



Town of Old Orchard Beach
Office of the Town Manager

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Town Council Workshop Minutes

June 27, 2023

I, Tim Fleury, Secretary to the Town Council of Old Orchard Beach, Maine, do hereby certify that the foregoing document consisting of 6 pages is a copy of the original minutes from the regular meeting of the Old Orchard Beach Town Council held on 6/27/2023.

Prepared By:	Tim Fleury
Approved By:	Old Orchard Beach Town Council
Approval Date:	8/1/2023

Respectfully
Submitted,

Tim Fleury
Town Council
Secretary



Town Council Workshop Agenda

Tuesday June 27th, 2023, 6:00pm
Council Chambers - 1 Portland Avenue

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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.)*

There will be a Town Council Workshop on Tuesday, June 27th, 2023, at 6:00pm to discuss 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

Vice Chair Blow opened the meeting @ 6:00pm and turned the meeting over to Diana Asanza, Town Manager. Town Manager Asanza went over the history of the last workshop and the goal of this workshop. She went over the changes to the amendments from the last workshop to this workshop.

Jeffrey Hinderliter – town planner went over the draft ordinances presented at the meeting – proposed conditional use ordinance has the major changes – Jeffrey Hinderliter went over the memo he presented to the Council – up

to 400 sq feet, owner occupation increased from 60-day limit and removes requirement if the unit is not occupied, an owner cannot occupy it – 300 days removed and replaced with 60 day – 60 days required to be rented or offered to rent – building and unit use changed to seasonal only 3/1 to 12/1, additional standard prohibits consecutive rentals to the same renter or relation to that original renter, change to seasonal limits the timeframe for consecutive rentals – unit must be vacant during off-season – Councilor Tousignant – why has this moved to seasonal? – Jeffrey Hinderliter – Council asked for change – Vice Chair Blow – concerns on flooding school system –

Peter Guidi – closure of condos during winter months identical to Wells, the city school system was hit hard – code enforcement checks units regularly

Councilor Mead – kids registered in offseason for schools – happens every year – still occurs – roughly 20-25 kids in OOB school system – still a concern – increasing square footage makes units more habitable and limiting the rental period during the year helps combat that – agrees on 400 square foot minimum size – favorable to not occupying in offseason.

Vice Chair Blow – 400 square feet fair – doesn't want to limit owner of building when selling property – will hold building sales to a standard to meet size limits.

Councilor Tousignant – why shouldn't owners be allowed to live in units in the offseason? – Jeffrey Hinderliter – easier to identify if units are unoccupied as opposed to owner-occupied and not renting units – Councilor Tousignant – provision for the owner to live in unit year-round? – Vice Chair Blow – if potential buyer is looking for year-round use, they will have to find different unit, prevents issues with neighbors and strain on the school system – Jeffrey Hinderliter – owners could go in and make units dwelling units, need to meet density requirements if converted to dwelling units, hotel/motels have lower densities and would need to go through planning approval to meet densities and other concerns – Town Manager Asanza – will ordinance meet occupancy requirements? Ch 34 by square

footage? Jeffrey Hinderliter – will exceed that because it's still a lodging establishment, a dwelling unit is a different set of standards – Vice Chair Blow – if converted to a dwelling, can they be a STR? -Jeffrey Hinderliter – different conversation – Vice Chair Blow – can elaborate on conversion to dwelling units? – Councilor Tousignant – Summer Winds – 8-month destination originally, over a few years increased to a year-round neighborhood – Jeffrey Hinderliter – if remains as lodging condo, must remain seasonal – if want to convert to dwelling units, have to meet those standards, stricter standards – chance is minimal – Councilor Mead – lodging unit renting for short times converting to STR, not an issue – Vice Chair Blow – lodging unit has on-site employees to monitor that, condo conversion as a STR would not have that – Councilor Mead – to Jeffrey Hinderliter, still have front desk and 24/7 contact to town? Jeffrey Hinderliter – yes – Councilor Mead – Planning boards' role in this? Jeffrey Hinderliter- site plan, subdivision, or conditional use – this would fall under conditional use – 12 review criteria needed for the applicant – public meeting, site walks, abutter notices, etc. – this allows abutters to be aware – Councilor Mead – got an update to the number of kids in the school system, reflected above.

Tim Donellon – 8 Brisson Street – specific situation, lodging establishment operating year-round – Vice Chair Blow – what does unit operating against license have to do? – Jeffrey Hinderliter – lodging can be seasonal or year-round, year-round operations operate as traditional hotels in peak season and switch to winter long-term unit in off-season – Vice Chair Blow – now operating as apartment units basically – Rick Haskell – hotel moves from transient use to non-transient use requires lots of review – Vice Chair Blow – why can't we stop it if we know about it? – Rick Haskell – stopped units that we know about – can address units that are operating against license, tough road as they have been operating based on old administration verbal agreement – Vice Chair Blow – shouldn't allow it without written approval – Councilor Mead licensed as year-round hotel/motel – would like to see the Town Manager get a statement from the town attorney addressing this unit – even if switched to year-round by error, the town can go back and fix mistake legally – Vice Chair Blow – looking for an answer for this situation

and how the Town can remedy it – dwelling versus year-round motel – Tim Donellon – currently operating as an apartment building, 1-year lease then go month to month – not complaining on current state with rentals – Vice Chair Blow – though it was an ongoing issue with year-round residents used as apartments.

Steve Johnson – 2 Brisson Street – issue allowing taking a seasonal hotel into an apartment building – if a year-round hotel allows leases, is it a dwelling at this point and does it change? – Jeffrey Hinderliter – yes, it changes to dwelling unit – Rick Haskell – inspected 2-3 weeks ago as year-round hotel, passed inspection – Vice Chair Blow – confused on if neighbors want it to conform to year-round dwellings units or revert it to lodging establishment? Steve Johnson – wants to see codes enforced – Vice Chair Blow – would be taxed differently based on – Steve Johnson – page 2 on the memo, can some units be converted to condos and rest left as lodging units – looking for clarification – Vice Chair Blow – multi-use building, top floor units' condos, and bottom floor hotel units, someone would be on-site managing condo and hotel units – Steve Johnson – any units like that now? – Vice Chair Blow – no, but getting ahead of potential issues.

Councilor Tousignant – new owners of Kebek 2, under the impression that wanting to convert to condos? The current moratorium prevents conversion – came in quickly before the moratorium went into effect and got license change – knows they are coming back to convert to condos when this process is complete – knows hotels/motels have been sold since then and will covert into condos depending on whatever Council decides – Vice Chair Blow – comfortable with what Jeffrey Hinderliter came up with to prevent quick turnovers on motels/hotels into condos – converting to size restrictions and limiting it to seasonal prevents large conversion factor – must be motivated to convert to condos with these restrictions – Councilor Mead and Councilor Reid good with it – Steve Johnson – up to 400 square feet, does it require 2 spaces? – Jeffrey Hinderliter yes – Vice Chair Blow – if existing motel/hotel in town is using town property (parking spaces), should conform to standards.

Tim Donellon – a requirement that lodging condo provides contact information – include neighbors? – Vice Chair Blow is unknown if it can be given to neighbors. – Front desk doesn't list hours –

Council thanked Jeffrey Hinderliter for their hard work on amendments – Vice Chair Blow closed the workshop at 7 pm.