

**TOWN OF OLD ORCHARD BEACH
TOWN HALL CHAMBERS
TOWN COUNCIL MEETING
Tuesday, May 19, 2020**

A Town Council Meeting of the Old Orchard Beach Town Council was held on Tuesday, May 19, 2020. Chair Thornton opened the meeting at 6:30 p.m.

The following were in attendance:

Chair Joseph Thornton
Vice Chair Shawn O'Neill
Councilor Kenneth Blow
Councilor Jay Kelley
Councilor Michael Tousignant
Town Manager Larry Mead
Assistant Town Manager V. Louise Reid

Absent:

DUE TO COVID-19, THE PUBLIC WILL NOT BE ABLE TO ATTEND THIS MEETING IN PERSON. PLEASE WATCH THE MEETING ON SPECTRUM 1301, OR GO ON-LINE TO WWW.OOBMAINE.COM AND CLICK ON "MEETING VIDEOS" AND WATCH THE MEETING LIVE, AND IT WILL BE ARCHIVED TO WATCH AT A FUTURE DATE.

To Submit Public Comment for Good and Welfare
And Public Hearings – e-mail your comments to:

Councilcomments@oobmaine.com,
Up to and during the meeting until the time of
Good and Welfare or of the Public Hearing.

ACCEPTANCE OF MINUTES: Town Council Meeting Minutes of May 5, 2020; Town Council Budget Workshop Minutes of May 5, 2020; and Town Council Budget Workshop Minutes of May 12, 2020.

MOTION: Councilor Blow motioned and Councilor Kelley seconded to accept the Minutes as read.

VOTE: Unanimous.

GOOD AND WELFARE:

Dear Town Councilors and Town Manager:

Out of concern for the health and safety of the people of the State of Maine, Governor Mills issued an emergency declaration with all the protective measures that we have all been living with the past one month plus. These precautions were understandable in view of what was happening in New York and other hot spots around the country. However Maine, with our sparse population and our general adherence to the social distancing and stay at home directives, have been spared compared to other states. However we must strike a balance between health concerns and the devastating economic impacts the restrictions have had on individual workers and small businesses. We, OOB business owners who depend on the very short summer tourist season for our living are facing an

unprecedented challenge with restrictions as they now stand. Lodging owners must wait until June 1 to rent out our rooms, and then only to Maine residents, (approximately 5% of our business). Out of state visitors will only be able to rent our rooms in July and August after a 14 day quarantine. Might as well cancel the whole Summer ! A typical stay is 3 to 5 days and vary seldom over a week. The impact on our businesses will be severe. I doubt the town will reduce our property taxes nor the insurance companies adjust our premiums to reflect the financial hit we will take. I will suggest to you that in the same spirit that we have adopted the restrictions in our daily lives so far, that we as responsible business owners, out of concern for ourselves, our employees and our guests health and safety can develop procedures to operate our establishments in a manner that will minimize risks to our health. I therefore urge that the Town of OOB engage Governor Mills through our elected state officials and town management to ease the restrictive guidelines as presently constructed adopt reasonable measures that will allow us to have a profitable summer. Thank you for your consideration.

Denis Rioux Representatives of the Sandpiper Motel

Thank you for taking my call this morning. I live in Scarborough and visited OOB yesterday and was shocked by the conditions I found. I would like to know who made the decision to butcher the brick sidewalks along Old Orchard St. to remove/relocate some of the benches presumably to make sure they were six feet apart (photo attached). Permanently destroying the sidewalk was completely unnecessary. This disaster was financed by the OOB taxpayers one of whom is my 87-year-old mother. The quality of workmanship involved in this project is deplorable and completely destroyed the aesthetic quality of the sidewalk and surrounding area. The supervisor and workers involved in this project should all be fired. The raised concrete areas are neither safe nor attractive. The condition of the remaining open gaping areas is definitely not a safe condition to all of those citizens who are trying to enjoy one of our favorite places. Yes, citizens who do not have COVID-19 have some rights as well! As I stopped to view this horrendous condition, another family stopped and could not believe their eyes either. We went on to discuss how this condition as well as all the other COVID-19 related indicators such as signs instructing people not to sit on the beach, police patrolling beaches warning people not to sit down, signs instructing people to wear masks and practice social distancing, stickers (photo attached), and tape on sidewalks marking areas we are allowed to stand, etc., does not exactly provide a welcoming spirit to a state/town dependent on tourism to meet their operating budget. My personal favorite is a sign instructing people waiting to purchase food that only one adult per family/group is allowed to stand in line. Has this now become a Communist country? I am perfectly willing to inform the town of OOB at this time that when I am with my family or significant other at OOB we will all be waiting in line regardless of how the town thinks it can remove my civil liberties at will! Regardless of how legalistic our current disastrous governor is, I would like to remind the OOB Town management that as of yesterday 69 people in Maine have died from COVID-19 most of whom are among our most vulnerable living in nursing homes and assisted living arrangements and in their 80's and 90's. The remainder of people dying from this are older and have other, (sometimes two or three), morbidity factors that we are not privy to. We have over 1,300,000 citizens in Maine who want to enjoy the relatively short summer that exists in this state, along with countless others who are willing to pay to visit our state to enjoy what we used to offer-a welcoming place to enjoy family time together. The message sent by OOB town officials is permeated with nothing but fear, stress, and anxiety. As a mother I worry about what all this messaging is doing to the youngest among us. I see two-year olds being told by their mothers that they need to keep the mask on so they don't get sick. Let's get on board with the facts here and send a more welcoming message to visitors and citizens. Thank you for your time and consideration. Alecia Emrich

The state of emergency declared on April 2, 2020, by the town Manager and Fire Chief has and will devastate Old Orchard Beach beyond repair. Many businesses in Southern Maine have already gone bankrupt, due to the harsh, unconstitutional lock-down of the state, including many cities and towns. Our economy cannot and will not survive the extended shutdown that has been ordered. If people don't get back to work and open their businesses, the consequences will be far more devastating than the pandemic officials are fearing. Is this a valid reason for people to go bankrupt, descend into poverty, and abstain from human contact? Fear and policies barren of scientifically accurate data will obliterate the town and the state. Yes, more people coming into the state does pose a risk- however, Maine and OOB business owners are very capable of operating their businesses in a safe and effective manner. Look at all the big businesses that are open and exposed on a daily basis while implementing proper strategies. In the past couple months we and many out-of-staters attend supermarkets, big retailers, liquor stores, and hard-ware stores- but not small businesses? Restaurants are only allowed curbside pickup- yet anyone can walk into a gas station touch anything and walk up to the register? People can pull up less than 6 feet to a fast food takeout. Now, you can get your haircut with someone touching you. Federal and state government officials signing government legislation regarding the virus while not wearing masks, or social distancing but demanding everyone else does? Hotels and motels can only rent to essential workers (who are exposed to the general public more than anyone) and people who will be homeless. Some ideas I heard: half occupancy or 24 hours between stay overs? Please explain the science and logic behind this. The virus can be killed with disinfectant and/or soap and water in seconds. Half occupancy? So the wall between rooms is not enough? What about social distancing? Wearing masks? Not being able to sit on the beach, but you can walk or jog? Can you see the flawed logic in all this? Is this for the greater good? Poverty kills 850 thousand people per year. Homicides, suicides, and domestic disputes are on the rise in Maine. By following the Governors orders, FAR more harm will be done than good. According to the "Emergency Declaration and Order" the state of Civil Emergency was declared by the Town Manager and Fire Chief. Why is there not a meeting held concerning these issues? Resident should be allowed to attend meeting virtually like most other towns. This should be a priority on the budget. Do 1 or 2 people determine the fate of our Town? I have heard of other towns able to rescind the Governors recommendations; Newport beach and Hamden to name a couple. A vast majority of other business owner agree we should establish a committee and have a crucial meeting to further discuss these matters. Can the town Manager, Fire Chief, The Chamber and City council have a meeting with its entrepreneurs to devise a plan that will allow us to open for business while establishing safety measures for our residents, customers, families and friends. Isn't it worth a shot to save businesses, families, and our economy from disaster? We are willing to sit down and develop guidelines for "Hotel Virus Control" and implement our "Bleach the Beach" program! Let's get excited and focus on effective management.

