



## Town Council - Meeting Agenda

**Tuesday, December 5<sup>th</sup>, 2023 @ 6:30pm**  
**Council Chambers - 1 Portland Avenue**

*[www.oobmaine.com/town-council](http://www.oobmaine.com/town-council)*

*\*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](http://oobmaine.com).)*

### **PLEDGE OF ALLEGIANCE:**

### **ROLL CALL:**

### **ACKNOWLEDGEMENTS:**

### **GOOD & WELFARE:**

### **ACCEPTANCE OF MINUTES:**

**Acceptance of minutes from the 11/20 Special and Inaugural Meetings, 11/21 Regular Town Council Meeting, and the 11/28 Town Council Workshop**

Chair: Shawn O'Neill

**PUBLIC HEARING – ORDINANCE AMENDMENTS:**

Shall the Town consider amending the Code of Ordinances,  
Chapter 78, Article I,  
Sec. 78-1; Article VI, Sections:

- 78-487 (6);
- 78-488 (1);
- 78-517 (8);
- 78-518 (9);
- 78-547 (7);
- 78-548 (1);
- 78- 577 (7);
- 78-578 (8);
- 78-607 (6);
- 78-608 (1);
- 78-717 (1) (p), (3) (d);
- 78-747 (1) (t), (3) (d);
- 78-802 (14);
- 78-803 (10);
- 78-832 (10);
- 78-833 (8);
- 78-868 (a) (1) (e), (2) (e), (3) (e), (4) (d);
- 78-869 (a) (1), (b) (1), (c) (1);
- 78-902 (10);
- 78-903 (7) (a), (b);
- 78-962 (9);
- 78-963 (1);
- 78-992 (1);
- 78-993 (1);

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- 78-1002 (7);
- 78-1003 (1);
- 78-1022 (2);
- 78-1023 (21);
- 78-1133 (4);
- 78-1134 (11);
- Article VII, Sec. 78-1272;
- Article VIII, Sec. 78-1383,

by adding the underscored language and deleting the strikethrough language. These amendments propose changes to comply with the state housing opportunity program law (LD 2003) to allow for additional density for affordable housing developments in certain areas, multiple dwelling units on lots designated for housing, and one accessory dwelling unit located on the same lot as a single-family dwelling unit in any area housing is permitted.

Chair: Shawn O'Neill

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**PUBLIC HEARING – LIQUOR LICENSE & APPROVALS:**

JJ's Eatery Too, David Nguyen, (306-5-1), 12 Old Orchard Street Unit B, m-s-v in a Class A restaurant/lounge.

Lone Pine Brewing Company, LLC, John Paul, (305-6-1), 32 East Grand Ave, m-s-v in a Class A restaurant/lounge.

Chair: Shawn O'Neill

**PUBLIC HEARING – BUSINESS LICENSE & APPROVALS:**

JJ's Eatery Too, David Nguyen, (306-5-1), 12 Old Orchard Street Unit B, victualers with prep and alcohol.

Chair: Shawn O'Neill

**PUBLIC HEARING – SPECIAL AMUSEMENT PERMITS & APPROVALS:**

JJ's Eatery Too, David Nguyen, (306-5-1), 12 Old Orchard Street Unit B, jukebox Mon-Sun, open to close.

Patron Mexican Restaurant, Anel Sema, (206-27-13), 8 Heath Street, live music inside Friday and Saturday 6pm to 9pm and DJ inside Friday and Saturday 9pm to 1am.

Chair: Shawn O'Neill

# TOWN MANAGER REPORT

**NEW BUSINESS:**

**AGENDA ITEM #8054**

**Discussion with Action:** Shall the Town approve a Contract Zone Agreement between Seacoast Land Acquisitions, LLC and the Town of Old Orchard Beach, for the property located at 63-91 E. Emerson Cummings Blvd, MBL: 207-1-2, in the PMUD district, pursuant to 30A M.R.S.A., Section 4352 (8), Chapter 78, Section 78-31 and Chapter 78, Article IX of the Old Orchard Beach Zoning Ordinance, and Section 410 of the Old Orchard Beach Charter. The purpose of the Contract Zone is to allow the establishment of a 61-unit single-family condominium project.

