

Old Orchard Beach Planning Board Site Walk & Workshop Minutes

Thursday, October 7, 2010

SITE WALK

Site Walk: 5:45pm at 173-175 Portland Avenue. Conditional Use: Proposal to approve Accessory Dwelling Unit. MBL 101-1-14 in RD District. Applicant and owner is Mark Norwood.

Site Walk called to order at 5:49 pm

Members Present: Win Winch Chairman, Eber Weinstein, Tianna Higgins, David Darling, Don Cote

Members Absent: Mark Koenigs **Staff:** Staci Grazioso and Gary Lamb. **Owner/Applicant:** Mark Norwood

WEATHER CONDITIONS: cool evening, plenty of day light.

No abutters attended the site walk. Site walk began with **Mr. Lamb** explaining the changes that had been made to Mr. Norwood's property, i.e. location of entrance is now subordinate. Entry is through a heated living space at the front entrance of the garage. A brief walk-thru the house was done with all Board Members. Outside Mr. Norwood let all know that there is now only one meter for 173 and walked us over to see. There is a separate heating system for the 1st dwelling.

Mr. Lamb asked if anyone had any questions. No questions from anyone.

Site Walk Adjourned at 5:56 pm

WORKSHOP

Call to Order at 6:06 pm

Members present: Win Winch Chairman, Eber Weinstein, Tianna Higgins, Don Cote, David Darling

Members absent: Mark Koenigs. **Staff:** Staci Grazioso and Gary Lamb.

ITEM 1: Discussion: Continued Review and Public Hearing on October 14, 2010: Proposal to approve Accessory Dwelling Unit located at 173-175 Portland Avenue, MBL 101-1-14. Applicant and owner Mark Norwood

Chairman Winch acknowledged that the applicant/owner of 173/175 Portland Avenue, Mark Norwood was attending the meeting after the site walk.

Mr. Lamb stated to board that the application was complete last month and that we just had the site walk. He has given copies of all information needed on applicant's property including the application, photo, etc. Mr. Lamb directed board to go to page 4 or 5 in the staff notes under section 78 – 1272. Stating to the board that they now need to make a decision on egress and whether or not the property located at 173-175 Portland Avenue meets it. Mr. Lamb stated that the staff is not going to make a call; the board will make the decision. His recommendation is that if the board is satisfied with the configuration of the stairs and that the staff is ready to recommend approval.

Chairman Winch asking if anyone had any further questions. No further questions. He thanked Mr. Norwood for making the trip in.

ITEM 2: Discussion: Review status of Shoreland Zoning changes in preparation for continued Public Hearing at October 14, 2010 meeting.

Mr. Lamb explained to the Board what they have in front of them. Included in the information are the September 23rd Public Hearing minutes as well as September 2nd minutes. Hoping to give everyone September 9th minutes at the next meeting.

Chairman Winch asked Board members to read these over and bring them next week

Mr. Lamb Questions were brought up at that meeting why after JT Lockman did his draft why did I give it to Chris Vaniotis and why did he make so many changes? Mr. Lamb went and met with Mr. Vaniotis and what the board has in front of them are the answers to help clear up some of the questions people had. You have a letter on Berstein Shur stationary and a key in the back for the bright red letters that he put in the margins of Chapter 78 text. He explains his reasons for changes.

Mr. Lamb stated that he was prepared to go through the entire document and touch on the changes that have been made. Chris wrote a very good letter. If there is something in red and you don't like we can change it.

Ms. Higgins asked if we think that this will answer Councilor Dayton's questions?

Mr. Lamb he explained to the board that Robin will be in to meet with him tomorrow

Mr. Darling asked if some of the changes she requested are they going to be addressed

Mr. Lamb absolutely, they have been made in the document

Mr. Lamb thank you for asking that. Let's go right to the table. Mr. Lamb discussed some questions Robin had brought up at the Public Hearing. (Creation of new hiking trails) she questions whether the PP (Public Park District) has a yes in there. Mr. Lamb stated what if we wanted a boardwalk on the beach? The Town Attorney was very liberal in using yes's instead of no's because the Town Council controls everything that goes on at the beach. Mr. Lamb stated that this is something that Robin and he will spend a lot of time on tomorrow.

