



Town Council - Meeting Agenda

February 6th, 2024 @ 6:30pm
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.)*

PLEDGE OF ALLEGIANCE:

ROLL CALL:

ACKNOWLEDGEMENTS:

Storm Acknowledgement

Cpl Germaine Retirement

GOOD & WELFARE:

ACCEPTANCE OF MINUTES:

Accept the minutes of the 12/12/2023 Town Council Executive Session, the 1/2/2024 Regular Town Council Meeting, the 1/4/2024 Town Council Workshop, the 1/17/2024 Emergency Special Meeting and the 1/17/2024 Workshop.

Chair: Shawn O'Neill

PUBLIC HEARING – ORDINANCE AMENDMENTS:

Shall the Town consider amending the Code of Ordinances, Section 54-187, Old Salt Road, from Temple Avenue to Spring Street and Spring Street, from Temple Avenue to Old Salt Road, restricting vehicles to a gross weight of 9,000 pounds or less, unless they are emergency or municipal vehicles.

Chair: Shawn O’Neill

Town of Old Orchard Beach, Maine



Police Department

*16 E Emerson Cummings Blvd.
Old Orchard Beach, Maine 04064
Tel: (207) 934-4911 Fax (207) 937-5899*

*Elise Chard - Chief of Police
David Hemingway-Deputy Chief of Police*

*TO: Diana Asanza and Council
From: Chief Elise Chard
Ref: Old Salt Road and Spring Street ordinance change proposal*

In an attempt to remedy the issues of large vehicles traveling and parking on Old Salt Road and Spring Street we would propose the following changes to Sec. 54-187, - Restrictions and Prohibitions.

Proposed Wording for old Salt Road and Spring Street – (No Current Wording Exists)

Sec 54-187. – Restrictions and prohibitions.

Old Salt Road. No Vehicle except emergency or municipal vehicles, having a registered gross weight in excess of 9,000 pounds shall be operated or caused to be operated on or over Old Salt Road from Temple Avenue to Spring Street.

Spring Street. No Vehicle except emergency or municipal vehicles, having a registered gross weight in excess of 9,000 pounds shall be operated or caused to be operated on or over Spring Street from Temple Avenue to Old Salt Road.

**Chief Elise Chard
Old Orchard Beach Police Department**

Town of Old Orchard Beach, Maine



Police Department

*16 E Emerson Cummings Blvd.
Old Orchard Beach, Maine 04064
Tel: (207) 934-4911 Fax (207) 937-5899*

*Elise Chard - Chief of Police
David Hemingway-Deputy Chief of Police*

To: Diana Asanza and Council Members

From: Chief Elise Chard

Ref: Commercial Vehicles traveling and parking on Old Salt Road

It has been reported to the police department that there are several large commercial vehicles traveling and at times parking in inappropriate locations on Old Salt Road and Spring Street. This is causing concern for area residents due to the size of the vehicles traveling through a condensed residential area and at times parking on the roadways causing traffic safety concerns.

In an attempt to remedy the issues of large vehicles traveling and parking on Old Salt Road and Spring Street we would propose the following changing Sec. 54-187, - Restrictions and Prohibitions to restrict vehicles with a gross weight of over 9,000 pounds from operating on Old Salt Road and Spring Street.





Below are some current existing restrictions and conditions for other similar roadways in Old Orchard Beach.

Portland Avenue. No vehicle shall be parked on Portland Avenue from Cascade Road to Old Orchard Street. No vehicle, except emergency or municipal vehicles, having a registered gross weight in excess of 30,000 pounds shall be operated or caused to be operated on or over Portland Avenue, from the Scarborough line to the Cascade Road.

Smith Wheel Road. Except as identified in the exemptions below, no vehicle having a registered gross weight in excess of 9,000 pounds shall be operated or caused to be operated on or over Smith Wheel Road from Vallee Lane to the Ocean Park Road. Exemptions: Emergency vehicles; Municipal vehicles; Delivery vehicles for a distance of 310 feet, beginning at the Smith Wheel Road and Ocean Park Road intersection, continuing north along Smith Wheel Road.

Runnells Avenue. No vehicle, except emergency or municipal vehicles, having a registered gross weight in excess of 9,000 pounds, shall be operated or caused to be operated on or over Runnells Avenue.

School Street. No vehicle, except emergency or municipal vehicles, having a registered gross weight in excess of 9,000 pounds shall be operated or caused to be operated on or over School Street. No vehicle shall be parked on the lefthand side of School Street from Saco Avenue for the entire length of School Street.

Chief Elise Chard
Old Orchard Beach Police Department

Roger Bouchard
39 Old Salt Road
Old Orchard Beach. Me 04064

(207) 934-4707

To the Town Manager and Town Council,

This letter is in reference to the upcoming Agenda Item #8066 relating to Old Salt Road. Unfortunately, I will be out of town that night, therefore I am submitting this letter.

I want to thank you for helping us with the issues we are having such as the huge transport trucks loading and unloading vehicles on the Old Salt Road. This makes it very difficult for homeowners to navigate the already dangerous sharp right turn to get out and into our residential street. I have grandchildren and find these huge trucks using our street also a safety factor. The blocked view seems to have been resolved thanks to efforts by the Council and Town Manager. Thank you for that! It was dangerous trying to leave with a blocked view and speeding traffic coming from the spur. I do question the 9000 lb limit and want to verify that heating fuel and gas will still be able to be delivered. I look forward to the Public hearing and plan on attending. Thanks again.



Roger Bouchard

PUBLIC HEARING – BUSINESS LICENSE & APPROVALS:

Richard and Celeste Glover, (206-10-3), 17 Fern Park Avenue, one (1) seasonal short term rental.

Epoxy ME, Janet Peters, (309-10-5), 57 Saco Avenue, Retail License.

Robert M. Cash, Jr., (210-1-20-16), 39 Smith Wheel Road Unit #16, one (1) year round rental.

Nancy Williams, (319-5-4-2), 17 Tunis Avenue Unit #2, one (1) year round short term rental.

TNT Family Trust 2021, Tammie Mahoney, (313-2-2), 7 Bay Avenue Unit #15, one (1) seasonal short term rental.

