

As I said, the project is part of a approved contract zone and the contract zone applicant is moving right ahead with the site plan. So at the site plan and subdivision, planning board last saw this at the March planning board meeting, and then we actually had a site walk during May. Some of you may recall that site walk. It was kind of a nasty day. Right, Robin?

Robin Dube: Yeah. Me and that tech bill.

Jeffrey: Yeah. And this month, we really begin the real detailed review, which is the preliminary plan process. So in this month's memo, I provide several pages of comments. I'm not going to go all through that. The applicant has received this information and seen it. You have seen it. You've received it. But I just like to comment on a couple of items tonight.

First, the applicant's submission, I think is very good. They do a very good job staying consistent with the terms of the contract zone agreement. That's really important with these contract zone, related proposals and can easily be overlooked, because it's unusual to have a contract zone. Just note to the applicant and the planning board just make sure



Planning Board Public Hearing and Meeting Minutes  
6/13/24

as we move along, you just keep an eye on it. We will certainly too. But right now, they're doing a very good job to ensure that contract zone is met.

Second, and this is a weird one. You can see an argument in my head appear on paper with this particular one. And that's related to waivers in the contract. So. So I advise applicants that if you are going to apply for a contract zone and you are going to waive standards, ordinance standards to make sure you include all of those standards in the contract zone. That is the time to include it.

But as I be-, you know, as I've evolved and began to look at these a bit more, I began to think that might be a little unfair in some circumstances, where if there is an ordinance that the applicant is not seeking a waiver from, and that ordinance allows four waivers. Why should the applicant have that blanket statement that I said? And there's nothing in the ordinances that say that the applicant must do what I had originally said and what I had originally thought. It just made sense to me.

But why must the applicant strictly abide by what my statement was. As I began to flesh it out more, it just wasn't didn't seem fair. So, and then I began to flesh it out more, and I thought, you know, there's really only one circumstance, pretty much one circumstance, where there is an ordinance that allows waivers. And that's the subdivision ordinance. And the site plan with the subdivision ordinance, you can request a waiver.

So without you saw my whole argument in two pro and con and all that in the memo. I'm not going to get into the details anymore and then saying, I think I convinced myself that waivers in certain circumstances are okay if they weren't included as part of the original contract zone. And I think the only time they're okay is if it's the contract zone includes a subdivision, which this one does. So that's my second comment. All right? And the reason I say that is because the applicant is seeking waivers to some of the road requirements.

Third item, and this is a big item for the folks at Sider Hill, is buffering and mitigating stormwater impacts. Sider Hill is important. I know that the applicant is well aware of this. The planning board's well aware of it. I just wanted to bring this to everyone's attention just to make sure that we're thinking about that as this proposal moves forward. As I understand from the applicant, this is actually pulling water away, the design is pulling water away from that shared property line with Sider Hill.

And then fourth, finally, the applicant will soon provide traffic analysis. Maybe we'll get it around the same time as we get D & E. That'll go to, Gorrell Palmer, our peer review engineer for traffic. And then my final comment is overall, for such a complex project on a tricky site, this is a really good first preliminary plan submission. But like all preliminary plans of this size and detail, the first submission never meets determination of completeness threshold.

The applicant has a bit more work to do. And before I recommend a determination of completeness is made, I'll be looking forward to the applicant following through with our

Planning Board Public Hearing and Meeting Minutes  
6/13/24

engineer comments, which we all just received. Not the fault of the engineer. You know? We all, it's a was a very large application packet this month, and we had a tight time frame with another holiday. So following the applicant to follow through with the Wright Pierce memo, our comments any comments that planning board has, and eventually the traffic review, peer review comments.

So it's a good submission. We recommend that the planning board take no action on this at this time. But, of course, comment is welcome. Thank you.

David Walker: Thank you, Jeffrey. Any comments?

Jason: You guys look beat. Yeah. So, Jeffrey, very thorough through that. And, yes, and I actually think that we've worked through a lot of those comments that came in, and actually, I think Silas send you over quick responses. Certainly, don't need to discuss them here. Agree with Jeffrey. You know? It's a complicated project. It's a contract zone. So there are some things that would be counter to the ordinances that are in the contract zone.

And then to just to opine a little bit on Jeffrey's discussion, there are some things in the contract zone I think that would imply waivers that aren't explicitly stated with regards to, I think as we put the road standards in the contract zone. So all very good things. And have we had a public hearing on this thing?