Mr. Lamb stated that it is up to the Board whether or not they want to continue to allow commercial activity in the RA yellow Zone. There is commercial activity in that area now. As establishments go out of business, they will not be replaced if commercial activity is prohibited in the RA zone.

Ms. Higgins who originally put the no there?

Mr. Lamb I believe that was JT

Mr. Lamb directing the Board to page 60, # 28 A & B under essential services were changed to no's that are in yellow. Backing up to #24 piers, docks and wharves Mr. Lamb was explaining the information that was in there.

Chairman Winch what was the zone that Robin wanted to put in?

Mr. Lamb I don't think she was in favor of the Public Park creation at all and she preferred Resource Protection for the beach

Mr. Lamb that's the only one that it would really go in and we can do that

Chairman Winch in others words we can strike that whole thing

Mr. Lamb goes up to the map to point out the Board what he and Chris noticed that this area of Limited Commercial LC and a little piece of the RA goes all the way down to the water. There is no indication on this map that there is any public beach in front of those properties. Mr. Lamb does not feel that this is correct and is having Tom Burns look into it. He is hoping by next week Mr. Burns will have an answer on as to why it extends so far out.

Mr. Weinstein stated that he believed that he asked that last time, discussing in front of the Royal Anchor and there is a couple other places as well.

Mr. Lamb we need an answer on this because we need public beach to be in front of that. Town ownership is the start of the SPP buff colored layer.

Ms. Higgins asking what the yellow highlighted section is

Mr. Lamb explaining that the items in yellow are all the recent changes (from 2 days ago)

Mr. Lamb turn to the first page Mr. Lamb explains that "aggrieved party" was taken out by Mr. Vaniotis because it was not in the text

Mr. Weinstein so the underlined items are put in, the cross out is taken out; the underlined and crossed out are removed.

Mr. Lamb that is correct, anything done in red or yellow was done by Vaniotis.

Mr. Lamb asking Chairman Winch if he wants him to continue on. The Board seems to understand changes, items that have been added or removed. Board stating they would like to take it home and read it.

Chairman Winch discussing next week procedurally, are we voting on the whole thing?

Mr. Darling we can't go through the whole thing, that would be a two day process

Mr. Lamb he stated that he would be pleasantly shocked if we made it through the entire document next week.

Ms. Higgins the reason to extended the Public Hearing is because more people are talking about it now

Chairman Winch the Public Hearing was underwhelming in attendance, wouldn't you agree? I will be surprised if we have more than one or two people here next week for the hearing.

Mr. Lamb Tom Burns will not be here next week, JT Lockman will be here

Mr. Lamb asked the Board to look the document over and feel free to ask him any questions that they may have

Mr. Lamb stated that they could set something up for two weeks from now if need be. As soon as all changes are accepted we are pretty close to being done.

Mr. Darling so if I understand correctly, if we need another meeting we can have one?

Mr. Lamb yes, your under no pressure to vote on this next week. We need to get this done as soon as we can

but that doesn't mean you can't take more time

Ms. Higgins when you give this to Council you will be taking out all the red so it is just black

Mr. Lamb yes, when it comes from you it should come in as all underlined and strikeout in black

Mr. Lamb in his mind as soon as the Board is done, the Town Council meeting can set a Public Hearing for Shoreland Zoning at their next meeting

Mr. Lamb asked Chairman Winch if he wanted him to prepare anything else for next week

Mr. Lamb stated that he had nothing else

Chairman Winch checked with all members, no one had anything else to add to the meeting

GOOD & WELFARE

none

Workshop adjourned at 6:33 pm

I, Staci Grazioso, Secretary to the Planning Board of the Town of Old Orchard Beach, do hereby certify that the foregoing document consisting of one (3) page is a true copy of the original minutes of the Planning Board Site Walk and Workshop of October 7, 2010.