CHAIR: I open this Public Hearing at 6:42 p.m.

PUBLIC HEARING BUSINESS LICENSES AND APPROVAL:

Deb Dolan & Lisa Kidd dba/Kiddo LLC (324-17-1), 13 Colby Avenue, one year round rental;
and Deb Dolan & Lisa Kidd dba/Café 64 (206-31-7-B), 35 Old Orchard Street, Café/Bakery –
Victualers with Preparation, No Alcohol.

CHAIR: I close this Public Hearing at 6:42 p.m.

MOTION: Councilor Kelley motioned and Councilor Blow seconded to Approve the Business Licenses as read.

VOTE: Unanimous

PUBLIC HEARING LIQUOR LICENSE APPROVAL – NEW:

CHAIR: I open this Public Hearing at 6:43 p.m.

Karen Novak dba/YKnot Restaurant & Bar (206-27-13E), 8 Heath Street, m-s-v in a Restaurant/Lounge.

CHAIR: I close this Public Hearing at 6:43 p.m.

MOTION: Councilor Tousignant motioned and Councilor Blow seconded to Approve the Liquor License as read.

VOTE: Unanimous.

TOWN MANAGER’S REPORT:

The Town Manager updated the Council on the COVID virus and indicated that in discussions with other Town Managers we have been able to provide safety and social distancing policy within the community. Our concern has been the safety of the residents of Old Orchard Beach. There have been repeated conversations with other Town Managers so there is a broader public exposure to information that is helpful and a true effort to address unexpected crowding since the beginning of the summer season is in front of us. He spoke about the ability to assure social distance at the food take out stands on Old Orchard Street. He indicated there had been some issues with the Campground policies which were being addressed by the Administration. The Town is carefully addressing the self quarantine requirements of the State. Town Hall will be reopening Tuesday, May 26th with controlled hours in the building and modifications to addressing business needs. The Town Manager also mentioned that parking meters will go up this weekend.

TABLED ITEM: #7210 - Discussion with Action: Consider granting to Mezoian Development LLC. a 50’ wide easement on Town property located on Ross Road, Assessor’s Map 107, Block 2, Lot 18, for the purpose of providing access from Ross Road to a proposed 34 lot residential subdivision. In return for granting the easement Mezoian Development LLC will convey to the Town a 27 +/- acre parcel of land that is contiguous to the existing Town property.

The item for consideration this evening is:

7210 – Discussion with Action: Approve the conveyance to Mezoian Development LLC of a 50 foot wide easement on Town property located on Ross Road, Assessor’s Map 107, Block 2, Lot 18, for the purpose of providing access from Ross Road to a proposed 34 lot subdivision, and accept from Mezoian Development LLC the conveyance to the Town of a 27+/- acre parcel of land, contiguous to the existing Town property; and to authorize the Town Manager to develop and execute the necessary deeds and documents associated with the same.

Since the last Town Council Meeting the Town Manager has reached out to residents of Ross Road in which he provided an update:

Dear Ross Road Resident:

The Town Council will at its May 19 meeting resume consideration of the request by Mezoian Development for the Town to grant an easement on Town property to be used as an access road to the proposed 34 unit subdivision. Numerous comments were received from nearby property owners prior to the May 5 Town Council meeting. The Council tabled consideration of the easement request to its May 19 meeting so that Councilors could take time to read and give attention to this input.

If you have not submitted comment on the proposal, or wish to provide further comment to Council, you may do so by email at councilcomments@oobmaine.com.

Please do so by 2:00 pm, Monday, May 18, so that your submittal may be forwarded to members of Council in advance of the meeting.

The May 19 meeting begins at 6:30 pm. It will be held as a virtual meeting due to the COVID-19 restrictions. You may view the meeting live either on Spectrum cable channel 1301 or on line through the Town's website at https://townhallstreams.com/towns/oob_maine

Responses to Ross Rd Sumter Landing Abutter Comments
Prepared by the Planning Department

Traffic and infrastructure impact-

The Planning Board (PB) will review applicant responses to Subdivision criteria. These have specific requirements including that the subdivision will not cause unreasonable highway or public road congestion or unsafe conditions with respect to use of the highways or public roads. These criteria also require that the proposed subdivision will not place an unreasonable burden upon local, municipal or governmental services.

Intersections created-

As part of this proposal the applicant has reviewed DOT High Crash Location (HCL) data and reported there are no HCLs within the project area. The applicant has also sited the proposed road entrances to meet the required site distances. Our peer review engineer (Wright-Pierce) will also review the proposed plans. The mini traffic analysis submitted showed that peak hour trips are under the required number that warrants a traffic movement permit.

Buffering (headlights)-

Part of PB review will include screening and buffering. Screening is required to achieve between 25 percent to 74 percent visual obstruction from established viewpoints as specified by the planning board. Buffering shall achieve between 75 percent to 100 percent yearround visual obstruction as specified by the planning board. These include earthwork, vegetation, fences, and walls.

Open Space-

The proposed plan includes 7 acres of open space within the development boundaries itself. In addition, the proposal includes 27 acres to be donated to the Town contiguous with current Town owned property.

Price point-

The homes were proposed to be in the \$300,000.00 range.

Sewer and Water-

The applicant is proposing individual septic systems for each lot.

According to the letter from Maine Water the 8-inch public main from Ross Road will be extended into the development.

Solar proposal location-

The solar proposal is on the 14 May 2020 PB agenda. This proposal is between the northeast corner of the proposed Sumter Landing development and Pine Valley Rd.

Proposed road maintenance-

The applicant has proposed that Summer Street and Winter Street shall be constructed to Town of Old Orchard Beach standards and shall be private unless and until such time as the Town of Old Orchard Beach accepts said roadways. The applicant intends to

Clear cutting-

The applicant has proposed 7 acres of open space as part of the development. Our ordinance allows the PB to require trees to be preserved. The PB may require that a proposed subdivision design include a landscape plan that will show the preservation of existing trees of a size of six inches or more.

Effect on future services-

Our ordinance allows the PB to review the subdivision for its effect upon existing services and facilities, including schools and road maintenance. Town departments also review proposed plans, including Public Works, Police & Fire, Codes, and Assessing and provide comments to the PB.

Conservation land-

The land proposed for development is privately owned and the remainder of the 87 acre parcel, has not been enrolled with the State as Tree Growth or Open Space, and is not in any protected conservation status. While the owners have in the past allowed access to others and have not posted the land for trespassing, there is no protection to continuing public access in the future. The Town does own two lots on Ross Rd (MBL 107-2-19 and 107-2-18) totaling approximately 12.7 acres. The proposed 27 acres to be gifted is directly connected to one of these Town owned lots. Town ownership will provide protection in the future for continuing use for recreation. This land would be managed by the Town's Conservation Commission.

Attached to this letter are responses to public comment submitted to the May 5 meeting.

History of previous discussion is below: Sumter Landing

Mezoian Development is proposing a 34 lot cluster subdivision of single family houses. The proposed development is located on Ross Road, adjacent to Town land. The area is generally known as Blueberry Plains. Although most of this area has been privately owned, public access for hiking and other passive recreational use has been allowed for many years. The Town owns an 8 acre parcel and a 4 acre parcel in this area that were acquired for non-payment of property taxes and are currently managed by the Conservation Commission.

A development of this size requires two connections to public streets. In order to achieve this the developer will need to obtain from the Town a 50' wide easement over Town property that would serve as an entrance to the subdivision. In consideration for the easement the developer is proposing to gift the Town approximately 27 acres of land that would be contiguous to the 8 acre Town property. This would significantly expand the size of the Town owned property available for public recreational use. In addition the property proposed to be gifted to the Town includes direct access to a portion of the Goosefare Brook, and also access to a stream that feeds into Goosefare Brook. There are existing walking trails on both the Town owned land and the 27 acre property that would be gifted to the Town.

