

Old Orchard Beach Planning Board Workshop Minutes
Thursday, February 3, 2011

Call to Order at 6:06 pm

Members present: Winthrop Winch Chairman, Eber Weinstein, David Darling. **Members absent:** Mark Koenigs, Tianna Higgins, Don Cote, **Staff:** Mike Nugent. **Others:** David Ordway, Attorney.

ITEM 1: Discussion: DEP Approval - Land's End Subdivision (FKA Begin Enterprises). Single Family Subdivision off Easy Street & Ross Road. MBL 107-1-2 in the Rural District. Owner Eric Begin; Agent is BH2M

Chairman Winch stated that Item 1 was just approving the rephrasing. He stated that from the submissions he has fulfilled all the other obligations.

Mr. Nugent stated that he sent the information off to Stephanie Hubbard from Wright Pierce, and she had a few questions regarding drainage.

Discussion ensued regarding the changes in phasing, and the board felt that this was complete, and it will be moving forward to the next scheduled meeting on February 10, 2011. There was a challenge initially with the DEP which has taken approximately two years to have the applicant work out.

Chairman Winch stated the changes have been in the phases, and he felt that Mr. Begin wanted to get at least one lot going. He then stated they would move on to Item 2.

ITEM 2: Discussion: Clarification/Modification on conditions of approval

Cherry Hill – Dunegrass Section B multi-family style condo units to 24 single-family style condo units. MBL 105A-1-B in the PMUD. Applicants Ron Boutet & Cary Seamans, Agent is BH2M

Mr. Nugent explained if the board chooses this will be on the agenda for next Thursdays meeting.

Chairman Winch questioned whether with all the testing that has been done, it is being taken into consideration the size of the pipe, which he believed with 1-1/2" pipe.

Mr. Nugent clarified that pipe goes from the pump station down Wild Dunes Way. There was discussion about the size of the pipe. Mr. Nugent stated that according to both BH2M and Wright Pierce the temporary pump station in place now will continue to serve this subdivision and potentially the build-out. The applicant, and staff also feel that he does not need to keep the 150,000 there doing nothing. Stephanie's recommendation was to test every five houses. After talking to both engineers the large pump station may never be needed.

According to the developer he is escrowing money from each lot into something else as part of the original agreement with the development. He stated he would get more details about this for the next meeting.

Mr. Weinstein asked about capacity for each house and how to figure this out.

Mr. Nugent referred to a memo from Wright Pierce which spelled out the capacity calculations.

Mr. Weinstein asked if any of the houses have sold.

Mr. Nugent stated that he has sold 2, and has one under contract. Whatever capacity the board feels comfortable with as far as the pump station staff will then go back to the engineers and revisit this.

ITEM 3: Discussion: Determination of Completeness Site Plan Review

Hid N' Pines Campground Expansion (moving in excess of 100 cubic yards of gravel from one section to another) – located at 8 Cascade Road. MBL 104-1-4 into 104-1-30 in the Rural District. Owner and Applicant is DGA Enterprises, Agent is BH2M

Mr. Nugent explained the need for the applicant to use the gravel from one site at another, but it constitutes mining because it is more than 100 cubic yards. If it was used for agricultural uses they would not need to come to planning board. This is in the ordinance.

Chairman Winch asked about abutters.

Mr. Nugent explained this is far away from abutters.

Chairman Winch stated the board needed to determine completeness.

Mr. Nugent explained at the 2-10-11 meeting it will be put on the agenda for a public hearing, and then approval will come after.

Mr. Weinstein asked if it has been advertised.

Mr. Nugent stated yes.

Mr. Darling asked what they will be doing after taking the gravel out.

Mr. Nugent stated it must be loamed and vegetated. It cannot be an open area. This will be in the findings of facts.

Chairman Winch asked if there was a check list of things that need to be done due to the “mining” aspect.

Mr. Nugent stated there has to be some grading, etc.

Chairman Winch moved on to Item IV.

ITEM 4: Discussion: Amendment to Site Plan Revision Hid N’ Pines Campground Expansion – located at 8 Cascade Road. MBL 104

Mr. Nugent explained the change from their original approval. The original wastewater disposal proposal consisted of forced mains and pump stations to dump back into their existing system. Their engineers demonstrated they could do this all from gravity and dump into Portland Avenue pump station.

Mr. Weinstein asked if this was close to capacity.

Mr. Nugent stated that there was a memo from Stephanie at Wright Pierce stating it did not seem that capacity was an issue.

Mr. Weinstein asked if this was just sewer or groundwater as well.

Mr. Nugent stated this was just sewer. He also pointed out the email from DPW director Bill Robertson, as he had some things he wanted clarified.

Mr. Weinstein asked if there were any restrictions with this being a seasonal business.

Mr. Nugent stated no.

Mr. Weinstein asked how they were going to get from Hid’n Pines to Portland Avenue.

Mr. Nugent explained they have enough land to get to Portland Avenue, but the concern is for this not to look like something like the Eastern Trail and to have adequate buffering regarding abutters, etc. The abutters that are affected by this are aware of this and have seen the plans. He has not received comments from them.

Mr. Weinstein asked where their property runs.

Mr. Nugent explained where their property was.

Discussion ensued about the water main and the pump station and where they are located on the site plan.

GOOD & WELFARE

Mr. Nugent explained the preliminary ideas of the owners of Jeremiah’s Cottages. There has been discussion with the town’s attorney regarding process because he originally thought the proposition could not be done, but it seems it can. This is a zoning challenge, and there are concerns and restrictions regarding the zoning. Because it is a non-conforming condition that exists, legally so, there is a section under zoning that talks about appeals from restrictions of non-conforming uses that gives a certain amount of flexibility.

Chairman Winch felt this would be a better development for the town.

Mr. Nugent stated it would be aesthetically better, but also a broader tax base for the town.

Mr. Darling asked if these would be seasonal or year-round.

Mr. Nugent stated that the town should not restrict the timing of use.

David Ordway, explained the proposed use.

Mr. Darling asked if the current cottages were on piers and if the new structures would be on slabs.

Mr. Ordway stated not a full foundation. These would be designed for seasonal use.

Mr. Weinstein felt there was nothing in the ordinance that would determine seasonal use.

Mr. Nugent stated there is nothing as far as date, but as far as if a property is equipped for year-round use, such as a heating system, etc.

Ken Hirst, contractor explained the project in a little more depth.

Mr. Nugent stated he felt that there was a way to go forward for a major subdivision approval.

Mr. Darling felt this was brilliant and had little or no impact to the town.

Mr. Weinstein asked what their next step was.

Mr. Nugent stated for them to just come in and apply.

Workshop adjourned at 6:45 pm

I, Tori Geaumont, Secretary to the Planning Board of the Town of Old Orchard Beach, do hereby certify that the foregoing document consisting of two(2) pages is a true copy of the original minutes of the Planning Board Site Walk and Workshop of February 3, 2011.

Tori Geaumont