

**TOWN OF OLD ORCHARD BEACH, MAINE**  
**ADMINISTRATIVE REVIEW BOARD MEETING**

**Wednesday, December 9, 2015**

A meeting of the Administrative Review Board was held on Wednesday, December 9, 2015, at 2:30 p.m. in the Town Council Chamber. The purpose of this meeting was to meet with business owners who have had complaints issue relative to the operation of their business.

**Attending:** Marc Bourassa  
Larry Mead – Town Manager  
V. Louise Reid – Assistant Town Manager  
Tina Kelly  
Ken Lafayette  
Jeffrey Hinderliter – Planner  
Dan Feeney – Code Enforcement  
Police Chief Dana Kelley  
Kathy Smith – Licensing Administrator  
Fire Chief Ricky Plummer  
Dan Blamey – attending to observe before appointment

**Absent:**

Rental Property-Diane Dion                      102 Saco Avenue A&B

<u>Considerations</u>	<u>No Considerations</u>
Harassment Issues	Dog issue
Domestic issues	Health concern

Diana Dion brought with her Kennedy Meepradit although he made no comments. She explained that to her satisfaction she believes she has a good interview process to get good clients but the Board explained that the continue calls for service speak to the process not being successful. She indicated that the one individual which has caused concern is not well and is a medical challenge. It appears the clients have medical or emotional issues which often bring forth calls for service. Ms. Dion indicated she rents by the month and works with Section eight clients. The Board explained that although the consensus was not to do anything at this time that further calls for service could mean that this would come back to the Board with possible referral to council for revocation of license.

**MOTION:** Marc Bourassa motioned and Tina Kelly seconded to confirm the Council’s decision in a written letter from the Code Enforcement Officer detailing the discussions today and future concerns.

VOTE: Unanimous.

Apartment Building 6 Prospect Street

Considerations

No Considerations

Harassment issues  
Noise issue

Civil issue  
Medical issue  
Constant complaints one resident

Mr. Nasta was unable to attend nor was his attorney and if the Board feels it is necessary, we will consider him at the next Administrative Review Board Meeting.

Although the individual who appeared to be the reason for service calls has moved and the business owner's assigned caretaker of the building has been most helpful, it appears again that this is the situation where they have rented to the same type of individual that in the past has caused issues. Although the Property Manager has met with the Police Department and attempted to solve the issues, they continue to be raised and service calls continue to be made. The continued history of this location is a concern to the Board. It was noted that the individual causing most of the issues has been evicted.

Granite Bay Care (GBC) 37 Chestnut Street

Considerations

No Considerations

Disturbances  
Threatening

Harassment

Renchi Zhang and Saily Chen are owners of the property and Mr. Zhang was present in the meeting. Also in attendance was Ken Olson of Granite Bay Care who runs the facility. Mr. Zhang indicated that he rented the house to the Granite Bay Care on February 1, 2013. Presently four clients live in the house. This includes three tenants and one house manager. Mr. Olson indicated that there is 24/7 coverage by a senior person to address issues. The owner of the house indicated that he has worked hard to upgrade the house on the outside and inside including purchasing a new washing machine, microwave, oven, etc. The outside of the house has been repainted and doors replaced. Mr. Olson explained that the clients of Granite Bay Care are handicapped or have additional emotional or medical issues. They have sought to be good neighbors and in the instance where there has been difficulty, the house manager has sought to address in a timely manner. It was suggested that Granite Bay Care would present to the Police Chief the supervisors cell phone numbers so immediate contact can be made with the Police. Also the Chief suggested that it would be helpful if there could be a meeting with the Police Officers to more understand the policies and procedures of Granite Bay Care. Compliments about the communication between the one client and the Police officers were very positive. It should be noted that in Cumberland County that Granite Bay Care runs

approximately 48 residences. There was a discussion also about clients rights and the need to address more than just medical and emotional issues but also the fact that many are not able to make good decisions for themselves.

**MOTION:** Marc Bourassa motioned and Tina Kelly seconded not to do anything further on this issue but for the items recommended in the documentation with meetings with the Police Department be followed up.

**VOTE:** Unanimous.

3 and 5 Short Street

Considerations

No Considerations

Disturbances continually  
Misuse of 911 system

Removal of Tenant  
Noise complaints

Again this appears to be the issue of the type of individual that the business owner is renting to and the need for an evaluation of rental procedures and policy. The continual service calls relate to the inability of those renting to get along and the inability of the business owner to handle the situation. Mr. John McManus attended and from the beginning was agitated about the meeting and issues relative to the complaints. He feels the property owner should have more control over what is done but it was explained that that was not the purpose of this meeting. That is a State issue not to be addressed today. The issues with his clients raised the question of the process in which he rents to individuals but in some instances he indicated that he was "doing a favor". Although a kind gesture, those kind of decisions can result in the calls for service which further result in the need for this meeting with the Administrative Review Board. It was difficult to get Mr. McManus to accept the recommendations that were being suggested and he was terrible agitated over the fact that he receives one tax bill but has two properties. The Town Manager tried to explain that this is another matter and that he will address it with the Assessor but it is not relevant to this meeting. It was acknowledged that Mr. McManus has very nice properties but the issue is the type of individuals to whom he rents and that more consideration as to clients' needs to be addressed.

**MOTION:** Tina Kelley motioned and Marc Bourassa seconded to send a letter detailing the meeting and the recommendations that have been given with the understanding that the purpose of the meeting was to help the business owner avoid the need to come before the Board again.

**VOTE:** Unanimous.

<u>America's Best Value Inn/Mt. Royal</u>	<u>30 West Grand Avenue</u>
<u>SeaBreeze Motel</u>	<u>30 Milliken Street</u>
<u>Apartment Building</u>	<u>29 Portland Avenue</u>
<u>Grand Beach Inn and Café</u>	<u>198 East Grand Avenue</u>

Again, King Weinstein could not appear as he indicated that he was going to be out of town. Unfortunately we had already advertised and provided written information to him before he informed us of his inability to attend. The Board recommends that in the New Year we meet with Mr. Weinstein regarding the complaints relative to the businesses noted above.

Pinewood Terrace Apartments –Caleb Foundation 181.5 Saco Avenue

Considerations

No Considerations

Altercations

Issues of Harassment

Again, this is a subsidized group home situation. It was determined that it would be a good opportunity to discuss with them the issues that raised the service calls but also to understand their policies and procedures. There seems to be a need for reconnecting between staff and the tenants. Lt. DeLuca has been working with Pinewood Terrace but this meeting will be an opportunity for the Board to open up discussion. In attendance was Melanie Johnson – Property Manager. She said this is a non-profit agency (Inc.) As the manager she is setting policies and procedures which have not been done before and is the process of evicting a couple of clients. The Board was impressed with her presentation of what she expects and her plans for future improvements in relationships between the clients and the police. She indicated this is a 30 unit subsidized facility (HUD) – Section 8. She has been with Caleb Foundation for the last year-and-a-half and is housed at the Ledges in Saco which she also manages. The Board was impressed with her presentation and feels that the connection being made and continuing between Deputy Chief Deluca will help assist in solving the issues that have been brought up.

MOTION: Chief Kelley motioned and Chief Plummer seconded to not bring this further at this time as they were satisfied with the actions that are in place.

VOTE: Unanimous.

The Town Manager closed the meeting at 4:15 p.m.

Respectfully Submitted,

V. Louise Reid  
Assistant Town Manager