Steve D. Youd, (323-11-6), 69 Temple Avenue, one (1) year round short term rental.

Michael McNeeley, (205-9-2), 13 Carll Avenue, two (2) year round short term rentals.

Thomas and Mary Beth Bryant LLC, (313-2-11-6), 3 Bay Avenue Unit #25, one (1) year round short term rental.

Wavelet Group LLC, (205-1-25), 14-20 Portland Avenue, eleven (11) Unit Inn.

Donna Stearns, (314-10-9), 56 Seaview Avenue, one (1) year round short term rental.

Daniel, Leigha, and Brian Mount, (105A-1-600-11B), 52 Wild Dunes Way # 11B, one (1) year round short term rental.

Jason, James, and Melissa Bicknell, (303-6-2), 1 Graham Street, one (1) year round rental.

Eber and Luba Weinstein, (206-27-5-1), 5 Sunset Drive Unit #1, one (1) year round rental.

Chair: Shawn O'Neill

PUBLIC HEARING – SPECIAL AMUSEMENT PERMITS & APPROVALS:

Dominator Golf LLC, Dunegrass Golf Club, (105A-1-200) 65 Wild Dunes Way,
weddings inside and outside 4:00pm to 10:00pm Sunday through Saturday.

Chair: Shawn O'Neill

TOWN MANAGER REPORT

NEW BUSINESS:

AGENDA ITEM # 8076

Discussion with Action: Shall the Town amend 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);

-CONTINUES ON NEXT PAGE-

- 78-993 (1);
- 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

**TO: Old Orchard Beach Town Council
Diana Asanza, Town Manager
Tim Fleury, Executive Assistant**
FROM: Planning Department
SUBJECT: Housing Opportunity Program Ordinance Amendments – Recommended Edits
DATE: 16 January 2024 UPDATE

Recommended edits to draft Housing Opportunity Program ordinances to comply with LD2003 requirements:

The below edits to Sec. 78-1272 Housing Opportunity Program and Sec. 78-1383 Accessory Dwelling Unit have been added to address Council comments. The recommended edits are underlined and highlighted in recommended edits draft amendments. Items that are “optional” are identified and were amended to be as strict as possible while meeting minimal requirements of state law. Several amendments are to add clarifying language. The bigger amendments have to do with ADUs and are highlighted below followed by list of all recommended edits to draft ordinances:

- Add off-street parking requirement for ADUs with over 600 square feet of floor area (2 spaces)
- Add language that parking “should” be provided to meet needs of occupants for ADUs with up to 600 square feet of floor area.
- Add requirement that Off-street parking spaces shall not be eliminated to convert an attached garage into an ADU.
- ADUs are no longer allowed within an existing detached accessory structure
- Add single family to restrict ADU “and the single-family dwelling” from being permitted or licensed for short-term rentals

Sec. 78-1272 Housing Opportunity Program:

Definition Edits [Sec. 78-1272, 3.]

- Principal structure – change reference to state “rule” to reference our ordinance “section”.
- Quadplex – add language to reference “specific to the dwelling unit increase allowance in Section 78-1272”.
- Triplex – add language to reference “specific to the dwelling unit increase allowance in Section 78-1272”.

Dwelling unit increase allowance - Applicability [Sec. 78-1272, 6.A]

- Add reference to ADU, Sec. 78-1383, and that “A lot with a single-family dwelling and an ADU will be considered two dwelling units”. [1.]

Dwelling unit increase allowance - Dimensional and setback requirements [Sec. 78-1272, 6.B]

- Add language to table to clarify that a lot with one dwelling unit can have up to two “additional” dwelling units for the max number of dwelling units.

Sec. 78-1383 Accessory Dwelling Unit:

Purpose [Sec. 78-1383, 1.B]

- Add single family to restrict ADU “and the single-family dwelling” from being used as short-term rentals.

Applicability and Application Requirements

- Remove allowance for ADU within existing “accessory structure on the lot”. [Sec. 78-1383, 2.B.1]
 - *This is optional so recommended edit is to be as strict as possible while meeting minimal requirements of state law.*
- Edit from CEO review to administrative site plan review [Sec. 78-1383, 2.D.1-2]
 - *This allows additional level of review by changing from CEO building permit review to administrative site plan which already has its own procedure and review requirements. This change would be optional, so recommended edit is also to be as strict as possible while meeting minimal requirements of state law.*
- Edit mortgage loan inspection language and replace to require “site plan” to match above change to administrative site plan review.

Add to definitions exclusive to the Accessory Dwelling Unit [Sec. 78-1383, 3.]

- Accessory structure: a structure which is incidental and subordinate to the principal use or structure. Accessory uses, when aggregated, shall not subordinate the principal use of the lot. A garage attached to the principal structure by a roof or a common wall is considered part of the principal structure.
- Dimensional requirements: Numerical standards relating to spatial relationships, including but not limited to setback, lot area, shore frontage, road frontage, building coverage, lot coverage and height.
- Existing accessory structure: An accessory structure, including a detached garage, in existence on a lot at the time of submission of a permit application to build an accessory dwelling unit on that lot.

Standards and Requirements for Accessory Dwelling Units [Sec. 78-1383, 4.]

Parking [B.]

- Add maximum floor area size limit of 600 square feet for ADUs not providing additional off-street parking.
- Add “should” language to help encourage parking be provided for ADUs up to 600 square feet: “The owner(s) of an ADU with up to 600 square feet of floor area should provide additional off-street parking to meet the needs of occupants.”
- Add requirement to provide two off street parking spaces for ADUs over 600 square feet.
- Add language that “off-street parking spaces shall not be eliminated to convert an attached garage into an ADU”.

Space and Bulk [D.]

- Edit language to state that a detached ADU must meet same setbacks as required for a principal residential structure and shall not exceed the height of the existing single-family dwelling. [1.]
- Edit setbacks for ADUs within or attached to single family by changing reference from “setback” to “dimensional” requirements. [2.]
- Remove #3 about detached ADU height since height is referenced under D.1. above. [3.]
- Edit language to not allow an ADU in an existing detached accessory structure.
 - *This is optional so recommended edit is to be as strict as possible while meeting minimal requirements of state law.*

Performance standards [F.]

