## TOWN OF OLD ORCHARD BEACH PUBLIC HEARING/PLANNING BOARD MEETING MINUTES Thursday, March 11, 2010 at 7:00pm in Town Council Chambers

Call to Order at 7:00pm	Call to Order
Pledge to the Flag	
<b>Roll Call</b> : Win Winch, Don Cote, Tianna Higgins, Mark Koenigs. <b>Absent:</b> Karen Anderson,	
Eber Weinstein. <b>Staff:</b> Jessica Wagner & Gary Lamb.	
<b>APPROVAL OF MINUTES</b> : February 11, 2010 Meeting Minutes	MINUTES
Mr. Koenigs motioned to approve the February 11, 2010 minutes.	Motion
Mr. Cote seconded.	
Motion Carries 4-0	Vote
ITEM 1: <u>Issuance of Design Review Certificate</u> : 8 West Grand Avenue, MBL 307-3-1 in	ITEM 1
DD1 Zoning District, façade renovation (Based on DRC recommendation).	1112141 1
Mr. Koenigs: The material on this building is made up of vinyl siding and trim. The Design	
Review Ordinance specifically discourages vinyl materials. In the Draft Findings of Fact, it	
states "many newly renovated buildings in downtown Old Orchard Beach have included this	
type of siding material". As a former member of the DRC, I remember allowing vinyl siding	
on the second stories of buildings, but not on the first story. I would like to know why this	
vinyl material is allowed if it is discouraged by Ordinance and where this statement came	
from in the Findings of Fact. I would also like to know what the simulated stone along the	
bottom of the building is made out of.	
Ms. Wagner: (Handed out the Materials Pallet sheet submitted to the DRC) This sheet	
shows the proposed vinyl siding and simulated stone cement. These clapboard and shingle	
style materials are commonly used in the downtown area. It was selected by the building	
owner and allowed by the DRC because it is low maintenance and looks like wood. This	
building currently has wood siding and it is in terrible condition. They owners wanted to	
avoid this with the renovations. The statement in the Findings of Fact was taken from the	
architectural comments submitted to the DRC with the application. The Committee agreed	
with this statement. The DRC felt the proposed vinyl siding (designed to look like wood	
shingles and clapboard) met the intent of the Ordinance. The simulated stone material at the	
base of the building is composed of concrete. This is also supposed to appear as though it is a natural material.	
Mr. Koenigs: This building needs to be renovated. I just want to make sure it is done in	
compliance with the Ordinance. I suppose the vinyl material today are much better than the	
vinyl materials available 10+ years ago when this Ordinance was written. Perhaps this	
Design Review Ordinance needs to be revised.	
Mr. Lamb: It is in the hands of the Ordinance Review and Design Review Committees	
revise this Ordinance. They know they need to make changes here. It needs to be done. The	
Ordinance Review Committee is going through everything, but they have not gotten to	
Chapter 78 yet.	
Ms. Higgins motioned to grant a Design Review Certificate to 8 West Grand Avenue, MBL	Motion
307-3-1 in DD1 Zoning District.	
Mr. Cote seconded	<b>T</b> 7.4
Motion carried 4-0	Vote
ITEM 2: Conditional Use Amendment Review: Determination of Complete Application:	
Smith's Garage, located at 2 Whispering Pines Drive, MBL 105-1-16 in the RD Zoning	ITEM 2
District.	