The proposal is currently before the Planning Board for review.

We did receive indications of concerns from Daniel Nelson. "Based on the preliminary review I strongly object to this plan exchange. The right of way to be given is located on an extremely busy portion of Ross Road and an area known for excessive speed and will create an extremely dangerous intersection. Also the right-of-wy will create extreme nuisance for my property with the vast amount of headlights that will now shine in my front windows. This reduces the value of my property considerably. The "gift" to the Town of 27 acres is basically unbuildable swamp land and has no value to the Developer so they are not offering anything in fair exchange. Also most of that land has had many years of history of illegal dump activity so is probably contaminated soil as well. The Town property in this location was established as a Conservation Property by the Town with the intent to prevent this type of development and protect the Blueberry Fields. This owner of this property has known about these development issues for many years and the Town should not be giving away its precious resource to make the Developer rich and the Town poorer."

The following letter was sent to Shareholders:

Dear Property Owner:

The Town Council will be considering on Tuesday evening, May 5, whether to grant an easement to Mazoian Development to provide access from Ross Road to a 34 lot cluster subdivision of single family houses. The proposed development is located on Ross Road, adjacent to existing Town land. The area is generally known as Blueberry Plains. While most of this area has been privately owned public access for hiking and other passive recreational use has been allowed for many the years. The Town owns an 8 acre parcel and a 4 acre parcel in this area that are managed by the Conservation Commission.

As proposed the development requires two connections to public streets. In order to achieve this the developer will need to obtain from the Town a 50' wide easement over Town property that would serve as an entrance to the subdivision. In consideration for the easement the developer is proposing to gift the Town approximately 27 acres of land that would be contiguous to the 8 acre Town property. This would significantly expand the size of the Town owned property available for public recreational use. In addition the property proposed to be gifted to the Town includes direct access to a portion of the Goosefare Brook, and also access to a stream that feeds into Goosefare Brook. There are existing walking trails on both the Town owned land and the 27 acre property that would be gifted to the Town.

The Council meeting will be a virtual meeting conducted on line. Starting time is 6:30, Tuesday, May 5. You can watch the meeting either on cable channel 1301 or by live stream

on line at www.oobmaine.com. Click on Meeting Videos. To submit comments regarding this proposal please send an email to:

councilcomments@oobmaine.com

prior to or during the meeting. The proposed plan for the development, easement and land that would be transferred to the Town is enclosed. If the Council supports granting and easement the question must be approved by Town voters at a general election, probably in November.
Sincerely, Larry Mead, Town Manager

There were a number of letters received from property owners including Durant & Janis Cole; [huck10](#); Rob Rowell, Paul Zamjohn, and Dan and Irene Nelson.

“As residents of 136 Ross Road we oppose the proposed development for the Ford property on Road Road (MBL: 105-2-7) based on the following issues: Some of their comments including the fact that Ross Road is a narrow two-lane side road which is poorly maintained and has no shoulders or sidewalks. The Road is currently posted at the Cascade Road end with a five ton weight limit. This is not enforced by the Town. The overburdened Road cannot support increased traffic from new residents along with the current through traffic. The Road is already damaged with broken pavement and is being used as a cut-through by commercial trucks. The lack of sidewalks or shoulders makes it dangerous to walk on. The speed limit is also not being observed or enforced. The amount of development already occurring in the Town is in excess of demand. An example of this is the Eastern Trail Estates. At two years out only 10% have been sold. The market is peaking and demand will decline. Water mains will need to be brought in which will further damage the road. The Town needs to address the infrastructure issues before allowing this development to proceed. You are degrading the environment which draws people to the area. No one buys here wanting to live in a crowded suburb. Open space needs are being ignored. Building out every acre of land benefits no one but developers. Please consider long term quality of life and the needs of taxpaying residents.” Durant and Janis Cole.

I recently purchased a house in Eastern Trail Estates and have a question regarding access between the 2 town parcels on the map. Could there be access between the 2 town areas that does not include Ross Rd or private property? Would like to be able cross Ross Rd to town area(s) and have access to all trails. Paul Zamjohn

Needless to say I was quite dismayed to receive in the mail today notice of a Town Council meeting considering granting an easement to Mazolan Development to provide access to and from Ross Road to a 34 lot cluster subdivision of single family houses. One days notice does not seem like a lot of time to be apprised of this give away of unusable land. If this is due notice, and without public input at a hearing, does not give those affected much chance to ask questions. Therefore, I pose the following:

Question 1 - At what price point will these homes be marketed? Are they going to be cookie cutter homes? Will they all look alike?

Question 2 - How will water and sewer be obtained?

Question 3- How is the existing road going to be maintained while construction is going on as well as after?

Question 4 - The road is extremely narrow with no sidewalks - heavily travelled during the summer time. Will traffic be monitored for speeding? I foresee many accidents happening as one can hear car/trucks roaring up/down the road all the time.

Question 5- The proposed Solar Facility - where is that proposed "field" be in relation to this housing development?

Question 6 - Will the street be maintained by the town or is it private?

Question 7 - How long does the developer feel it will take to build these homes, sell the lots?

Question 8 - Will the land be clear cut like the earlier subdivision down the street on Ross Road? Eastern Trail Estates subdivision? This area does not have any curb appeal.

Question 9 - How much taxes is expected from these homes versus what the community will have to provide in protection, schools, infrastructure, police and fire, etc?

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Question 10 - Whose idea was it to come up with 27 unusable acres and offset it with an access road?

Question 11 - Why did it take so long to notify neighbors of this - a one day notice is not sufficient for landowners to come up with concerns. As far as I know, most landowners received their notice today. I realize the envelope was postmarked on 5/1 and today is 5/4. Delivered to homeowners on 5/4 with a meeting scheduled on 5/5. No access in person by "neighbors".

I realize many of these questions are not relevant to the "giveaway" but I would like an answer to these questions. Thank you. Rob Rowell

Let's get solutions to keep people safe and function as a society once again. Mike Rioux - Sandpiper Motel

Louise Berthiaume sent an e-mail requesting that the Development not be approved. This is supposed to a conservation land why are you giving it to a developer. Do not do this our taxes are high enough. Bad enough nobody in town will be able to afford taxes with the pandemic.

To whom this may concern, I would like to have a few questions answered about the easement deal you are discussing at tonight's meeting. My wife and I bought a house last summer at 152 Ross road. We love every bit of it especially the privacy appeal. From the letter I received from another neighbor. "YOU, our town counsel left us out for some reason" shows that the town is going to gain significant land for right or a small easement. This is concerning, what's the catch? Who's really making out on this deal? What happens to the blue berry fields, what happens to the land directly across the street from us. Will you sell it off? Will you build housing? Develop it? James and Kerri Crone

I just received notice this morning of your meeting tomorrow concerning the development on the Ross Road. As one of the landowners to be mostly impacted by this I am surprised by the lack of notice to this meeting. Based on the preliminary review I strongly object to this plan exchange. The right of way to be given is located on an extremely busy portion of the Ross Road and an area known for excessive speed and will create an extremely

dangerous intersection. Also the right of way will create extreme nuisance for my property with the vast amount of headlights that will now shine in my front windows. This reduces the value of my property considerably. The “gift” to the town of 27 acres is basically unbuildable swamp land and has no value to the developer so they are not offering anything in fair exchange. Also most of that land has had many years history of illegal dump activity so is probably contaminated soil as well. The town property in this location was established as a conservation property by the town with the intent to prevent this type of development and protect the Blueberry fields. The owner of this property has known about these development issues for many years and the town should not be giving away its precious resource to make the developer rich and the town much poorer.
Regards Dan & Irene Nelson