- Add single family to restrict ADU “and the single-family dwelling” from being permitted or licensed for short-term rentals [b]

AMENDMENTS TO CHAPTER 78, ARTICLE VIII, DIV. 2 – BUILDINGS AND STRUCTURES, SEC. 78-1383
ADU Ordinance – Recommended Edits (1/16/24)
New section, new language

Sec. 78-1383 Accessory Dwelling Unit

1. Purpose

The purpose of this section is to meet the requirements of the State of Maine Housing Opportunity Program to allow for the following:

- A. One accessory dwelling unit to be located on a lot containing one single-family dwelling unit in any area where housing is permitted (Accessory Dwelling Unit - ADU).
- B. The ADU and the single-family dwelling shall not be used for short-term rentals.

2. Applicability and Application Requirements

This ordinance applies to any ADU proposed to be developed after the date in which this ordinance is adopted.

- A. ADUs approved by the town of Old Orchard Beach and constructed before the adoption of this ordinance shall be allowed to continue.
- B. An ADU can be located on the same lot where a single-family dwelling unit is the principal structure and only existing dwelling unit in any area in which housing is allowed, provided the ADU requirements and performance standards outlined in this section are met, and shall be constructed only:
 - 1) Within the existing single-family dwelling unit or accessory structure on the lot;
 - 2) Attached to the single-family dwelling unit; or
 - 3) As a new structure on the lot for the primary purpose of creating an ADU.

C. This section does not:

- 1) Abrogate or annul the validity or enforceability of any valid and enforceable easement, covenant, deed restriction or other agreement or instrument between private parties that imposes greater restrictions than those provided in the State rule, as long as the agreement does not abrogate rights pursuant to the United States Constitution or the Constitution of Maine;
- 2) Exempt a subdivider from the requirements in Title 30-A, Chapter 187, subchapter 4;
- 3) Exempt an ADU from the shoreland zoning requirements established by the Department of Environmental Protection pursuant to Title 38, Chapter 3 and the Town of Old Orchard Beach shoreland zoning ordinance; or
- 4) Abrogate or annul minimum lot size requirements under Title 12, Chapter 423-A.
- 5) Allow an ADU to further increase a lot nonconformity, meaning the ADU cannot cause further deviation from the dimensional standard(s) creating the nonconformity, excluding lot area.

D. Applications for ADUs will be reviewed by the Code Enforcement Officer through building permit administrative site plan review and must contain the following in addition to meeting the requirements and standards in this section, and Article IV. – Site Plans:

- 1) A mortgage loan inspection site plan prepared by a Maine licensed land surveyor and drawn to scale showing the boundaries of the lot; any existing improvements on the lot, including buildings, structures, and paving; and any existing easements. This requirement may be waived by the Code Enforcement Officer Town Planner if the proposed construction is entirely internal to the principal dwelling structure on the subject property.

- 2) A separate copy of the **mortgage loan inspection site** plan prepared by a Maine licensed land surveyor that is marked up to scale by either the applicant or the surveyor to include the following additional information: the proposed improvements to the lot, including buildings, structures, paving, landscaping, easements, and utilities; a safe path of travel for access to the ADU; a title block with the property address approved by the assessor and map, block, and lot identification; the name of the record owner of the property; north arrow; date; total square footage of the principal dwelling; total square footage of the ADU; percentage of the ADU total square footage in relation to the principal dwelling total square footage; and the number and location of parking spaces provided.
- 3) For any ADU involving new construction (interior or exterior), a set of building plans, photographs or drawings that show the following: existing and proposed principal and accessory buildings; the floor plan of the principal building and the ADU; elevations for all sides of the existing and proposed buildings; and the architectural treatment of the principal building and the ADU.

3. Definitions exclusive to the Accessory Dwelling Unit

As used in this section the terms listed below have meanings set forth below, whether or not such terms are otherwise defined elsewhere in this chapter. Terms not listed below have the same meanings as in section 78-1 of this chapter.

Accessory Dwelling Unit (ADU): a self-contained dwelling unit located within, attached to or detached from a single-family dwelling unit located on the same parcel of land.

Accessory structure: a structure which is incidental and subordinate to the principal use or structure.

Accessory uses, when aggregated, shall not subordinate the principal use of the lot. A garage attached to the principal structure by a roof or a common wall is considered part of the principal structure.

Attached: means connected by a shared wall to the principal structure or having physically connected finished spaces.

Certificate of occupancy: The municipal approval for occupancy granted pursuant to 25 M.R.S. § 2357-A or the Maine Uniform Building and Energy Code adopted pursuant to Title 10, chapter 1103.

Dimensional requirements: Numerical standards relating to spatial relationships, including but not limited to setback, lot area, shore frontage, road frontage, building coverage, lot coverage and height.

Existing accessory structure: An accessory structure, including a detached garage, in existence on a lot at the time of submission of a permit application to build an accessory dwelling unit on that lot.

Short-Term Rental: Any building or structure, or portion thereof, that is offered or provided to a guest or guests to be used for living or sleeping for a fee for less than thirty (30) consecutive days, with the exception of motels, hotels, bed and breakfast, inn's, overnight cabins, and campgrounds. Short-term rental units may be whole house, duplexes, multifamily, apartments, condominiums, condominium hotels/motels, and individual rooms or individual units in homes, duplexes, multifamily, apartments, condominiums, and condominium hotels/motels.

Single-family dwelling unit: A detached residence designed for or occupied by one family only. Only one such single-family dwelling shall be permitted per lot.

