



Town of Old Orchard Beach
Office of the Town Manager

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www.oobmaine.com/town-council

Regular Town Council Meeting Minutes

May 2nd, 2023

I, Tim Fleury, Secretary to the Town Council of Old Orchard Beach, Maine, do hereby certify that the foregoing document consisting of 19 pages is a copy of the original minutes from the regular meeting of the Old Orchard Beach Town Council held on May 2nd, 2023.

Prepared By:	Tim Fleury
Approved By:	Old Orchard Beach Town Council
Approval Date:	5/17/2023

Respectfully
Submitted,

Tim Fleury
Town Council
Secretary



Town Council Regular Meeting Followed by a Budget Workshop Minutes

May 2nd, 2023 @ 6:30pm Council Chambers -

1 Portland Avenue

Budget Workshop to immediately follow - Recreation, Ballpark, CIP

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**Members of the public wishing to view the meeting from home may tune into Local Access TV (Channel 3 or 1301 - check with your provider) or by clicking the Meeting Videos link on oobmaine.com.)*

PLEDGE OF ALLEGIANCE:

ROLL CALL: ACKNOWLEDGEMENTS:

GOOD & WELFARE:

Eileen Carboneau - No left turn at Dunkin Donuts? When is a sign going up?

Barry Tripp - 16 Union Ave - Thanks to Council for the skate park investment in youth. There is an event on Saturday 12-3pm - thanks to Jason Webber - Spring Fling event - all ages event - live music, free food, graffiti art performance, communal and inclusive.

Jason Webber - Small college world series at ballpark this weekend - Yankee Small College Championship.

PRESENTATION:

Fire Department – Swearing in of new Deputy Chief

Fire Chief John Gilboy introduced Cliff Whitten as the new deputy chief.

Town Clerk Kim McLaughlin swore in Deputy Chief Cliff Whitten.

Yellow Tulip Project presentation

Pat Wright and Judy O’Brien gave a brief presentation on the Yellow Tulip Project and introduced the school guidance counsellor and students for a short presentation.

Chairman O’Neill – thanked dedicated group in town highlighting a sensitive topic.

ACCEPTANCE OF MINUTES:

Accept minutes from 4/12/2023 STR Workshop, 4/18/2023 Regular Meeting, 4/18/2023 Budget Workshop, and 4/20/2023 Workshop.

Chair: Shawn O’Neill

Motion to accept: Councilor Reid

Seconded: Councilor Mead

Vote: 4-0

PUBLIC HEARING – ORDINANCE AMENDMENTS:

PUBLIC HEARING: Shall the Town Council consider amendments to Ch. 78, Art. VI, Secs. 78-518, 717, 747, 803, 833, 869, 993, 1023, 1134 and Art. VII, Sec. 78-1281. This is a new ordinance proposing regulations for lodging establishment conversions to condominiums.

Chair: Shawn O’Neill

Lodging establishment conversions to condominiums have been identified as a concern to town staff due to the recent increase in conversion proposals and inquiries and the minimal jurisdiction and standards available to staff to evaluate conversion proposals as well as a possible way to circumvent rules. To prevent these unregulated conversions from continuing and to allow the town to consider its options, the Town felt a temporary pause to conversion proposals (through a moratorium) was necessary to allow time to research and develop appropriate mechanisms that provide more protection to occupants of the units, abutting property owners, and the town as a whole.

The Town is now moving forward with a draft lodging condominium ordinance. To date, the Planning Board has reviewed the draft ordinance, held a public hearing and are recommending approval of the ordinance as written.

Chairman O'Neill opened the hearing at 6:50pm

Chairman O'Neill closed the hearing at_____

Jeffrey Hinderliter – town planner - proposal for new ordinances regulating lodging establishments converting to condos – currently zero standards in place. Mr. Hinderliter gave a brief overview of the proposed ordinance. He stated it is important to note that the primary purpose of the ordinance is to continue to operate as lodging establishment.

Public input:

Mary Pat Donellon – 8 Brisson St – thanked council for STR and Condo Conversion work. Ms. Donellon questioned the difference between converting into condo units and multi family units. Jeffrey Hinderliter answered her questions.

Chairman O’Neill – would like to limit public input requests for information and would like a public workshop in next week or two to answer questions. Chairman O’Neill would like a workshop prior to voting on the ordinance amendments.

Mary Pat Donellon – would like to get questions on record. She appreciates the level of work done on the draft ordinance and asked if enforcement can cover the new requirements.

Chairman O’Neill – will answer questions at workshop –

Tim Donellon – 8 Brisson St - regulations that suggest 2 parking spaces – Is it defined as surface parking or does it create a need for parking garages?

Councilor Reid made a motion to remove public hearing from discussion.

Councilor Mead – seconded

Vote: 4-0

Discussion – Councilor Mead – to Jeffrey Hinderliter what zones allow lodging and what happens if unit not complying? - license review board and to council if not complying – would like discussed at workshop – liked owner obligations in proposed ordinance.