Jeffrey: We had a site walk, not a public hearing.

Jason: Just a site walk. Yeah.

Jeffrey: Yeah. We can't have a public hearing until it's determined completely.

Jason: Until it complete. Yeah. So. Yeah. I mean, if you just had any feedback on what you've seen so far, we certainly would include it in the next submission. And likely, I think that the traffic, although this one's 63 units, that still merits pretty hefty traffic memo that you'll get a traffic study and report in. So and that time line is the same. We're actually utilizing the same counts in certain areas. So, yeah, I guess if you have any thoughts at this late in the hour.

David Walker: All right. So I had been asking that you add the footpath in, through the deed land to the town. And I see that you've done that 3-foot wide and with some wooden bridges over call, but it's only one foot, one path. There's no opportunity for other...

Jason: Oh, you want a series of that? I'm sure.

David Walker: So what it looks like to me is anybody that wants an ice cream down at...

Jason: Oh, so now we get to it.

Planning Board Public Hearing and Meeting Minutes  
6/13/24

David Walker: I mean, from the development, they're just going to walk in and go to Fielder's Choice. It looks like that's where it comes out.

Participant 1: By design.

David Walker: Yeah. But there's so much land there. I was wondering if we couldn't add some intersecting paths or something that...

Jason: So the only problem with that is a path is technically wetland alteration.

David Walker: Okay.

Jason: Now that's not to say that it's not wetland alteration if you go in and take everything down to the roots and don't disturb the ground. But when you do that, you'll know that site's pretty wet, right, in certain periods of the year, sometimes. So I think there might be a way to make two things happen without, but to be a formal path, it would require more mitigation with the DEP. And we're already filling quite a few square feet of wetlands. So the DEP may resist.

Robin Dube: It just shows trails throw up open space.

David Walker: So...

Jason: So I mean, now this is going to the town...

David Walker: Yeah. I've been down to the...

Jason: I think what you all do with it afterwards.

David Walker: So I've been down to the Ferry Beach State Park, and they have a whole series of paths through the wetlands down there. And that's what I was currently visioning...

Jason: Likely done before there, but...

David Walker: Huh?

Jason: Likely done before wetlands were protected is what I said.

David Walker: Oh, okay. All right.

Jason: Okay.

David Walker: All right.

Planning Board Public Hearing and Meeting Minutes  
6/13/24

Participant 1: Well, this one here, we have a full roof. So people can...

David Walker: Okay. Well, no, I appreciate that it's there. I'm going to come up on my bicycle and test it out when done. But thank you very much. Comments from anybody else? I really love this project. Jeffrey, what were the waivers that they needed other than density?

Jeffrey: For roads, they were pretty minor. Maybe Jason knows that off the top of his head. I don't have that. But there were two waivers.

David Walker: Site walk?

Jeffrey: Oh, you mean that were included in the contract zone? Yes. So for the contract zone, the two were - there's no sidewalk. And then the second, there's no curving.

David walker: Okay.

Jeffrey: Yeah. Yeah. And that was all agreed to already. Yeah.

David Walker: All right.

Michael: Through the chair.

David Walker: Yes.

Michael: I would opine myself about the kind of your musing on the con-, whether waiver should be in the contract zone agreement. As a former contracts professional, I'd say it would be a little derrick to have the party to the contract zone being the selectman and the applicant and that we don't make sure both parties know what's actually been waived to let the deal go through. So I would think it ought to be in the contract zone agreement.

So you wouldn't have, later on, somebody saying, gee, I signed that contract zone agreement as a selectman and you didn't tell me that you had another waiver. And you sat there and discussed the benefit the pros and cons and said, we don't need to tell them.

Jeffrey: That's a good point.

Michael: I don't think I'd want to be there if I was an attorney, or a senior person in town. That's just me.

Jeffrey: Yeah. That's a very good point. So we see that.

David Walker: That's a good point. All right. Well, if there are no other comments, we'll see you when...

Planning Board Public Hearing and Meeting Minutes  
6/13/24

Jason: When the traffic counts are done.

David Walker: Yeah. In August, I guess. Thank you, Jason.

Jason: Thank you.

David Walker: Good luck keeping all the balls up in the air.

Jason: Yeah. Well, a lot of dents around me when they fall.

David Walker: So are you.

Jason: Thanks. I appreciate your time and all the work you've done.