4. Standards and Requirements for Accessory Dwelling Units

A. Water and Wastewater

The owner of an ADU shall provide written verification that the ADU is connected to adequate water and wastewater services prior to certification of the ADU for occupancy. Written verification must include the following:

- 1) If the lot is served by public sewer, both the single-family dwelling and the ADU must be connected to the public sewer system. If being connected to a public sewer system, proof of adequate service to support any additional flow created by the ADU and proof of payment for the connection to the sewer system;
- 2) If the lot is served by subsurface sewage disposal, the owner must demonstrate that the use conforms to the State of Maine Minimum Lot Size law and that the sewage disposal system(s) for both the single-family dwelling and the ADU complies with the Maine Subsurface Wastewater Disposal rules. If an ADU is connected to a septic system, proof of adequate sewage disposal for subsurface wastewater. The septic system must be verified as adequate by a local plumbing inspector pursuant to 30-A M.R.S. § 4221. Plans for a subsurface wastewater disposal must be prepared by a licensed site evaluator in accordance with 10-144 C.M.R. ch. 241, *Subsurface Wastewater Disposal Rules*.
- 3) If an ADU is connected to a public water system, proof of adequate service to support any additional flow created by the unit, proof of payment for the connection and the volume and supply of water required for the unit; and
- 4) If an ADU is connected to a well, proof of access to potable water, including the standards outlined in 01-672 C.M.R. ch. 10, section 10.25(J), *Land Use Districts and Standards*. Any test of an existing well or proposed well must indicate that the water supply is potable and acceptable for domestic use.

B. Parking

- 1) An ADU with up to 500 square feet of floor area is not subject to any additional off-street motor vehicle parking requirements beyond the parking requirements of the single-family dwelling unit on the lot where the ADU is located. The owner(s) of an ADU with up to 500 square feet of floor area should provide additional off-street parking to meet the needs of occupants.
- 2) For an ADU with over 500 square feet of floor area, two additional off-street parking spaces beyond the parking requirements of the single-family dwelling unit shall be provided.
- 3) Off-street parking spaces shall not be eliminated to convert an attached garage into an ADU.

C. Addressing

The applicant shall show the road name(s) and address on a plan after consultation and approval by the town assessor, prior to any approval. This will be used for the purpose of E-911 addressing.

D. Space and Bulk

- 1) ~~Any new accessory structure constructed on the lot to be an ADU shall meet the setback requirements as required for an accessory structure in that zoning district.~~
A detached ADU shall meet the same setbacks as required for a principal residential structure in that district and shall not exceed the height of the existing single-family dwelling.

- 2) An ADU located within the same structure as a single-family dwelling or attached to a single-family dwelling, shall meet the setback dimensional requirements (excluding lot area) and not exceed the maximum height, as required for a single-family dwelling principal residential structure in that zoning district;
- 3) ~~A detached ADU shall not exceed the maximum height allowed for an accessory building.~~
- 3) ~~For an ADU permitted in an existing accessory structure or garage as of January 1, 2024, the setback requirements of the existing accessory structure or garage shall apply.~~
An accessory dwelling unit shall not be constructed or established within an existing detached accessory structure.
- 4) For the purposes of this section, ADUs outside of a shoreland zone shall not be considered to be a second dwelling unit for determining the required minimum lot area, or net residential density.
- 5) The ADU and single-family dwelling shall not exceed the maximum building coverage allowed for the zoning district in which the lot is located.

E. Size

- 1) An ADU must be have a minimum floor area of 190 square feet and shall not exceed 50 percent of the floor area of the single-family dwelling unit, up to a maximum total floor area of 1,000 square feet, or whichever is less.
- 2) The ADU shall not contain more than two bedrooms.
- 3) Floor area measurements of the single-family dwelling shall not include unfinished attic, basement or cellar spaces.
- 4) Total floor area of an ADU shall be measured from the interior faces of the inside walls.

F. Performance standards

- 1) ADUs established under this section must meet the performance standards below, as part of the permitting requirements, and the applicant must provide a narrative describing conformance with each:
 - (a) The construction of any ADU must be in conformity with all applicable federal, state and local laws, codes, ordinances, and regulations.
 - (b) The ADU and the single-family dwelling cannot be permitted or licensed for short-term rentals.
 - (c) Only one ADU is permitted per lot.
 - (d) If there is more than one dwelling unit on a lot, an ADU is not permitted.
 - (e) An ADU must remain in common ownership with the single-family dwelling unit.
 - (f) An ADU must not be sold separately from the single-family dwelling.
 - (g) The owner of the lot on which the ADU is located must reside in that unit or the single-family dwelling, either of which residence may be seasonal, or occupied seasonally by the owner.
 - (h) To ensure continued compliance by current and subsequent owners, the applicant shall provide and record in the York County Registry of Deeds a covenant in a form acceptable to the town that the existence of the ADU is predicated upon the occupancy of either the ADU or principal dwelling by a person who owns the property. It is also required that any owner of the property must notify a prospective buyer of the limitations of this section. Violations of

- the terms of this covenant shall result in the loss of the ADU permit. Said covenant shall be provided to the town prior to the issuance of an occupancy permit for the ADU.
- (i) If an owner is unable or unwilling to fulfill the owner occupancy requirement, the owner must remove the features of the ADU that make it a dwelling.
 - (j) A safe path of travel shall be provided from the ADU to the nearest public sidewalk or right-of-way. The path must be a minimum of three (3) feet wide and remain clear and passable at all times.
 - (k) Above-ground exterior mechanical and utility equipment associated with the accessory dwelling unit should not be located within any required structure setbacks and shall be shielded to protect neighboring properties.
 - (l) A detached ADU is not permitted to have a rooftop deck.
 - (m) To improve compatibility with neighborhoods, ADUs must be built with an orientation, scale, and architectural style that reflects the predominant pattern existing in the neighborhood, preserves privacy for neighbors and for the occupants of the single-family dwelling.

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 December 5th, 2023, 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 78, Article I, Sec. 78-1; Article VI, Sec. 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); 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 below. 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:

Chapter 78, Section 1, Definitions:

Accessory dwelling unit means a ~~separate dwelling unit which is contained entirely within the confines of a building which otherwise retains the design and appearance of a detached, single-family dwelling~~ self-contained dwelling unit located within, attached to or detached from a single-family dwelling unit located on the same parcel of land.

~~*Dwelling, accessory,* means a separate dwelling unit which is contained entirely within the confines of a building which otherwise retains the design and appearance of a detached, single-family dwelling.~~

Ch 78 Amendments for Housing Opportunity Program - LD2003 (10/23)

Ordinance additions are underlined

Ordinance deletions are ~~struck through~~

Sec. 78-487. - Permitted uses. The following uses are permitted uses in the residential 1 district (R-1):

(6) Accessory dwelling unit (see Sec. 78-1383).