I have just received my notice of the planned development and land giveaway on Ross Rd. Twenty four hours notice of a meeting that the citizens cannot even attend is totally inappropriate. I am wondering why I am being sold on the idea that the town should be giving away land in return other land that it does not appear that the developer could build on anyway due to wetlands and terrain. Sounds like a win for them but I fail to see any benefits to us residents of Ross Rd other then a vast increase in traffic on a road that is already too well traveled and falling apart. I also cannot comprehend on why the council would want to put additional burdens on our schools and facilities because you know they will just need to increase taxes to update existing infrastructure. I want to unequivocally voice my opposition to this plan. Unless the council themselves are benefiting in some manner there is no reason that this matter needs to be fast tracked. It would be appropriate to table it until such time and the residents can attends a proper meeting. Please excuse any misspelling and grammatical goofs. Not really enough time for a proof read. Regards Rob Rowell

We received the following from you via the councilcomments email: “I recently purchased a house in Eastern Trail Estates and have a question regarding access between the 2 town parcels on the map. Could there be access between the 2 town areas that does not include Ross Rd or private property? would like to be able cross Ross Rd to town area(s) and have access to all trails.” Paul Zamjohn

To whom this may concern, I would like to have a few questions answered about the easement deal you are discussing at tonight’s meeting. My wife and I bought a house last summer at 152 Ross road. We love every bit of it especially the privacy appeal. From the letter I received from another neighbor. “YOU, our town counsel left us out for some reason” shows that the town is going to gain significant land for right or a small easement. This is concerning, what’s the catch? Who’s really making out on this deal? What happens to the blue berry fields, what happens to the land directly across the street from us. Will you sell it off? Will you build housing? Develop it?

Dear OOB Council,

We are writing to voice my concern on the proposed easement through the conservation land known as blueberry fields. We vote no on this proposal. We believe this is a great deal for the developer but a bad deal for the residents on Ross Road and OOB. The value of the land offered in exchange for access is insignificant compared to the cost to the town and residents. Property values will be impacted and the increased traffic will degrade safety and increase repair (replacement) cost on Ross Rd. At the very least there should be a cost benefit analysis on this proposal considering the cost impact to residents and their interests for their town. Thank you for your consideration. Paul & Karen Zamjohn

Please vote NO ON Agenda Item 7210 allowing a road through the preserved blueberry fields. We need to think about the word preserved. It means lasting, forever. Think about the future and keep this land preserved. It is obvious during the pandemic that there is not enough open space for people to enjoy while social distancing. Please do not allow more development of preserved land. Vote NO on Agenda Item 7210 – no road through blueberry fields. Thank you. Susan Slee

Vote NO on Agenda 7210. Brenda Mrowka

Dear Council Members, I urge you to please vote NO on Item #7210. This is conservation land. One of the only pure natural spots we can come to enjoy nature's bounty. Please don't have in to another developers promises. Please think of the Town's residents who treasure th plains. Thank you in advance for your consideration. Brenda Dowling

Vote NO on Agenda 7210 – save he Blueberry fields. Concerned resident.

My name is Richard Leone. I urge you to vote NO on Agenda #7210. Please preserve the Blueberry Plain for future generation. I also urge you to delay non-COVID related business until the Town Council meetings can be held in public. Richard Leone

Please vote NO on Agenda Item 7210. We are 35 plus year residents living across the street from the Blueberry Plains. Our kids gathered classmate in past years to clean the trash and debris from this area for the enjoyment for all and a place for our wildlife to thrive despite years of development in our area. We were overjoyed when ATVs stopped using the trails, slowing the erosion. A close place to walk our dogs and picking blueberries are priceless and once lost, will never be replaced. Please save this GREEN SPACE for OOB citizens and our future residents Not all development should get a "Yes." Thank you for your NO vote. Vicki LaQuerre

I am against allowing this project to take place. Blueberry Plains is a designated conservation area. It was approved by the Town and the original approve/PROMISE should remain in force. It should not even go before the Board. The answer should be NO. The decision was made many years ago and should be respected. The intent of preserving Blueberry Plains as a designate conservation area was to prevent exactly what this developer is asking. Sandra Dudley

To Whom It May Concern: Having lived on the Ross Road for over 34 years, a lot of changes have occurred. From the building of Dunegrass to the recent development on the Saco end of the road. During all this time traffic and general use of the road has increased dramatically with no improvements to the infrastructure (i.e. bike path, sidewalk, shoulder, etc.) It has become a very real safety concern. This new subdivision as planned will only add to the traffic and congestion. Granted the additional green space would be nice but not at the cost of increasing the stress on the already overloaded Ross Road. I have not seen a study or review from the Maine Department of Inland and Wildlife on the impact to the area nor am I aware of any study on the impact of additional traffic. For these reasons I urge you to vote NO on the agenda item 7210. David E. LaQuerre

No chance for the public to truly participate in this public hearing. It violates a promise made by the Town to its citizens when the property was put under Conservation Management. It was not to be sold or developed but preserved from such easement forever which will destroy that portion of land from its natural state. Developer is offering 27 acres in exchange of this land. It will not create the Utopian Park and will destroy much

of the current trails, blueberry fields open to the public. New proposed conservation parcel will have restate on it. Developers could tempt the town to offer for that property, what is to stop future precedent is set. Transaction is actually a sale of Town Conservation property and should be governed by such requirements and a vote by Town citizens. Proposal will make unsafe conditions on Ross Road and a burden on infrastructure and revenue from development will not cover costs to increase student population.
Kerri Crone

I am a permanent resident of Ross Road and continue to be concerned at the rate and pace of recent development in this area, and town in general. I am pleased that this next proposed development will include a land swap to the town, as residents have, for many generations, used this property as a sort of public recreation space. It is home to a variety of wildlife and plant species that are disappearing and being crowded out of our ecosystem because of increased land development in the Saco, Old Orchard and Scarborough area. Personally, I am sad to see another space that supports our local wildlife bulldozed, but I get that's what turns a profit. I ask that the Town Council please closely consider the impact to the Goosefare brook drainage and the Blueberry Plains with the Environmental Impact Study. I support property owners' rights to develop land, but please consider the costs that we will shoulder as a community so that they can profit from their investment. I would like the town council to first recognize that we still do not have a safe corridor along Ross Road for the residents who live here already. It's great that the new developments are being required to include sidewalks, but that doesn't help the rest of us who live around them and have been paying our taxes here for years. Please consider how to gain funds or somehow require a better shoulder or sidewalk improvements along Ross Road in this area, especially because this will continue to be a route to the Eastern Trail and the Blueberry Plains and conservation land for nearby residents. This development like Eastern Trail Estates will have access to the main water line, but the rest of us in the area are still on well water and do not have an affordable option for connection. Please consider any impacts disturbance to the soils and old dump refuse on the property could have on the groundwater for us, please. Finally, I request that this be tabled until the climate allows us to meet in person so that we can have adequate discussion as a community and not rush this process. Thank you for your consideration, Heather Ebenhoeh