	Page 2 of 5
Mr. Lamb: You have been given the findings of fact from the original 2004 approval. The visual buffering is the primary issue on this application. There is also the relocation of parking on the application. There is sufficient information to determine this application complete.  Mr. Winch: Let's schedule the formal Site Walk and Public Hearing for the following times:  Site Walk at 6:20pm on April 1, 2010  Public Hearing at our meeting on April 8, 2010  Ms. Higgins motioned to determine the application complete.  Mr. Cote seconded  Mr. Koenigs: I have reviewed the application, and I have reviewed the previous conditional approval. I am an engineer and am trying to figure out how the town has handled the trip generation. The application says there will be 8-10 trips per day. In the AM hours, it says 8-10 trips and the evening hours it says 3-6 trips. These numbers don't add up. I want to clarify the trips generated on a daily basis.  Mr. Smith: I am not increasing anything that is not already happening. This application is not to add more business. This application is about the buffer and a relocation of parking at an existing Conditional Use business.  Mr. Koenigs: In the application, it states your business hours will 7am to 6pm Monday — Saturday, and hours will be extended until 9pm on Tuesday and Thursday. The current Findings of Fact indicate that you are not supposed work beyond 6pm. Have the business hours have also changed from the previous approval?  Mr. Smith: I am trying to update the 2004 Findings of Fact to show what has been going on for years. Nothing is increasing or changing, but the hours of operation will reflect what has been happening. I do not work on Sundays, but I am requesting to work until 9pm on Tuesdays and Thursdays.  Mr. Cote: when you originally opened this business, did you have a second job?  Mr. Smith: yes, I used to work at a dealership when I opened this business.  Mr. Koenigs: I just read in the newspaper about Kate's Butter growing out of its conditional use. Does this busin	Motion
Conditional Use and does not have the same restrictions as a Home Occupation.  Motion carries 4-0	
Motion curres 4 0	Vote
<b>ITEM 3</b> : <u>Site Plan Review</u> : Determination of Complete Application: Royal Anchor Motel offsite parking lot at MBL 202-1-5.	ITEM 3
<ul> <li>Mr. Lamb: there is new information submitted since the Workshop last week. The applicant has made the proper changes to this application, and has enough to be determined complete.</li> <li>Ms. Higgins: are you planning on having the dumpster on this parking lot?</li> <li>Mr. Bureau: We currently have the dumpster and we were planning on having a dumpster at this new site, close to the marsh.</li> <li>Mr. Koenigs: how will you move the trash between the motel and the dumpster across the street? How will a large truck get to the dumpster to carry the trash away?</li> <li>Mr. Lamb: It is a good idea to move the dumpster directly in front of the entrance, so trucks will not have to make that turn.</li> <li>Mr. Koenigs: you have the spaces marked on the plan, but will they be marked on the surface?</li> <li>Mr. Bureau: It will be gravel. No lines will indicate the parking space locations.</li> <li>Mr. Koenigs: do we have standards for parking lots? Is it required to be paved? Will we have a detail of how the surface will be composed?</li> </ul>	

Mr. Koenigs motioned to determine the application complete.	Mation
Ms. Higgins seconded.	Motion
Motion carried 4-0	Vote
Mr. Winch scheduled the following site walk and public hearing:	, 555
• Site Walk at 5:30pm on April 1, 2010	
• Public Hearing at our meeting on April 8, 2010	
TEM 4: Site Plan Review: Determination of Complete Application: Proposed Police Station	ITEM 4
on E. Emerson Cummings Blvd, MBL 207-3-1.	
Mr. Tom Emery (Stantec): we took this project from concept design to final design. He	
explained the one-way drive and angle parking, the location of the gates, and the secure	
encing. There are 14 parking spaces for the general public and 52 secured spaces that will be	
for police staff and cars. We have not disturbed enough area for a DEP stormwater permit.	
We are extending 350ft of sewer up E Emerson Cummings. There will also be a sewage	
grease trap in the rear of the building to pick up pollutants from the garage. There will be	
lowering trees along the side walk, large deciduous trees between the school and the	
proposed police station. The total disturbed area is about 40,000 sf. The total impervious	
area is about 29,000sf.	
Mr. Koenigs: does the lot size meet the standard? We have had a lot of planning on this	
Ballpark area, but I want to know how this was planned? I don't have a problem with this	
site, but I want to know why this project was placed here. We are not really planning this site.	
would like to know how the Town Council convinced the Town Planner this was a good	
dea.	
<b>Mr. Lamb</b> : a new lot in the PMUD district needs to be 19 acres in size. We cannot create a	
new non-conforming lot. Some deed work is still in the hands of legal counsel between the	
Γown and the RSU. I don't know that the lot lines have been settled. We hope they will be	
pefore final approval.	
Mr. Emery: when the issue of this being a larger lot first came up, we needed to define this	
lot as a part or separate from the ballpark for our DEP permit. If it was on the same parcel as	
the ballpark, we would need to amend the site location permit. The DEP has reviewed the	
plans and the deeds and determined this is not to be considered as part of the Ballpark	
property.	
Mr. Koenigs: I would like the Town to know that this is not a planned project in the sense of	
ong range planning. A small group of individuals have decided that this is a good spot for a	
police station, and have decided to circumvent the proper planning of this parcel. I have	
several issues with this application, and I do not believe it is a complete submission.	
Mr. Lamb: Please submit your review comments to the Planning Department as soon as	
possible so that we can include it with our comments to the Applicant.	Motion
Ms. Higgins motioned to determine the application complete	Motion
Mr. Cote: seconded	Vote
Motion carries 3-1	, 510
Mr. Winch scheduled the following site walk and public hearing:	
• Site Walk at 5:45pm on April 1, 2010	
• Public Hearing at our meeting on April 8, 2010	
Mr. Lamb: will the lighting fixtures be full cutoff fixtures?	
Mr. Emery: yes, it will be.	
<b>Mr. Lamb</b> : It should also be noted that the stormwater currently has an increase of .08cfs and	
we have zero increase policy for stormwater runoff. This needs to be amended in the next	
submission.	