Town Manager Asanza will schedule workshop tomorrow in the next few weeks

Mary Pat Donellon – how do calls to council get raised at workshop?
Chairman O’Neill will bring to workshop

Steve Grisson - Kebek Hotel sold and moved to long term leases without abutter notification - Chairman O’Neill can answer at workshop.

Tim Donellon – hotels grandfathered on conversions, how are they grandfathered?

Chairman O’Neill – closed public hearing at 7:14pm

PUBLIC HEARING – BUSINESS LICENSE & APPROVALS:

Meagan Williams, (318-8-6) 146 West Grand Ave. #82, one year round rental, STR.

Chippy’s Snack Shack, (107-3-8) 7 Oregon Ave (Pinehurst), Ryan Chase, victualers w/prep, no alcohol.

Diane Bacon, Lindsey & Ebenezer Kwarting, (212-1-7), 41 Fern Ave, one year round rental, STR.

Vacationland Bait & Tackle, Meagan McWilliams, (206-31-8), 39 Old Orchard Street, retail business.

Alexes Valhouli, (316-2-4), 12 Odessa Street, one year round rental, STR.

Glenn A. Tatro, (305-3-9-9), 5 Boisvert Street #109, one year round rental, STR.

By the Seas Rentals, David & Kristin Fournier, (309-8-3), 3-5 Short Street, three year round rentals, STR.

Paloma’s, Nancy Batista, (306-4-4), 15 East Grand, victualers w/prep, w/alcohol.

Chair: Shawn O’Neill

Chairman O'Neill opened the hearing at 7:16pm

Councilor Mead – concerns on year round conversions into short term rentals, followed up with owners, 41 Fern Ave – owners renting for STR purposes portion of home and occupying rest of home year round as primary

residence, 3-5 Short Street – 2 licenses prior for 2 rentals, primary home not being rented – adjacent units used as STRs now and primary residence is now being used as a STR. It was not used that way previously. Voting to approve all items as they meet requirements.

Councilor Tousignant – Fern Park Ave – parking? – Councilor Mead – 5 spaces at that unit

Chairman O’Neill – do properties meet parking requirements moving forward?

Motion to approve: Councilor Tousignant

Second: Councilor Mead

Vote: 4-0

Chairman O'Neill closed the hearing at 7:21pm

PUBLIC HEARING – SPECIAL AMUSEMENT PERMITS & APPROVALS:

Big Bites/Big Shots Inc., Cameron Langlois (307-3-1-A), 8 West Grand, dancing, DJ, live entertainment, music 11am-1am.

Chair: Shawn O'Neill

Chairman O'Neill opened the hearing at 7:21 pm

Motion to approve: Councilor Tousignant

Second: Councilor Mead

Vote: 4-0

Chairman O'Neill closed the hearing at 7:21pm

TOWN MANAGER REPORT



Town of Old Orchard Beach

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April 18, 2023

Town Manager's Report

Recreation Department has been busy gearing up for the summer and I wanted to mention an event coming up:

On May 20th from 10 am – 12pm there will be a Bike Rodeo at the High School. Sponsored by the “Love your Brain” Michael T. Goulet Traumatic Brain Injury and Epilepsy Foundation.

They will be donating helmets to participants on a first come first serve basis and provide individual helmet fittings.

There will also be bike safety education, to learn rules of the road, and first aid training by our very own Police and Fire Departments.

Summer Camp sign up has started for grades K – 8th. Located at the Loranger School, and to register you can go to the Recreation Department website and fill out the necessary paperwork online, or call 934-0860. These spots fill up quickly so and they run one of the best summer camps in the state so don't miss out on this opportunity.

Short Term Improvements on Ocean Park Rd. We have submitted the proposal for short-term temporary improvements to ME DOT as reported at the last Council Meeting. We should hear soon if the short term improvements have been approved and when they will be scheduled for installation.

These short term improvements were a result of last year's public meeting and the feedback we received because a project like this can take several years for completion. The request to ME DOT for implementing low cost short term improvements on Ocean Park Road, include traffic calming measures from the spur using delineators narrowing the lane width to slow traffic down and that would also visually separate the south shoulder of Ocean Park Rd leading to Main Street in Saco, which is heavily used by pedestrians walking. Also installing delineators on Ocean Park Road from the Dunkin' Donuts crosswalk to the crosswalk

near Melvin Ave. and freshening up paint on the crosswalks to make them more visible. As soon as we hear from ME DOT on their approval and schedule, we will notify residents through the website notification option as well as post information on the Town's website.

Piping Plovers have been spotted and the last report I received there are around 12 – 14 birds spotted all along the beach and as a reminder for pet owners please be mindful if your dog is not under site or voice control they should be on a leash. We have received two complaints so far on pet owners not following the ordinance and allowing dogs to be unleashed that are not on site or voice control.