Sec. 78-488. - Conditional uses. The planning board may authorize the following conditional uses in the residential 1 district (R-1) provided that the conditions and requirements of article VII of this chapter are met:

(1) ~~Accessory dwelling units.~~

(1) Housing Opportunity Program (see Sec. 78-1272): Dwelling Unit Increase Allowance.

Sec. 78-517. - Permitted uses. The following uses are permitted uses in the residential 2 district (R-2):

(8) Accessory dwelling unit (see Sec. 78-1383).

Sec. 78-518. - Conditional uses. The planning board may authorize the following conditional uses in the residential 2 district (R-2), provided that the conditions and requirements of article VII of this chapter are met:

(9) Housing Opportunity Program (see Sec. 78-1272): Affordable Housing Density Bonus or Dwelling Unit Increase Allowance.

Sec. 78-547. - Permitted uses. The following uses are permitted uses in the residential 3 district (R-3):

(7) Accessory dwelling unit (see Sec. 78-1383).

Sec. 78-548. - Conditional uses. The planning board may authorize the following conditional uses in the residential 3 district (R-3) provided that the conditions and requirements of article VII of this chapter are met:

~~(1) Accessory dwelling units.~~

(1) Housing Opportunity Program (see Sec. 78-1272): Affordable Housing Density Bonus or Dwelling Unit Increase Allowance.

Sec. 78-577. - Permitted uses. The following uses are permitted in the residential 4 district (R-4):

(7) Accessory dwelling unit (see Sec. 78-1383).

Sec. 78-578. - Conditional uses. The planning board may authorize the following conditional uses in the residential 4 district (R-4) provided that the conditions and requirements of article VII of this chapter are met:

(8) Housing Opportunity Program (see Sec. 78-1272): Affordable Housing Density Bonus or Dwelling Unit Increase Allowance.

Sec. 78-607. - Permitted uses. The following categories of use are permitted in the single-family private dwelling district (R-5):

(6) Accessory dwelling unit (see Sec. 78-1383).

Sec. 78-608. - Conditional uses. The planning board may authorize the following conditional uses in the single-family private dwelling district (R-5) provided that the conditions and requirements of article VII of this chapter are met:

~~(1) Accessory dwelling units.~~

(1) Housing Opportunity Program (see Sec. 78-1272): Dwelling Unit Increase Allowance.

Sec. 78-717. - Permitted uses. Permitted uses in the downtown district 1 (DD-1) shall be classified as follows:

(1) Primary uses. Primary uses are as follows:

p. Accessory dwelling unit (see Sec. 78-1383).

(3) Conditional uses. Conditional uses are as follows:

- d. Housing Opportunity Program (see Sec. 78-1272): Affordable Housing Density Bonus or Dwelling Unit Increase Allowance.

Sec. 78-747. - Permitted uses. Permitted uses in the downtown district 2 (DD-2) shall be classified as follows:

(1) Primary uses. Primary uses are as follows:

- t. Accessory dwelling unit (see Sec. 78-1383).

(3) Conditional uses. Conditional uses are as follows:

- d. Housing Opportunity Program (see Sec. 78-1272): Affordable Housing Density Bonus or Dwelling Unit Increase Allowance.

Sec. 78-802. - Permitted uses. The following uses shall be permitted in the general business district 1 (GB-1):

- (14) Accessory dwelling unit (see Sec. 78-1383).

Sec. 78-803. - Conditional uses. The planning board may authorize the following uses in the general business district 1 (GB-1) provided that the conditions of article VII of this chapter are met:

- (10) Housing Opportunity Program (see Sec. 78-1272): Affordable Housing Density Bonus or Dwelling Unit Increase Allowance.

Sec. 78-832. - Permitted uses. The following uses shall be permitted in the general business district 2 (GB-2):

- (10) Accessory dwelling unit (see Sec. 78-1383).

Sec. 78-833. - Conditional uses. The planning board may authorize the following uses in the general business district 2 (GB-2), provided the conditions of article VII of this chapter are met:

- (8) Housing Opportunity Program (see Sec. 78-1272): Affordable Housing Density Bonus or Dwelling Unit Increase Allowance.

Sec. 78-868. - Permitted uses.

(a) Permitted residential uses. Permitted residential uses in the neighborhood commercial districts are as follows:

(1) NC-1 Ocean Park neighborhood commercial district. The following residential uses shall be permitted within the NC-1 district:

- e. Accessory dwelling unit (see Sec. 78-1383).

(2) NC-2 Union Avenue/West Grand neighborhood commercial district. The following residential uses are permitted within the NC-2 district:

- e. Accessory dwelling unit (see Sec. 78-1383).

(3) NC-3 Washington Ave./campground neighborhood commercial district. The following residential uses are permitted within the NC-3 district:

- e. Accessory dwelling unit (see Sec. 78-1383).

(4) NC-4 Cascade Road commercial district. The following residential uses are permitted within the NC-4 district:

d. Accessory dwelling unit (see Sec. 78-1383).

Sec. 78-869. - Conditional uses.

(a) NC-1 and NC-2 district conditional uses. The planning board may authorize the following conditional uses within the NC-1 and NC-2 districts:

~~(1) Accessory dwelling units.~~

(1) Housing Opportunity Program (see Sec. 78-1272): Affordable Housing Density Bonus or Dwelling Unit Increase Allowance.

(b) NC-3 district conditional uses. The planning board may authorize the following conditional uses within the NC-3 district:

~~(1) Accessory dwelling unit.~~

(1) Housing Opportunity Program (see Sec. 78-1272): Affordable Housing Density Bonus or Dwelling Unit Increase Allowance.

(c) NC-4 district conditional uses. The planning board may authorize the following conditional uses within the NC-4 district:

~~(1) Accessory dwelling units.~~

(1) Housing Opportunity Program (see Sec. 78-1272): Dwelling Unit Increase Allowance.

