

TOWN OF OLD ORCHARD BEACH
PUBLIC HEARING PLANNING BOARD MEETING
WORKSHOP MINUTES
Thursday, November 7, 2013
6:00 P.M.
Town Council Chambers

Call to Order at 6:04 pm	Call to Order
Pledge to the Flag	
Roll Call: Carl D'Agostino, Win Winch, Mark Koenigs, Mike Fortunato, Eber Weinstein. Absent: David Darling Staff: Jeffery Hinderliter; Town Planner Valdine Camire; Administrative Assistant.	
APPROVAL OF MINUTES 10/10/13	
<p><u>ITEM 1</u> Proposal: Site Plan Review, Shoreland Zoning: Remove single-family dwelling & garage; construct new building for 3-unit lodging use Action: Update; Final Review Owner: Friendship Motor Inn, Inc. Location: 25 Puffin St., MBL: 302-6-9</p> <p>Jeffrey Hinderliter informed the Board Members that there has been some new information on this item that address the concerns of both the Planning Board and abutters of not only 25 Puffin Street but also 32 Puffin Street as well. The building will now be a two unit lodging and the lighting will be on a short duration motion sensor.</p> <p>Mike Fortunato stated that since the parking is a big issue, why not make it more inclusive of the Friendship Motel and open up the gate? Legally they need 3 parking spaces and they are providing 4 parking spaces. 1.5 parking spaces per unit because it is considered a lodging use. All agreed that the applicant has made some effort to accommodate the concerns.</p>	<u>ITEM 1</u>
<p><u>ITEM 2</u> Proposal: 53 seasonal dwelling units: Change from seasonal use to year-round use Action: Update; Final Review Owner: Bernie Saulnier Location: 180 Saco Ave., MBL: 208-1-1, in the GB-1 & R4 Zone</p> <p>The applicant is proposing that the road is not going to change. They are also proposing to give a more detailed maintenance plan to address the extra maintenance that will be required for the road in the winter as well as a snow dumping ground.</p> <p>Mr. Hinderliter stated that he has been in touch with Stephanie Hubbard, our Town Engineer who is ultimately looking for protection for the town. Ms. Hubbard feels comfortable as long as there is a proper maintenance plan in place. Mr. Hinderliter also mentioned that if the Planning Board feels comfortable with moving forward with this proposal at the next regular Planning Board meeting then he will recommend that he works with</p>	<u>ITEM 2</u>

their attorney David Ordway, to come up with detailed standards that will be included with their covenants and to bring it back to the Planning Board.

Mr. Hinderliter has some confidence with this because there are very short stretches of road, the speed limit is low and there are no slopes. The risk of ponding around certain areas due to the slope of the road, but he believes that if there is a proper maintenance plan in place that is will mitigate it for the most part.

Win Winch asked how do you enforce this?

Carl D’Agostino informed the Board Members that in Section 78-14/13 it states that this maintenance agreement has to be prepared and submitted to the Planning Board and recorded in the Registry of Deeds. This makes it a binding agreement.

This holds the town harmless and the only course of action from someone that is injured because of poor maintenance or negligence is the developer. In addition Mr. Hinderliter recommends that these roads remain private in perpetuity. According to their covenants, they cannot rent it out 3 months of the year. (January, February and March)

The Planning Board members agreed that it would be worth it to check with the town lawyer to find out if this is legal or not.

Owner Bernie Saulnier informed Mr. Hinderliter that the condo owners already pay for the snow removal and as part of this new agreement, all of the snow removal will be included with the condo fees. It is going to be equal to what they are paying now.

Mr. Hinderliter wants to support a project that will be a benefit to Old Orchard Beach as long as it is planned properly. He wants to see it succeed.

Jeffrey also added that they have had Disorderly Housing meetings at the Police Department on issues that deal with housing (seasonal, year round) parking, etc. And they are going to begin to address these sorts of issues. Jeremiah’s Cottages were brought up because of all of the drug and multiple issues that were happening on that property. Summer Winds coming in did a substantial job to clean it up.

Mr. Hinderliter informed the Board Members that we need to have the maintenance plan be a recorded document that is enforceable down the road.

OTHER BUSINESS:

Mr. Hinderliter informed the Board Members that the new “Preliminary” FEMA maps are located in our conference room. He has been asked by Senator Susan Collins office to comment on an act that has bipartisan support. It is the Menendez-Isakson Homeowner Flood Insurance Affordability Act.

This Homeowner Flood Insurance Affordability Act which will protect millions of homeowners from facing huge flood insurance premium rate hikes and require FEMA to complete an affordability study and propose real solutions to address affordability issues before any flood insurance premiums can be raised in the future.

The FEMA maps are projected to be implemented in 2015. If anyone wants any other information on this bipartisan act they can contact Senator Susan Collins Office.

GOOD & WELFARE ADJOURNMENT EBER WEINSTEIN, CHAIRMAN	
Meeting adjourned at 7:52 pm	Adjournment

I, Valdine Helstrom, Secretary to the Planning Board of the Town of Old Orchard Beach, do hereby certify that the foregoing document consisting of Three (3) is a true copy of the original minutes of the Planning Board Meeting of November 7, 2013.

Valdine L. Helstrom