NEW BUSINESS:

AGENDA ITEM #7876

Discussion with Action: Shall the Town Council adopt amendments to Ch. 2, Art. IV, Div. 9 - Compensation of Planning Board Members, Sections 2-405 - 409. This ordinance proposes to authorize compensation for Planning Board members.

Chair: Shawn O'Neill

During 2022, the Planning Board voted to approve a stipend for each member of the Board. The reason for the Board stipend is because of the members' time commitment, the technical work, and overall importance of their decision making. After Board approval, the stipend cost was included in the FY23 budget and approved by Council.

After consulting with the town attorney, we found an ordinance must be created to authorize payment of the stipend. We developed an ordinance which is now presented for your review and vote.

Motion to adopt: Councilor Mead

Seconded:

Councilor Reid

Vote: 4-0

AGENDA ITEM #7877

Discussion with Action: Set the public hearing date for May 16th, 2023 for the Town Council to consider amendments to the Code of Ordinances, Chapter 54, Traffic and Vehicles, Section 187, Restrictions and Prohibitions, Old Orchard Street, by adding one ten-minute parking spot in front of 33 Old Orchard Street (MBLU 206-31-6) and one ten-minute parking spot in front of 28-30 Old Orchard Street (MBLU 205-4-4).

Chair: Shawn O'Neill

The option of two 10-minute parking spaces is based on Councilor Blow's initiative and a request from a business owner to assist local establishments on Old Orchard St, and to enable short term parking and accommodate pickup of goods from local businesses. Currently, only two-hour parking is available on Old Orchard Street whereby patrons are required to pay for parking. This is cost prohibitive for someone simply picking up items from one of the many businesses on the street. The addition of two 10-minute parking spaces will benefit patrons as well as the many local businesses in the area. Upon closer examination of parking in the area we determined that the most effective location for the two parking spaces would be to locate one on each side near the middle of Old Orchard Street (Halfway up the hill), in order to equally accommodate businesses on the upper and lower half of the street. The spaces we have recommended allow for easier entry and exit as they are both near the intersection of Seavey Street and are the last spot prior to the area of the intersection.

One parking space would be located in front of 33 Old Orchard Street (MBLU 206-31-6),

One parking space would be located in front of 28-30 Old Orchard Street (MBLU 205-4-4)

Motion to set date: Councilor Mead

Second: Councilor Tousignant

**Councilor Tousignant – loading zone in front of one space – Town Manager
Asanza – loading zone not for public use – spaces don't impact loading zones
for businesses.**

Vote: 4-0

AGENDA ITEM #7878

Discussion with Action: Approve the Special Event Permit application for the Eastern Trail Alliance to hold the "Maine Lighthouse Bike Ride" Sunday, September 10th, 2023, from 7 a.m. to 3 p.m.; Rest stop in Memorial Park and Heath Street.

Chair: Shawn O'Neill

Motion to approve: Councilor Tousignant

Seconded: Councilor Reid

Vote: 4-0

AGENDA ITEM #7879

Discussion with Action: Approve the Special Event Permit application for the Chamber of Commerce to hold their Annual Beach Olympics on the beach, East and West Grand Avenues, Memorial Park at the Basketball and Tennis Courts and in the Square (request to close the Square) on Thursday, August 17th through Saturday, August 19th, 2023, includes set-up and takedown. Insurance listing the Town of Old Orchard Beach as additionally insured, to be provided to the Town Clerk's Office at least two weeks prior to the event. Applicant to contact Public Works to confirm plover activity two weeks prior to event.

Chair: Shawn O'Neill

Motion to approve: Councilor Mead

Seconded: Councilor Reid

Vote: 4-0

Kim Howard – spoke on closing the square during performance for safety

AGENDA ITEM #7880

Discussion with Action: Act on Warrant and Notice of Election calling a Regional School Unit No. 23 Budget Validation Referendum on June 13th, 2023.

Chair: Shawn O'Neill

Motion to approve: Councilor Tousignant

Seconded: Councilor Reid

Vote: 4-0

AGENDA ITEM #7881

Discussion with Action: Renew the liquor license for Paloma's, Nancy Batista, (306-4-4), 15 East Grand, m-s-v in a restaurant/lounge.

Chair: Shawn O'Neill

Motion to approve: Councilor Tousignant

Seconded: Councilor Reid

Vote: 4-0

AGENDA ITEM #7882

Discussion with Action: Renew the liquor license for Big Bites Big Shots, Inc., Cameron Langlois, (307-3-1) 8 West Grand, m-s-v Class X in a Class A lounge.

Chair: Shawn O'Neill

Motion to approve: Councilor Tousignant

Seconded: Councilor Reid

Vote: 4-0

ADJOURNMENT

Motion to adjourn: Councilor Mead @7:33pm

Councilor Reid

4-0

Chair: Shawn O'Neill