Sec. 78-902. - Permitted uses. The following uses in the industrial district (ID) are permitted, providing that the uses meet all applicable performance standards in this division and conform to all applicable state and federal regulations regarding the storage, handling, processing of materials and the disposal of solid, liquid, gaseous, and radiation waste:

(10) Accessory dwelling unit (see Sec. 78-1383).

Sec. 78-903. - Conditional uses. The planning board may authorize the following conditional uses in the industrial district (ID):

(7) Housing Opportunity Program (see Sec. 78-1272): Affordable Housing Density Bonus or Dwelling Unit Increase Allowance, provided the following:

a. The planning board determines that site constraints, vehicle access, or character of the surrounding neighborhood precludes the use of the site for industrial uses as permitted in this zone;

b. Residential density shall be no less than one unit per 75,000 square feet of net residential area

Sec. 78-962. - Permitted uses. The following categories of uses are permitted in the rural district (RD):

(9) Accessory dwelling unit (see Sec. 78-1383).

Sec. 78-963. - Conditional uses. The planning board may authorize the following uses in the

rural district (RD), provided that the conditions of article VII are met:

~~(1) Accessory dwelling units~~

(1) Housing Opportunity Program (see Sec. 78-1272): Dwelling Unit Increase Allowance.

Sec. 78-992. - Permitted uses. The following uses are permitted in the beachfront resort district (BRD):

(10) Accessory dwelling unit (see Sec. 78-1383).

Sec. 78-993. - Conditional uses. The planning board may authorize the following uses in the beachfront resort district (BRD) provided that the conditions of article VII of this chapter are met:

~~(1) Accessory dwelling units.~~

(1) Housing Opportunity Program (see Sec. 78-1272): Affordable Housing Density Bonus or Dwelling Unit Increase Allowance.

Sec. 78-1002. - Permitted uses. The following uses are permitted in the residential beachfront district (RBD):

(7) Accessory dwelling unit (see Sec. 78-1383).

Sec. 78-1003. - Conditional uses.

The planning board may authorize the following uses in the residential beachfront district (RBD) provided that the conditions of article VII of this chapter are met:

~~(1) Accessory dwelling units.~~

(1) Housing Opportunity Program (see Sec. 78-1272): Affordable Housing Density Bonus or Dwelling Unit Increase Allowance.

Sec. 78-1022. - Permitted uses.

(2) Accessory dwelling unit (see Sec. 78-1383).

Sec. 78-1023. - Conditional uses. Notwithstanding article VII of this chapter, the following conditional uses may be permitted in the planned mixed use development (PMUD) zone:

(21) Housing Opportunity Program (see Sec. 78-1272): Affordable Housing Density Bonus or Dwelling Unit Increase Allowance.

Sec. 78-1133. - Permitted uses. The following uses shall be permitted in the historic overlay district (HO):

(4) Accessory dwelling unit (see Sec. 78-1383).

Sec. 78-1134. - Conditional uses. The planning board may authorize the following uses in the historic overlay district (HO), provided that the conditions of article VII of this chapter are met:

(11) Housing Opportunity Program (see Sec. 78-1272): Affordable Housing Density Bonus or Dwelling Unit Increase Allowance.

Sec. 78-1272. Accessory dwelling unit. (Being replaced by Housing Opportunity Program)

- ~~(1) Purpose.~~ The purpose of the sections concerning accessory dwelling units is to provide a diversity of housing for residents while protecting the single-family character of residential neighborhoods. Accessory dwelling units are permissible as conditional uses provided they meet the performance standards described in this section.
- ~~(2) Performance standards.~~
 - ~~(a)~~ The owner of the lot on which the principal structure is located must reside in the principal structure or the accessory dwelling unit, either of which residence may be seasonal. An accessory dwelling unit may be located on a lot which the owner occupies as a seasonal residence, however, neither the accessory dwelling unit nor the single-family dwelling shall be rented.
 - ~~(b)~~ The person occupying the accessory dwelling unit shall be a first, second, or third degree relation (parent, child, stepchild, sibling, aunt, uncle, niece, nephew, or grandparent) of the principal occupant of the single family dwelling by blood or by marriage and the burden of proof of this relationship shall be on the homeowner.
 - ~~(c)~~ To ensure continued compliance by current and subsequent owners, the applicant shall provide and record in the York County Registry of Deeds a covenant in a form acceptable to the town that the existence of the accessory dwelling unit is predicated upon the occupancy of either the accessory dwelling unit or principal dwelling by a person who owns the property. It is also required that any owner of the property must notify a prospective buyer of the limitations of this section. Violations of the terms of this covenant shall result in the loss of the accessory dwelling unit permit. Said covenant shall be provided to the town prior to the issuance of an occupancy permit for the accessory dwelling unit.
 - ~~(d)~~ The primary entrance into the accessory dwelling unit shall be via the living area of the primary structure. A secondary entrance may be permitted to the accessory dwelling unit provided it is not visible from the street view of the principal or accessory dwelling. The accessory dwelling units stairways shall not be constructed on the front or side of the principal or accessory dwelling unit.
 - ~~(e)~~ To improve compatibility with single family neighborhoods, new accessory dwelling units shall be built with an orientation, scale, and architectural style that reflects the predominant pattern existing in the neighborhood, preserves privacy for neighbors and for the occupants of the primary and accessory dwelling units.
 - ~~(f)~~ The accessory dwelling unit shall have at least 500 square feet of floor area but shall not exceed 50 percent of the floor area of the main dwelling unit. Floor area measurements shall not include unfinished attic, basement or cellar spaces nor public hallways or other common areas. The floor area of the accessory dwelling unit shall not exceed 1,000 square feet and the unit shall not contain more than two bedrooms. Total floor area of an accessory dwelling unit shall be measured from the interior faces of the inside walls.
 - ~~(g)~~ Provisions for one additional off street parking space shall be made, however, no

~~additional curb cuts or driveways may be created to facilitate the creation of the accessory dwelling unit. Any expanded driveway entrance curb cut on the property shall not exceed 24 feet in width.~~