I would like to take to opportunity to once again express my disappointment at the board's insistence at proceeding with discussion on the proposed development on Ross Rd and the give away of town property without the ability of the citizenry to actively participate in the process. It is especially concerning that discussions between my neighbors and the town has revealed that legality of such was investigated before the citizens were even informed of of the proposed development. Sounds like more shenanigans at town hall. We've dealt with that before. The fact that it may be legal for the board to proceed on this matter does not make it ethical. I implore the board to vote no on agenda item #7210 or at the very least table discussion until such time at this virus situation is under control. I would love to be able to take the time to write pages to you on the special character of this area of OOB that will be utterly altered by a development of this size. How many paragraphs would it take to just explain what it is like to have a owl land five feet away and look at you. You can't get that in suburbia. I took a little stroll over to the "Plains" an noticed how proud the Town seemed to be of the area's certification with National Wildlife Federation. I can't help but wonder how long that certification will last once the NWF finds out that acres and acres of land will be paved over with runoff and lawn fertilizer washing into trout streams and the Goosefare Brook watershed. Speaking of the watershed I would like to point out the following study the the town and even some members of the board

who stand to gain from this development participated in. I'd also like to point out current users of the "Plains" from the blueberry pickers to the atv and gun enthusiasts who enjoy the area. I am quite sure the future suburbanites who will call the area home will quickly press the board to end such activities in "their" back yards. How many words it would take to fully describe the situation. Had I the time I'd voice my neighbors concerns that the town is giving away an easement to the potential out of town developers of this property. Prime property that they won't even pay tax on in return for being relieved of the tax burden on property they do own but likely can't build on anyway (do the even own it yet?). Property they would probably give the town regardless to be relieved of the taxes. By the way I would like to mention that he is willing to give the Town the wetlands in his back yard in return for a tax break ... as am I. Had I a staff, paid with my tax dollars, to write my letters....well frankly they would probably be better written. I'd have them point out the special tax situation we have here in OOB. We have a large portion of the town operations paid for by tax payers who put little pressure on our schools and public works. Moving in more suburbanites with surely erode that benefit as we need to increase taxes to pay for the education of their children and plow their streets. Unfortunately I don't have the time for all that. I need to work for a living to pay the tax burden I am already subject to and pay the bank for my little piece off Eden that doesn't sound like it's going to be Eden for much longer. Had I but a few more moments I might have had someone proof read this. Oh well. Ross Road citizen - Rob Rowell

To the Town Council -

We believe that access to the planned development and easement in the Blueberry Plains will have several detrimental, impactful effects:

1. Increase in traffic flow to an unreasonable amount on a road that is already dangerous.
2. Due to the existing amount of heavy traffic, the roads are in rough shape and are not being maintained.
3. This development will destroy a wilderness area which is enjoyed by many people, picking blueberries, hiking, walking their animals.

There are many more considerations also, and we are just scratching the surface.

Please vote NO on Agenda Item 7210.

Larry D. Kinner Pamela C. Kinner

PLEASE VOTE NO on Agenda item #7210.

I was alerted to this agenda item by a neighbor only yesterday. I currently oppose the development of a total of 34 home lots that will permanently change the area know at The Plains. I request that you, as a first step, insist upon a Maine Dept of Inland Fisheries and Wildlife study on the environmental impact to the area surrounding of this larger plan to develop an additional 19 lots on what I have been informed is an already approved 15 lots. I understand that as the area grows many developers will want to build as much as allowed upon the large lots that are available along the Ross Road. I do not oppose development, I do oppose the abandonment of an area I moved here specifically to enjoy; as I was made to understand it's purpose was to provide the entire town with an unspoiled and protected place that exemplifies the natural beauty and habitat of this beautiful coastal region. The idea that the developer will "donate" a portion of un-traversable wetland abutting their soon-to-be profitable homes in trade for trails the locals walk daily strikes me as unlikely to provide anything for the townspeople. In fact, it will leave the taxpayers holding the bag should the development prove to negatively impact the surrounding lower lying wetland. I have been observing this very problem with the development closer to my home as the newly built area on Ross Road pours water onto

the roadway in front of the homes every time we have significant rainfall. This situation has left the already established residents asking for the town to deal with a previously non-existent problem of basement flooding. During this time of pandemic and social isolation, the green lighting of any development project without allowing live citizen input seems likely to benefit only the developer's agenda. Please consider slowing the process so that whatever is built will provide both profit for the builder, and continued responsible and sustainable growth for the community. Sincerely, Lisa Brunelle

To whom this may concern, I would like to have a few questions answered about the easement deal you are discussing at tonight's meeting. My wife and I bought a house last summer at 152 Ross road. We love every bit of it especially the privacy appeal. From the letter I received from another neighbor. "YOU, our town counsel left us out for some reason" shows that the town is going to gain significant land for right or a small easement. This is concerning, what's the catch? Who's really making out on this deal? What happens to the blue berry fields, what happens to the land directly across the street from us. Will you sell it off? Will you build housing? Develop it? James and Kerri Crone
We believe that access to the planned development and easement in the Blueberry Plains will have several detrimental, impactful effects: Increase in traffic flow to an unreasonable amount on a road that is already dangerous; Due to the existing amount of heavy traffic, the roads are in rough shape and are not being maintained; and this development will destroy a wilderness area which is enjoyed by many people, picking blueberries, hiking, walking with their animals, et. There are many more considerations also, and we are just scratching the surface. Please vote NO on Agenda Item 7210.
Larry & Pamela Kinner – 6 Patoine Place, OOB

Thank you for taking my call this morning. I live in Scarborough and visited OOB yesterday and was shocked by the conditions I found. I would like to know who made the decision to butcher the brick sidewalks along Old Orchard St. to remove/relocate some of the benches presumably to make sure they were six feet apart (photo attached). Permanently destroying the sidewalk was completely unnecessary. This disaster was financed by the OOB taxpayers one of whom is my 87-year-old mother. The quality of workmanship involved in this project is deplorable and completely destroyed the aesthetic quality of the sidewalk and surrounding area. The supervisor and workers involved in this project should all be fired. The raised concrete areas are neither safe nor attractive. The condition of the remaining open gaping areas is definitely not a safe condition to all of those citizens who are trying to enjoy one of our favorite places. Yes, citizens who do not have COVID-19 have some rights as well! As I stopped to view this horrendous condition, another family stopped and could not believe their eyes either. We went on to discuss how this condition as well as all the other COVID-19 related indicators such as signs instructing people not to sit on the beach, police patrolling beaches warning people not to sit down, signs instructing people to wear masks and practice social distancing, stickers (photo attached), and tape on sidewalks marking areas we are allowed to stand, etc., does not exactly provide a welcoming spirit to a state/town dependent on tourism to meet their operating budget. My personal favorite is a sign instructing people waiting to purchase food that only one adult per family/group is allowed to stand in line. Has this now become a Communist country? I am perfectly willing to inform the town of OOB at this time that when I am with my family or significant other at OOB we will all be waiting in line regardless of how the town thinks it can remove my civil liberties at will! Regardless of how legalistic our current disastrous governor is, I would like to remind the OOB Town management that as of yesterday 69 people in Maine have died from COVID-19 most of whom are among our most vulnerable living in nursing homes and assisted living

arrangements and in their 80's and 90's. The remainder of people dying from this are older and have other, (sometimes two or three), morbidity factors that we are not privy to. We have over 1,300,000 citizens in Maine who want to enjoy the relatively short summer that exists in this state, along with countless others who are willing to pay to visit our state to enjoy what we used to offer-a welcoming place to enjoy family time together. The message sent by OOB town officials is permeated with nothing but fear, stress, and anxiety. As a mother I worry about what all this messaging is doing to the youngest among us. I see two-year olds being told by their mothers that they need to keep the mask on so they don't get sick. Let's get on board with the facts here and send a more welcoming message to visitors and citizens. Thank you for your time and consideration. Alecia Emrich

As a permanent year round resident with no second home, I am concerned with the continuing growth along Ross road. It seems as if no attention is being paid to the consequences of this growth. The area of Ross road being developed has been a rural area for a long time. This is changing quickly. Many of us are on well water. How will this growth effect this? Walking on Ross road with no sidewalks is like playing Russian roulette, it's even worse after Memorial Day. I invite you all to bring your dogs, and kids to walk along Ross road on a nice day. Please slow down and consider what those of us actually living in this area are experiencing. At a minimum, consider adding a sidewalk along Ross road, or widen the road and maintain it year round so that it is safe for our residents and visitors. I hope and request that this process be tabled until the climate allows us to meet in person. I would like to see you all spend some time walking or riding your bike, as many residents do, along Ross road to get a feel for it before you ok this project. You all have an opportunity right now to effect positive healthy growth in this town. Please do not rush this process. Please make wise choices that will make OOB stand out as a great year round town to live in and not just a thorough fare to the beach. Respectfully, Jake Ebenhoeh

From: Ron Hankel Please realize this is not about development on Ross Road. I am aware that this is going to happen, and if done correctly I am all for it. I invite each town councilor to walk or bike on Ross Road and see for themselves the safety risk that they encounter as they do so. Traffic gets heavier each year, yet this road while well maintained needs to be improved (sidewalks or wider shoulders) so that all pedestrian traffic can safely use it. At this time we are zoned for rural use, but with current housing developments need much needed improvements. I know that many residents who live in this area feel the same way I do. I also spoke to the planning board and the town manager regarding this, and was acknowledged that they also have a concern. With this in mind, before there is continued development please see for yourself the concern we have. Thank you for your time and effort.