David Walker: All right. All right. We're almost at the end of the road. Item 9. Proposal: Site plan, 6-unit Condominium Building in proposed amended contract zone. Action: Determination of Completeness, Scheduled Public Hearings, Scheduled Site Walk, MAKKA Builders LLC, 60 Saco Ave, MBL: 206-10-1, zoning in the GB2, proposed amended Contract Zone. And that's Jeffrey again, I think.

Jeffrey: Yep. So I think we all know all the stuff about this one throughout the years.

David Walker: We lived it for three years almost.

Jeffrey: Yeah. And it's our last item on the agenda tonight. So that's good. But the good thing is an applicant is finally moving forward with the permitting piece of the contract zone. So I'm pretty sure it was last month the planning board saw this proposal, an amended version of this proposal. And what the planning board did was they recommended the council approved that amended contract zone. And there were really two primary pieces associated with the amendments. One was to remove the brick structure, and then two was to in to increase the height.

What the planning board did was they agreed with the brick structure, but they didn't agree to the height. Applicant could see that writing on the wall. So they said we're going to take that piece out. And planning board made a condition at last month's meeting to ensure that all the language associated with an increased height is deleted from the contract zone agreement, which the applicant did. And then they are now moving forward with the council review process.

We were at a council meeting a week ago. That was the introduction. And next week, on the 18th is the public hearing. So it's the applicant's not wasting any time with this. They're move forward. And that condition that the planning board had was complied with, which is a breath of fresh air. I can tell you with this proposal. Or with this project as a whole.

Planning Board Public Hearing and Meeting Minutes  
6/13/24

So the applicant's now taken the next step in that permitting process, which is site plan review. The 35-foot piece is no longer there, but there is still a contract zone that's attached to this. So you say, well, you know, how can we review this with something that the council hasn't approved yet?

The contract zoning ordinance allows the planning board to review it and also issue a final vote on a contract zone that's not approved by the council, as long as if that vote is an approval vote, as long as there's a condition attached to that vote. The applicant is certainly moving forward with council review. I don't think that's any question. So there is no reason why the proposal can't move forward in the planning board process.

And in your memo, you'll see that there are a number of comments. This is a good, you know, it's a good submission, our first submission. So I think that a lot of, pretty much all of the comments are really easy to resolve. I think what's most important is ensuring that that contract zone agreement language remains reflected in this proposal. I give you a couple of examples of what the applicant needs to do.

And there are a couple of site plan ordinance standards that are the applicant also needs to be mindful of when they create the site plan and submit that while the site plan is created. They just need to ensure that information's included on the site plan. There are two particular items that are not requirements, but they are requirements where there's, like, six or seven requirements where it says that if the planning board feels that it's necessary, the applicant must do these.

Out of those six or seven requirements, I thought two may be applicable, and I just wanted to bring those two to your attention. Because if you feel they're applicable, it will be a good idea to let the applicant know as soon as possible. And those two items are a traffic analysis and a visual assessment. Talked about that a little bit in the memo. But I just wanted to bring those two particular items up to the planning board.

So to conclude, I'd recommend the planning board hold off on the determination of completeness until some of these details, these items in the memo are addressed and which I think can be addressed by our next meeting. I don't know your schedules. But they can be addressed, I think, pretty quickly. And not scheduling a site walk until we determine its complete. So I recommend no formal action from the board, tonight. But, of course, you can offer advice.

David Walker: Okay. Thank you, Jeffrey.

Jeffrey: Thank you. Mm-hm.

David Walker: What he said. I mean, visually, I would think anything would be better than what's there right now. So. Yeah.

Jeffrey: Yeah.

Planning Board Public Hearing and Meeting Minutes  
6/13/24

Joe Delaney: So thank you guys. I'm Joe Delaney from Whipple Counter Architects representing Wacker Builders. And I'll just do a quick synopsis of what Jeffrey mentioned. This really is kind of an update more than anything. We have made the accommodations on the two major contract issues, and we're starting to get deeper into the details. And we have quite a few more things to do, but, I can at least give you the highlights of where we are. At the moment, we have 15 parking spaces shown, where the requirement, I think, is 12.

And there's a spot shown here that should not be mistaken for a parking spot. That's really just the handicap drop off area, but it also serves as a clear pedestrian access to the handicap ramp and the building entry, which we would like to locate on Fern Park Avenue and more on the public side of things. The waste would be privately handled and we would have that in the back of the parking area with a couple of areas that are dedicated to snow storage in the winter time.