	T
ITEM 5: Site Plan Review: Determination of Complete Application: Proposed CMP Substation and Private Way, located off of Vallee Lane, MBL 107-2-34 and 107-2-27.	ITEM 5
Mr. Harding (Amec): This is part of the Saco Bay Reinforcement Project. This project runs	
from Saco to Biddeford. He explained the overview of this whole project. In regards to the	
substation itself, it will be accessed through the Blow Brothers property off Smithwheel Road.	
A new private way will be constructed to Town Private Way Standards. There is no sewer or	
water connection. The electrical is an inter-station connection. There will be four perimeter	
lights that will have cut-off fixtures and will be on all of the time. We will also have larger	
flood lights we will use only when personnel are working at the site. Power Engineers is	
working with peer review in regards to an increase in stormwater runoff. The DEP considers	
the filtration stormwater system as equivalent to zero run-off, but the municipal Ordinance	
does not. Most of the time, this filtration system would lower the peak flow. In the 25 year	
storm event, there is an increase in post development flow. We will be working with the	
Power Engineers to ensure there is no increase in runoff. This will ensure we meet your	
ordinance standards.	
<b>Mr. Winch</b> : do the transformers have oil? If so, could they leak?	
Mr. Harding: yes, they do have oil. If it leaks, the stormwater filtration system will take	
care of the spill and we will clean it up as soon as it is detected.	
Mr. Koenigs: motioned to determine the application complete	Motion
Mr. Cote seconded	Monon
Mr. Lamb: staff/the board doesn't have any wiggle room for an increase in stormwater	
runoff. You have plenty of room around the filtration area that could store water. Can you	
use this as a storage area?	
Mr. Harding: there are several ways we can mitigate this stormwater runoff. We will find a	
solution.	
Motion carries 4-0	Vote
Mr. Winch scheduled the following site walk and public hearing:	
• Site Walk at 6:00pm on April 1, 2010	
• Public Hearing at our meeting on April 8, 2010	
<b>ITEM 6</b> : Discussion of draft Chapter 78 Shoreland Zoning changes and setting of public hearing for same on April 8, 2010.	ITEM 6
Mr. Lamb: I originally had April 8 <sup>th</sup> scheduled as a public hearing, but this has been bumped	
up. We may have a simple presentation next month instead. These are State mandated	
Shoreland Zoning changes, and there will be at least two public hearings before these changes	
are approved by Council.	
GOOD & WELFARE	
Ms. Heather Ebenhoeh (124 Ross Road): I have a packet for the Planning Board in regards	Smith's Garage
to Smith's Garage. I am giving it to you now so you have it for the Planning Board Site	Simul 5 Garage
,	
Walk.	
<b>Ms. Higgins</b> : I think it is overly ambitious to have four site walks in one evening. We should	Site Walks
carpool.	
<b>Mr. Winch</b> : let's meet at Town Hall at 5:25pm and carpool from there.	
Mr. Higgins: our process for Planning Board is too fast. There should be a preliminary	Process
review in all phases.	
<b>Mr. Lamb</b> : This is a good point. You can always table it if you need more time for review.	

Meeting adjourned at 9:00pm	Adjournment
with the new ballpark renovations and the tournament this spring, it makes it difficult to plan future development on this parcel without knowing the future of the stadium.	
Mr. Lamb: Andrea Berlin and I discussed the need for a long range planning process, but	Planning
Mr. Koenigs: What happened to community planning for the ballpark parcel?	Ballpark
Mr. Voorigg, What ham and to community planning for the hallmark named?	D. II.
<b>Mr. Lamb</b> : I agree with that. We will address this before the season starts this year.	
lot? I feel he should have a license for that.	
Mr. Cote: Does the existing commercial parking lot have a business license for his parking	Royal Anchor

I, Jessica Wagner, Secretary to the Planning Board of the Town of Old Orchard Beach, do hereby certify that the foregoing document consisting of five (5) is a true copy of the original minutes of the Planning Board Meeting of March 11, 2010.