To the Town Council of Old Orchard Beach and to all citizens of Old Orchard Beach: I am the trustee of the Ford Family Trust that owns the land off the Ross Road abutting the Blueberry fields. The Trust has owned the land for many years and has paid taxes on the land as if it was ready to be sold at any time. The land has never been put in conversation or tree growth. At this point it has been on the market for over a year and we have found a suitable buyer that will build a creative sub-division and allow us to donate over 27 acres abutting the Bluebeny Fields to the community for their enjoyment. James J.Ford, Jr.

We are sending this email because we don't agree on the Mezoian Development expansion behind our property on 115 Ross Road. We purchased the property because it was abutting a conservation area. We find it very confusing how a Land Trust Protected Land can be sold to developers. Protected prime agricultural land, which if, developed, is irretrievable - ruining the character of the community. Does the town's plan support this goal with designation of agricultural areas on the future land use map? Does OOB have a future land use plan zoning analysis and/or "fair share" analysis to insure that OOB has sufficient vacant land zoned for all types and densities of residential uses as required by the Municipalities Planning Code? Is there any environmental history on donated parcel that should concern citizens. We know many people enjoy the land for its blueberries, easy flat sandy age-friendly walking trails, and wildlife. The 27 acres to be donated in its current status is very undesirable with the challenge of steep trails. Why would the town accept this down grade? Does OOB have funds to improve or enhance this property, so it would be usable for all residents - all age groups to enjoy. If so, who would incur the expense - the tax payers? Shouldn't there be provisions in the agreement to have Mezoian Development incur this expense. The Development of a 34 unit subdivision would easily mean the possibly of 68+ vehicles - figuring 2 vehicles per household is a fair judgement - additional vehicles on Ross Road many times throughout any given day. Will there sidewalks installed on Ross Road to ensure everyone's safety? If so, who will incur that expense - the tax payers? Thank you for your considerations, Barbara and Eric Nason

I am a resident living diagonally across from the proposed easement road. Many residents on Ross Rd, and in OOB, feel betrayed concerning our restricted access from participation in a "public" meeting. This limitation is unjust and should not be legal. Emailing messages prior and reading our comments is in no way a discussion, nor the same as being in attendance, as residents are unable to respond appropriately to the evolving conversation concerning the subject and cannot comment or follow up with questions. This should be postponed until we are able to do so; or a meeting should be organized where we can properly socially distance and take precautions, just like everyone is doing at any supermarket or large store. If they can gather in groups there, why can't we? As mentioned in the May 14th planning board meeting, delays in public hearings should occur until we can all meet in person. Residing across the street from the proposed easement I will be directly impacted in various ways. Headlights will be shining into my windows all year, with approximately 100 plus vehicles traveling in and out. Traffic, already heavy and traveled at high speeds, will vastly increase. This proposed intersection appears to be very dangerous, as it is already pulling out from our driveways. This damaged, narrow road will be burdened with the additional heavy traffic, causing more issues than already present. Overweight semi-trailer trucks frequently travel this road adding to the burden and impairment. Much of the trails and serene nature that I grew up hiking, exploring and picking blueberries will be destroyed, along with the beautiful wildlife. I moved here to enjoy the peaceful nature and, along with many other residents, were under the impression the land was protected. We are requesting an ecological assessment of the plant and animal ecology of the Blueberry Plains area-and the impact of this 50' road. Most of the land to be gifted to the town appears to be un-developable swampland which was also used as an illegal dump for many years. Walking through it the other day I saw shingles, tires, electronics, and more waste buried in the ground. How is this of benefit to the town when most of the trails and nature/blueberries will be leveled? Numerous residents are opposed to this easement and need to be heard at a PUBLIC meeting. I am opposed to any easement, especially if it increases the size of this development. By declining the granting of this easement, we may be able to cut the amount of homes in half. Please take our grievances seriously and consider the public good vs. the

developers' profits. Increased residential development invariably leads to a higher student population. Studies have shown that residential development does not pay for itself. Tax revenue generated by the development will be outweighed by the additional cost required to educate the increased student population. Mike Rioux

Response from Mike Mezoian – Mezoian Development, LLC

Dear Larry Mead and Members of the Town Council,
Old Orchard Beach has been my home for over 48 years. I'm proud of my OOB roots and proud to have watched this town grow over the years. Having been born and raised in this town, it excites me to work on a project that I believe will further contribute to this community.

The land proposed to be used for this project is privately owned by the Ford family. This proposed neighborhood will only utilize 30 acres of the total 90-acre parcel currently owned by the Ford family. Of the remaining land, roughly 27 acres will be donated to the town of Old Orchard Beach to connect with the abutting Blueberry Plains. I have conducted thorough wetland and soil studies on the parcel, all of which meet and exceed Maine Department of Environmental Protections standards.

This proposed project meets all requirements with regards to safety and site line distances at both entrances. Research has been conducted on Ross Road by Maine Department of Transportation (MDOT) to assess the presence of any high crash locations within the project vicinity. Results of this data indicate that no high crash locations are present, which suggests that Ross Road is a viable location for this neighborhood. Completing safe and quality work is of utmost importance to me, and I want to ensure all community and council members that this project meets all necessary safety requirements.

With this information, please consider voting "Yes" on this item, as it is a great fit for this continuously flourishing town.

Thank you, Mike Mezoian Mezoian Development, LLC

Responses from the Planner, Jeffrey Hinderliter:

In regards to direct public road access and the location of the proposed subdivision, the options are limited for the second access. For new subdivisions, the Town subdivision ordinance requires a second access to a public road once the lot numbers meet or exceed 15. No matter where they propose the second access it would need to include a connection to a public road and the only feasible way to do this is to connect to Ross Rd.

Right now a majority of the land across the Ross Rd from your home is privately owned. The large parcel identified as 105-2-7 on the map below where some of the trails are located is private property. One good thing with this proposal is it includes a gift of land to the town, approx. 27 acres, that would free some of the large parcel up for legal public access.

Hello,

Please note the 14 May planning board meeting does not include a public hearing associated with the Ross Road subdivision. Also, the planning board will not issue a final

decision at the 14 May meeting- there will be additional meetings before a decision is made, this includes a public hearing. The planning board accepts public comment on agenda items during a public hearing. I recommend you wait to submit your comments until the public hearing is scheduled because it's possible there will be new information to consider. Once the public hearing is scheduled, please send your comments to me and I'll be sure to get to the planning board.

To find out when a planning board public hearing is scheduled- the best way is to subscribe to the planning board agendas which you can do via this link: <https://www.oobmaine.com/subscribe> after you enter and confirm your email, scroll down to Meeting Agendas and tick the planning board box. You will receive the agendas as soon as we post them. When you see this proposal under the public hearing portion of the agenda, a public hearing is scheduled. Also, if your property is within 100' of the subject property you will receive notice of the public hearing.

Separate from planning board review, the Council is reviewing a proposal associated with the subdivision- an access easement across town owned land- that is the purpose of agenda item #7210. The purpose of the access easement is to provide a second means of access to Ross Rd from the proposed subdivision. Attached is a plan of the proposed subdivision- the access easement is highlighted in yellow. If you wish to submit your comments on this I recommend you send to Assistant Town Manager Louise Reid at lreid@oobmaine.com and ask that your comments be forwarded to the Council. The Council will not vote on the subdivision but will vote on the access easement.