We are, of course, sticking with installation of the five foot wide sidewalk on Fern. The parking, I think, Eric Tubi from Trillium was unavailable to make this one, doing a pretty general representation of his work, but I know he ground through the parking, ordinance as well. We'll be providing more detailed landscape plan, street trees, requirements, for instance, and general landscaping, which would cover Fern Avenue, the front of the building and the side of the building. So I think the next time we're here representing the landscape, you'll see something different than this and certainly much more developed.

Signage is something we'll be working on. Oftentimes, that's handled by the owner or the signage contractor they've worked with, but we'll figure out the best way to proceed with that. The lighting, were sent out, for photometrics, hoping that we can light the parking lot adequately from the building and not have to do much pole mounted lighting in the landscape. But we'll see about that as well. Things that will need to be done to the plan really are the identification of abutters, a formal property boundary survey. We did have a survey available, but not quite up to the standard.

We'll also be adding information on utilities. In terms of the other two things Jeffrey mentioned, the traffic impact assessment and visual impact, I think from a traffic perspective, perhaps if 6-unit residential developments generate traffic studies here, then perhaps that's something we should do. The 6-unit seems like a relatively modest building. In the visual cultural impact assessment, I'd be curious who I'd be working with for that and maybe a little discussion about the best vehicle to make sure people understand. We are going to be modeling this in 3D. I think we can view it in 3D. That may be the best way to treat this as people can walk through and get views from very specific places. But that's something that I think we could put together as well.

So the exterior of the building really has not changed. We're really still reflecting the contract zone elevation on Saco Avenue, and we're reflecting the height and size of it on Fern as well. This really has not changed in the last meeting. So if you want to discuss that in more detail, I'm happy to do it. But perhaps I'll leave it at that. Thank you.

Planning Board Public Hearing and Meeting Minutes  
6/13/24

David Walker: Thank you, Joe. Any comments from board members?

Robin Dube: No. I'm just glad to see you guys are clearing around the property. Now it's looking good.

David Walker: You did do a nice job with the parking because that's going to come up at your public hearing. And you've provided three spaces for visitors. So they won't – the big issue with abutter is just going to be parking on the street.

Joe Delaney: *[Inaudible]* [01:52:30].

David Walker: Yeah. Nice job. Thank you. So you've got some work to do with Jeffrey. And we'll see you maybe next month? Fingers crossed. Okay. Thank you very much. Have a good night. Sorry to keep you so late. Jeffrey, can you move them up to the front of the list next time?

Jeffrey: Yeah. If the - and I these agendas are such - I - believe me, I think about that with an agenda like this. I feel bad about putting people at the rear. But I also have to remember the people in front of them were also at the rear at one time. So...

David Walker: Yeah.

Jeffrey: You know, it's...

David Walker: I'm just kidding you, anyways.

Jeffrey: Thank you.

David Walker: Yeah. Yeah. They're trying to wear us down. That's what they're trying to do.

Jeffrey: But I do think...

David Walker: All right. So out of business, I just want to remind everybody to sit around, hang around, and sign the Red Oak Findings of Fact Sheet. You got that, Jeffrey?

Jeffrey: I have it.

David Walker: Michael does. Okay. Anything for good and welfare?

Robin Dube: Good night.

David Walker: Huh?

Robin Dube: You said on the good and on the good and welfare. Good night.



Planning Board Public Hearing and Meeting Minutes  
6/13/24

David Walker: Good night. Just so you all know I've been assigned grand jury duty from July through December, okay, six months. So I should be able to make every meeting as long as I'm not sequestered for something and I don't know if they even sequestered grand juries, because they're held in secret most of the time. So anyways, I will let you know if I'm unable to make a meeting. And with that, motion, any motions to adjourn?

Robin Dube: Motion to adjourn.

Chris Hitchcock: Second.

David Walker: All right. Robin motioned, second by Chris, and it's unanimous. I can tell by that packing. So thank you very much everybody for a great meeting tonight. I didn't think we'd get through this.

Chris Hitchcock: Yeah.

Jeffrey: You did well.

David Walker: Yeah. And a lot of that's due to the hard work that our staff did prepping here.

Jay Kelley: We did.

Jeffrey: Thank you.

David Walker: All right. Well, meeting adjourned.

**I attest the above minutes were approved by the Old Orchard Beach Planning Board on 8 August 2024.**

***Jeffrey Hinderliter, Town Planner***