Chair: Shawn O'Neill

## AGENDA ITEM #8055

**Discussion with Action:** Shall the Town approve a request from Atlantic Developers to accept title in fee simple and to accept and establish town ways those portions of Mary's Way and Kylie Lane, together with any storm water drainage systems located within the right of way of said Mary's Way and Kylie Lane; two 50' x 50' turnaround and snow storage easements located on subdivision plan lots 4 and 5; 12' wide easement off Ross Road, as shown on the \_\_\_\_\_ plan dated \_\_\_\_\_, for the purposes of accessing storm water drainage systems within the open space area; 50' wide water, gas, and public access easement across the remaining land of Beaulieu from the terminus of Mary's Way to the Eastern Trail; 5' wide public access easement from Ross Road to Kylie Lane, as shown on the \_\_\_\_\_ plan dated \_\_\_\_\_, through the open space area; fire hydrants; street signs; together with the responsibility for trash removal, plowing of roads within the travelled way and all responsibilities of maintaining public road or way, except and specifically excluding a 15' wide utility easement located on subdivision lot 18; 10' wide utility easements located along subdivision lots 5 - 18 and open space area; open space areas; lawn care and maintenance of 12' wide Ross Road access easement, 5' wide public access easement, and 50' wide water, gas and public access easement; mailboxes and snow removal of the mailbox area; sidewalks and sidewalk maintenance including plowing and repairs; landscaping and maintenance of the cul-de-sac on Kylie Lane; street lights; lighting facilities; lampposts; lighting electricity costs; street trees; lawn and yard maintenance within the right of way; lawn irrigation systems within the right of way; storm water drainage systems outside of the right of way; non-traffic control signage such as the development sign. As described in the Warranty Deed from Atlantic Developers to the Town of Old Orchard Beach, Maine, dated, \_\_\_\_\_.

Chair: Shawn O'Neill

### **AGENDA ITEM #8056**

**Discussion with Action:** Shall the Town amend the Code of Ordinances, Chapter 54, Section 114, Milliken Street Parking Lot; Section 115, Memorial Park Parking Lot; Section 142, Parking at expired meters and overtime parking; Section 160, Motorcycles; Section 187, Restrictions and prohibitions, Town Hall, amending the effective date for parking permits and parking meters/kiosks from May 1st through September 30th to May 1st through Labor Day, and amending the \$300 overnight parking permit for the Milliken Street Parking Lot from May 1st through September 30th, to May 1st through October 31st.

Chair: Shawn O'Neill

### **AGENDA ITEM #8057**

**Discussion with Action:** Amend the Parking Meters Days of Operation Policy 94-3, by changing the end date each year from September 30<sup>th</sup> to Labor Day.

Chair: Shawn O'Neill

### **AGENDA ITEM #8058**

**Discussion with Action:** Amend the Parking Permit Policy 23-1, removing the two-hour time allowed with the \$75 parking Permit on Old Orchard Street, and changing the four-hours allowed at all other meters to six hours.

Chair: Shawn O'Neill



### **AGENDA ITEM #8059**

**Discussion with Action:** Grant the Blanket Letter of Approval for Beano/Bingo to C. Fayette Staples Post 57, American Legion, 14 Imperial Street, to expire 12/31/2025.

Chair: Shawn O'Neill

### **AGENDA ITEM #8060**

**Discussion with Action:** Shall the Town enter into a Consent Agreement between Mr. Bryan W. Murphy of 165 Portland Avenue, Old Orchard Beach, Maine and the Town of Old Orchard Beach, for the purposes of securing compliance concerning the Notice of Violation and Order to Correct Violations of Old Orchard Beach Code of Ordinances.

Chair: Shawn O'Neill

### **ADJOURNMENT**

Chair: Shawn O'Neill