Jeffrey Hinderliter, Planner

During the discussion it was noted that this land is not legally conservation protected. The property is not in the rural zone but is zoned for industrial use so the proposed residential development is a less intensive use than allowed in the zone. While the owner has allowed public access to this 90 acre property for many years the land to be developed has never been in conservation or preservation. The land owned by the Town (8 acres) is managed by the Conservation Commission. The Conservation Commission supports the proposed land swap because the easement covers only 10,000 square feet and the Town would receive 27 acres of land that would connect to the existing 8 acres, dramatically increasing the property managed by the Conservation Commission.

Vice Chair O'Neill indicated that he felt the proposal was convoluted – just ask for the easement – and did not like the way it was presented.

Below is a letter from the Ford Family:

May 18, 2020

To the Town Council of Old Orchard Beach and to all citizens of Old Orchard Beach: I am the trustee of the Ford Family Trust that owns the land off the Ross Road abutting the Blueberry fields. The Trust has owned the land for many years and has paid taxes on the land as if it was ready to be sold at any time. The land has never been put in conversation or tree growth. At this point it has been on the market for over a year and we have found a suitable buyer that will build a creative sub-division and allow us to donate over 27 acres abutting the Blueberry Fields to the community for their enjoyment. Thank you for allowing my family to be part of the Old Orchard Beach Community for many years. It is time for us to close the trust as it is a burden for family members. I would appreciate your consideration in voting yes to this portion of the development. Sincerely,

MOTION: Councilor Tousignant motioned and Councilor Kelley seconded to Approve the conveyance to Mezoian Development LLC of a 50 foot wide easement on Town property located on Ross Road, Assessor's Map 107, Block 2, Lot 18, for the purpose of providing access from Ross Road to a proposed 34 lot subdivision, and accept from Mezoian Development LLC the conveyance to the Town of a 27+/- acre parcel of land, contiguous to the existing Town property; and to authorize the Town Manager to develop and execute the necessary deeds and documents associated with the same.

VOTE: Yea: Chair Thornton, Councilors Kelley and Tousignant
Nea: Vice Chair O'Neill
Abstain: Councilor Blow

7213 Discussion with Action: Amend Section 54-114, Milliken Street Parking Lot, and Section 54-115, Memorial Park Parking Lot, to match Section 54-154—no parking between the hours of 2 a.m. and 6 a.m. are in effect.

**NOTICE OF PUBLIC HEARING
MUNICIPAL OFFICERS OF THE TOWN OF
OLD ORCHARD BEACH**

The Municipal Officers of the Town of Old Orchard Beach, Maine hereby give Public Notice that there will be a Public Hearing held at the Town Hall, Council Chambers, on May 5, 2020 at 6:30 p.m. to consider the following:

Shall the Town Council of the Town of Old Orchard Beach amend the Code of Ordinances, Chapter 54, Traffic and Vehicles, amending Section 54-114, Milliken Street parking lot and Section 54-115, Memorial Park parking lot, amending the overnight parking to coincide with Section 54-154, by adopting the underscored language as follows:

Sec. 54-114. - Milliken Street parking lot

- (a) No vehicle shall park in the Milliken Street parking lot without first obtaining a valid parking slip from a pay station or by obtaining a resident or non-resident parking permit from the town clerk. The parking slip shall be displayed on the dashboard of the vehicle for the allotted time that was paid for, and the valid parking slip obtained at the pay station in the Milliken Street parking lot shall be valid only for the Milliken Street parking lot. This section will be enforced between the Friday before Memorial Day and Labor Day, **except for sub-section (b), that is in effect year-round.**
- (b) No parking shall be allowed in this lot between the hours of 2:00 a.m. and 6:00 a.m. unless authorized by Town of OOB Police Department.
- (c) Any vehicle in violation of subsection (a) of this section, the owner or operator shall be subject to a fine as described in section 54-37, Penalty.
- (d) Any vehicle in violation of subsection (b) of this section, the owner or operator shall be subject to a fine as described in section 54-37, Penalty.
- (e) Parking fee to be determined by the chief of police or his/her authorized representative at not more than \$20.00 per day or an hourly rate of \$2.00 per hour.
- (f) The provisions of subsection (a) in this section shall not apply on legal federal holidays to any motor vehicle that has a valid license plate signifying that the vehicle is registered to a veteran of the United States Armed Forces or registered to a Gold Star family member of a veteran.

Sec. 54-115. - Memorial Park parking lot.

- (a) No vehicle shall park in the Memorial Park parking lot without first obtaining a valid parking slip from a pay station or by obtaining a resident parking permit from the town clerk. The parking slip shall be displayed on the dashboard of the vehicle for the allotted time that was paid for, and the valid parking slip obtained at the pay station in the Memorial Park parking lot shall be valid only for the Memorial Park parking lot. This ordinance will be enforced between the Friday before Memorial Day and Labor Day, **except sub-section (d), which is in effect year-round.**
- (b) Memorial Park parking lot will have two designated handicap spaces.
- (c) Memorial Park parking lot will have five free one-hour parking spaces for use of visitors to Memorial Park and the Dog park only.
- (d) No parking shall be allowed between the hours of 2:00 a.m. and 6:00 a.m. unless authorized by Town of OOB Police Department.
- (e) Any vehicle in violation of subsection (a) of this section, the owner or operator shall be subject to a fine as described in section 54-37, Penalty.
- (f) Any vehicle in violation of subsection (d) of this section, the owner or operator shall be subject to a fine as described in section 54-37, Penalty.
- (g) Any vehicle in violation of subsection (c) of this section, the owner or operator shall be subject to a fine as described in section 54-37, Penalty.
- (h) Parking fee to be determined by the chief of police or his/her authorized representative at not more than \$20.00 per day or an hourly rate of \$2.00 per hour.
- (i) The provisions of subsection (a) in this section shall not apply on legal federal holidays to any motor vehicle that has a valid license plate signifying that the vehicle is registered to a veteran of the United States Armed Forces or registered to a Gold Star family member of a veteran.

MOTION: Councilor Tousignant motioned and Councilor Blow motioned to Amend Section 54-114, Milliken Street Parking Lot, and Section 54-115, Memorial Park Parking Lot, to match Section 54-154—no parking between the hours of 2 a.m. and 6 a.m. are in effect.

Vote: Unanimous.

7214 Discussion with Action: Approve the repair quote from Xylem Water Solutions for a 150 Horsepower Flygt Pump in the amount of \$32,233.06; from Account Number 30181 – 50856 - Sewer Reserve Operating Equipment Repair Expense, with a balance of \$622,599.05.

Background:

The Effluent pump station has a total of four (4) Flygt brand pumps. Two pumps alternate during normal flows and two larger pumps are on standby for heavy rain events. One of the large pumps failed and was shipped to Xylem Water Solutions which is the authorized repair company for Flygt pumps. After analysis the pump was determined to need \$32,233.06 in repairs. The department foreman and I spoke with Xylem to confirm the repairs. The engineering firm of Woodard and Curran have been employed to better identify needs at the facility and are recommending the repair of this pump as it will be in use long term. A new pump was priced at \$105,000.

MOTION: Vice Chair O'Neill motioned and Councilor Blow seconded to Approve the repair quote from Xylem Water Solutions for a 150 Horsepower Flygt Pump in the amount of \$32,233.06; from Account Number 30181 – 50856 - Sewer Reserve Operating Equipment Repair Expense, with a balance of \$622,599.05.

VOTE: Unanimous.



PRODUCT REPAIR / SERVICE ESTIMATE

Estimate #: R2020-MAL-0077
Tag #: 2660
JobName:

Date: 4/6/2020

Page 1 of 5

Customer Information

Company Name: TWN OF OLD ORCH BCH
Address

Contact: Chris White
Telephone: 207/934-4416

1 PORTLAND AVE
OLD ORCHAR ME04064

Email: CWHITE@OOBMAINE.COM

Following is an estimate prepared for you regarding the repair of your Flygt pump.

PLEASE NOTE FLYGT MALVERN'S POLICY ON RETENTION AND STORAGE CHARGES ON THE ATTACHED.