- ~~(h) The dwelling shall be served by a single electrical and water service meter, if served by public water.~~
 - ~~(i) All accessory dwelling units on properties with private sewer shall comply with the State of Maine Subsurface Wastewater Disposal Rules for new or expanded systems, as applicable.~~
 - ~~(j) Only one accessory dwelling unit shall be permitted per lot. It shall be made part of the primary dwelling.~~
 - ~~(k) Accessory dwelling units shall not be permitted for any noneonforming use.~~
- ~~(3) *Definitions.* As used in this section, the terms listed below have meanings set forth below, whether or not such terms are otherwise defined elsewhere in this chapter. Terms not listed below have the same meanings as section 78-1 of this chapter.~~
- ~~(a) *Accessory dwelling unit* means a separate dwelling unit which is contained entirely within the confines of a building which otherwise retains the design and appearance of a detached, single-family home. The accessory dwelling unit shall have separate living, sleeping, sanitary and kitchen facilities for the exclusive use of the unit occupants. The accessory dwelling unit shall not be rented.~~
 - ~~(b) *Living area* means the interior habitable area of a dwelling unit including finished basements but does not include a garage or any accessory structure.~~
 - ~~(c) *Owner-occupied* means that either the principal dwelling unit or the accessory dwelling unit is occupied by a person who has the primary or residuary title to property.~~
 - ~~(d) *Seasonal use* means any three consecutive months during a twelve month period.~~

Sec. 78-1272 Housing Opportunity Program

1. Purpose

The purpose of this section is to meet the requirements of the State of Maine Housing Opportunity Program to allow for the following:

- A. Additional density for affordable housing developments in certain areas (Affordable Housing Density Bonus);
- B. Multiple dwelling units on lots designated for housing (Dwelling Unit Increase Allowance); and
- C. Dwelling units created under this section shall not be used for short-term rentals.

2. Applicability

The regulations in this ordinance apply to any affordable housing development or dwelling unit proposed to be developed under the Housing Opportunity Program, except as otherwise outlined

in this section.

- A. Affordable housing developments and dwelling units proposed under this section shall not be allowed to be developed on nonconforming lots, within nonconforming structures, or on lots/structures with nonconforming uses.
- B. Affordable housing developments and dwelling units created under this section must meet all other applicable federal, state, and local, laws, codes, ordinances, and regulations.
- C. This section does not:
 - 1) Abrogate or annul the validity or enforceability of any valid and enforceable easement, covenant, deed restriction or other agreement or instrument between private parties that imposes greater restrictions than those provided in the State rule, as long as the agreement does not abrogate rights pursuant to the United States Constitution or the Constitution of Maine;
 - 2) Exempt a subdivider from the requirements in Title 30-A, Chapter 187, subchapter 4;
 - 3) Exempt an affordable housing development or dwelling units from the shoreland zoning requirements established by the Department of Environmental Protection pursuant to Title 38, Chapter 3 and local shoreland zoning ordinances; or
 - 4) Abrogate or annul minimum lot size requirements under Title 12, Chapter 423-A.

3. Definitions exclusive to the Housing Opportunity Program

As used in this section the terms listed below have meanings set forth below, whether or not such terms are otherwise defined elsewhere in this chapter. Terms not listed below have the same meanings as in section 78-1 of this chapter.

Accessory dwelling unit: a self-contained dwelling unit located within, attached to or detached from a single-family dwelling unit located on the same parcel of land.

Affordable housing development:

- 1. For rental housing, a development in which a household whose income does not exceed 80% of the median income for the area as defined by the United States Department of Housing and Urban Development under the United States Housing Act of 1937, Public Law 75-412, 50 Stat. 888, Section 8, as amended, can afford 51% or more of the units in the development without spending more than 30% of the household's monthly income on housing costs; and
- 2. For owned housing, a development in which a household whose income does not exceed 120% of the median income for the area as defined by the United States Department of Housing and Urban Development under the United States Housing Act of 1937, Public Law 75-412, 50 Stat. 888, Section 8, as amended, can afford 51% or more of the units in the development without spending more than 30% of the household's monthly income on housing costs.
- 3. For purposes of this definition, “housing costs” include, but are not limited to:

- a) For a rental unit, the cost of rent and any utilities (electric, heat, water, sewer, and/or trash) that the household pays separately from the rent; and
- b) For an ownership unit, the cost of mortgage principal and interest, real estate taxes (including assessments), private mortgage insurance, homeowner's insurance, condominium fees, and homeowners' association fees.

Area median income: The midpoint of a region's income distribution calculated on an annual basis by the U.S. Department of Housing & Urban Development.

Attached: Connected by a shared wall to the principal structure or having physically connected finished spaces.

Base density: The maximum number of units allowed on a lot not used for affordable housing based on dimensional requirements in a local land use or zoning ordinance. This does not include local density bonuses, transferable development rights, or other similar means that could increase the density of lots not used for affordable housing.

Centrally managed water system: A water system that provides water for human consumption through pipes or other constructed conveyances to at least 15 service connections or serves an average of at least 25 people for at least 60 days a year as regulated by 10-144 C.M.R. Ch. 231, Rules Relating to Drinking Water. This water system may be privately owned.

Certificate of occupancy: The municipal approval for occupancy granted pursuant to 25 M.R.S. § 2357-A or the Maine Uniform Building and Energy Code adopted pursuant to Title 10, chapter 1103. Certificate of occupancy may also be referred to as issuance of certificate of occupancy or other terms with a similar intent.

Comparable sewer system: Any subsurface wastewater disposal system that discharges over 2,000 gallons of wastewater per day as regulated by 10-144 C.M.R. Ch. 241, Subsurface Wastewater Disposal Rules.

Comprehensive plan: A document or interrelated documents consistent with 30-A M.R.S. § 4326(1)-(4), including the strategies for an implementation program which are consistent with the goals and guidelines established pursuant to Title 30-A, Chapter 187, Subchapter II.

Density requirements: The maximum number of dwelling units allowed on a lot, subject to dimensional requirements.

Designated growth area: The area that is designated in a comprehensive plan as suitable for orderly residential, commercial, or industrial development, or any combination of those types of development, and into which most development projected over ten (10) years is directed.

Dimensional requirements: Numerical standards relating to spatial relationships, including but not limited to setback, lot area, shore frontage, road frontage, building coverage, lot coverage

and height.