Product Identification

Product Number:

Serial Number: 3400.765-9481036

Model:

Impeller Code: 560

HP: 150

Volts: 460

Phases: 3

Inspection Information

Inspected By: Eric Garman

Motor Data: Wire Configuration: U1:Red V1:Black W1:White

Megger to ground: R 2k B 2k W 2k

Resistance through cable: RB 0.043 RW 0.043

BW 0.043

Stator Condition: Fair

Shaft Condition: Good

Oil Condition: Fair

Inspection Plugs:

Sensors:

FLS

CLS

KLIX

Bearing

Cable



Flygt Products
2330 Yellow Springs Rd , Malvern PA 19355
PH: 610/408-6500
FX: 610/647-5563





PRODUCT REPAIR / SERVICE ESTIMATE

Estimate #: R2020-MAL-0077

Date: 4/6/2020

Page 2 of 5

Tag #: 2660

JobName:

Hydraulic: Impeller/Propeller Condition: Fair
Volute Condition: Fair

Cable Condition: Unusable
Cable Length: 40

Hydraulic Type: C

Installation

Type: P

Control

Discharge Size:

MFV

Primary Requirement: Other

Repair/Service Requirements and remarks

Pumps cable was cut off. Customer said pump was tripping the vfd. Stator megs low and needs to be sent out to get cleaned and baked. Oil was dirty showing signs of the seals leaking .

Parts, Labor and Other Charges

Parts:

Qty	PartNo	Description	Sell Price	Total Price
1	83 21 34	KIT,O-RING 3400	\$240.00	\$240.00
10	94 18 29	WIRE,COPPER INSULATED PTFE	\$9.20	\$92.00
1	482 66 01	SWITCH,LEVEL UNIT	\$322.00	\$322.00
27	82 48 68	WASHER,LOCK-SPLIT 16.2MM ID SS	\$29.00	\$783.00
3	83 97 36	SWITCH,THERMAL 140C	\$56.00	\$168.00
40	94 19 22	CABLE,SUBCAB 7X1.5 16MM 158F	\$11.00	\$440.00
1	544 41 00	LEAD-THROUGH UNIT	\$142.00	\$142.00
2	81 07 75	@ GROMMET,NBR 17ID 52OD 49L	\$61.00	\$122.00
4	82 42 71	WASHER,SS 32.5MM ID 52MM OD	\$23.00	\$92.00
1	584 91 00	WASHER,LOCK SS	\$65.00	\$65.00
1	84 59 13	ASSEMBLY,LOCKING 60X90	\$586.00	\$586.00
1	1xPN	clean and bake stator	\$538.46	\$538.46
6	82 00 74	SCREW,ALLEN M12 X 55 SS	\$6.10	\$36.60
6	83 38 02	SPRING,COMPRESSION STEEL	\$27.00	\$162.00



Flygt Products
2330 Yellow Springs Rd , Malvern PA 19355
PH: 610/408-6500
FX: 610/647-5563





PRODUCT REPAIR / SERVICE ESTIMATE

Estimate #: R2020-MAL-0077

Date: 4/6/2020

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Tag #: 2660

JobName:

30	14-69 98 69	LABOR,LARGE PRODUCT-PHILA	\$184.00	\$5,520.00
1	648 55 00	DETECTOR UNIT PT-100	\$267.00	\$267.00
1	83 05 86	KIT,O-RING 7X5 C	\$290.00	\$290.00
1	83 34 65	BEARING,ROLLER CYL SNGL ROW 160X75X37,28X28, NU315ECPVLO24	\$2,281.00	\$2,281.00
2	84 23 25	BEARING,BALL ANG CONT SNGL ROW 200X95X45MM, 7319 BECBP	\$748.00	\$1,496.00
1	617 99 02	SEAL,MECHANICAL WCCR/WCCR	\$3,923.00	\$3,923.00
1	664 33 00	BEARING,ROLLR UNIT SNGL ROWCYL 170X95X32 NJ219ECP/P6	\$553.00	\$553.00
1	578 58 01	SEAL,MECHANICAL WCCR/WCCR	\$10,111.00	\$10,111.00
40	94 19 87	CABLE,SUBCAB 3X95+2G50/2+ S(2X0.5) 48.5MM	\$71.00	\$2,840.00
2	81 00 37	GROMMET,NBR 49ID 90OD 49.5L	\$171.00	\$342.00
2	81 08 25	GROMMET,NBR 51ID 90OD 50L	\$132.00	\$264.00
4	82 41 62	WASHER,SS 61.5MM ID 90MM OD	\$7.00	\$28.00
1	604 89 03	RING,SPACER SS	\$348.00	\$348.00
		Total Price		\$32,052.06

Labor and Other Charges:

Qty	PartNo	Description	Sell Price	Total Price
1	14-69 00 21E	ENV FEE > 50HP NO TAX TP ENVIRONMENTAL FEE	\$94.00	\$94.00
1	14-69 00 24B	SHOP SUPPLIES-LARGE PUMPS TP MISC SHOP SUPPLIES FOR REPAIR	\$87.00	\$87.00
		Total Price		\$181.00

Total Price: \$32,233.06

Product Replacement

Product Number:

Cost of New Unit:

Estimated Delivery: Weeks



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PRODUCT REPAIR / SERVICE ESTIMATE

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Tag #: 2660

JobName:

Description:

Terms

Please note: If additional repair requirements are identified during service, the total cost of your repair may change. Should this occur, we will contact you for approval before proceeding.

A signed Purchase Order or approval below must be received before any repair work can begin.

If repaired unit is not picked up or delivered within 5 days of completion, the repair will be invoiced.

COVID 19: Our current delivery lead-times are forecasted estimates only due to the outbreak of the COVID-19 virus pandemic and its global effects on commerce, supply chain, and logistics. Xylem will, however, use all commercially reasonable efforts to minimize any delivery delay impacts.

Taxes: State, local and other applicable taxes are not included in this quotation.

Validity: This Quote is valid for ninety (90) days.

Changes: This Quote is based on the current design criteria provided to Xylem Water Solutions USA, Inc. Revisions may result in price changes.

Freight: This Quote does not include shipping and handling charges.

If this product is not repaired or replaced, a fee will be charged for labor required for the inspection performed.

Warranty: Parts used for this repair carry a 12 month warranty.

This estimate is based on inspection of the pump. The actual repair cost could change if additional or replacement parts are required.

Thank you for the opportunity to provide this quotation. Please contact us if there are any questions.

Phone:

Fax:



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PRODUCT REPAIR / SERVICE ESTIMATE

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JobName:

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Customer Approval

Complete and sign this Approval and return to Xylem Water Solutions USA, Inc with, or in place of, your Purchase Order

I authorize Xylem Water Solutions USA, Inc to proceed for the amount shown above.

Repair

Replacement

Customer Name: _____

Date: _____

Customer Signature: _____

PO #: _____

Ship To:

Will Pick Up

Deliver

Ship To

Ship/Delivery Address:

Bill To:

Taxable:

Yes

No

Tax Exemption Certificate must be on file or tax will be applied to the invoice.



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7215 Discussion with Action: Approve the Liquor License Renewals for Chrysanthe & Demetrios Dikos dba/Chrys's Restaurant (306-5-1-E). 12 Old Orchard Street, m-s-v in a Restaurant; and Venetia Kouzounas dba/Venetia's Restaurant (313-4-3), 93 West Grand Avenue, m-v in a Restaurant.

MOTION: Councilor Tousignant motioned and Councilor Kelley seconded to Approve the Liquor License Renewals as read.

VOTE: Unanimous.

AJOURNMENT:

MOTION: Councilor Tousignant motioned and Councilor Blow seconded to Adjourn the Town Council Meeting.

Respectfully,

V. Louise Reid

I, V. Louise Reid, Secretary to the Town Council of Old Orchard Beach, Maine, do hereby certify that the foregoing document consisting of twenty-seven (27) pages is a copy of the original Minutes of the Town Council Meeting of May 19, 2020.

**V. Louise Reid
Secretary to the Town Council**