Duplex: a structure containing two (2) dwelling units.

Dwelling unit: Any part of a structure which, through sale or lease, is intended for human habitation, including single-family and multifamily housing, condominiums, time-share units, and apartments.

Existing dwelling unit: A dwelling unit in existence on a lot at the time of submission of a permit application to build an additional unit on that lot

Housing: Any part of a structure which, through sale or lease, is intended for human habitation, including single-family and multifamily housing, condominiums, time-share units, and apartments. For purposes of this section, this does not include dormitories, boarding houses or other similar types of housing units. This also does not include transient housing or short-term rentals, unless these uses are otherwise allowed in local ordinance.

Land use ordinance: An ordinance or regulation of general application adopted by the municipal legislative body which controls, directs, or delineates allowable uses of land and the standards for those uses.

Lot: A single parcel of developed or undeveloped land.

Multifamily dwelling: A building containing three (3) or more dwelling units.

Potable: Safe for drinking as defined by the U.S. Environmental Protection Agency's (EPA) Drinking Water Standards and Health Advisories Table and Maine's interim drinking water standards for six different perfluoroalkyl and polyfluoroalkyl substances (PFAS), Resolve 2021 Chapter 82, Resolve, To Protect Consumers of Public Drinking Water by Establishing Maximum Contaminant Level for Certain Substances and Contaminants.

Principal structure: A structure in which the main or primary use of the lot is conducted. For purposes of this rule, principal structure does not include commercial buildings.

Quadplex: a structure containing 4 (four) dwelling units.

Restrictive covenant: A provision in a deed, or other covenant conveying real property, restricting the use of the land.

Setback requirements: The minimum horizontal distance from a lot line to the nearest point of a structure.

Short-Term Rental: Any building or structure, or portion thereof, that is offered or provided to a guest or guests to be used for living or sleeping for a fee for less than thirty (30) consecutive days, with the exception of motels, hotels, bed and breakfast, inn's, overnight cabins, and campgrounds. Short-term rental units may be whole house, duplexes, multifamily, apartments,

condominiums, condominium hotels/motels, and individual rooms or individual units in homes, duplexes, multifamily, apartments, condominiums, and condominium hotels/motels.

Single-family dwelling unit: A detached residence designed for or occupied by one family only. Only one such single-family dwelling shall be permitted per lot.

Structure: Anything temporarily or permanently located, built, constructed or erected for the support, shelter or enclosure of persons as defined in 38 M.R.S. § 436-A(12).

Triplex: A structure containing three (3) dwelling units.

Zoning ordinance: A type of land use ordinance that divides a municipality into districts and that prescribes and reasonably applies different regulations in each district.

4. Housing Opportunity Program Performance Standards

The Housing Opportunity Program Performance Standards below apply to any dwelling units created under Section 78-1272:

A. Water and Wastewater Requirements

The owner of a proposed affordable housing development or dwelling units shall provide written verification that the affordable housing development or dwelling units are connected to adequate water and wastewater services prior to certification of the structure for occupancy. Written verification must include the following:

- 1) If an affordable housing development or dwelling unit is connected to a public sewer system, proof of adequate service to support any additional flow created by the unit(s) and proof of payment for the connection to the sewer system;
- 2) If an affordable housing development or dwelling unit is connected to a septic system, proof of adequate sewage disposal for subsurface wastewater. The septic system must be verified as adequate by a local plumbing inspector pursuant to 30-A M.R.S. § 4221. Plans for a subsurface wastewater disposal must be prepared by a licensed site evaluator in accordance with 10-144 C.M.R. ch. 241, *Subsurface Wastewater Disposal Rules*.
- 3) If an affordable housing development or dwelling unit is connected to a public water system, proof of adequate service to support any additional flow created by the unit, proof of payment for the connection and the volume and supply of water required for the unit; and
- 4) If an affordable housing development or dwelling unit is connected to a well, proof of access to potable water, including the standards outlined in 01-672 C.M.R. ch. 10, section 10.25(J), *Land Use Districts and Standards*. Any test of an existing well or proposed well must indicate that the water supply is potable and acceptable for domestic use.

B. Parking

Parking shall be provided as follows for units created under the Housing Opportunity Program:

| <u>Housing Opportunity Program unit type</u> | <u>Parking requirement</u> |
|--|--|
| <u>Affordable Housing Development</u> | <u>Minimum of two (2) off-street parking spaces for every three (3) dwelling units. The number of parking spaces required shall be rounded up to the nearest whole number.</u> |
| <u>Dwelling unit increase allowance</u> | <u>Minimum number of off-street parking spaces as required by Ch. 78 Zoning.</u> |

C. Addressing

The applicant shall show the road name(s) and address on the plan after consultation and approval by the town assessor, prior to any approval. The road name(s) and address shall be used for the purpose of E-911 addressing.

5) **Affordable Housing Density Bonus**

The Affordable Housing Density Bonus allows a density bonus for certain affordable housing developments approved on or after January 1, 2024, as outlined below:

A. Eligibility for Affordable Housing Density Bonus

For purposes of the Affordable Housing Density Bonus an applicant/owner shall demonstrate that the development:

- 1) Is an affordable housing development as defined in this section, which includes the requirement that a majority of the units are affordable;
- 2) Is in a designated growth area pursuant to 30-A M.R.S. § 4349-A(1)(A) or (B) or served by a public or other centrally managed water system and a public or other comparable sewer system;
- 3) Is located in an area in which multifamily dwellings are allowed, as described in Chapter 78, Article VI - Districts;
- 4) Complies with minimum lot size requirements in accordance with Title 12, chapter 423-A.
- 5) Meets the zoning district space and bulk requirements, except for the density bonus provided pursuant to this section.

B. Long-Term Affordability

Prior to granting a certificate of occupancy or other final approval of an affordable housing development, the owner of the affordable housing development shall execute a restrictive covenant that is enforceable by a party acceptable to the Town, to be decided at the time of planning board approval; and record the restrictive covenant in the appropriate registry of deeds

to ensure that for at least thirty (30) years after completion of construction:

- 1) For rental housing, occupancy of all the units designated affordable in the development will remain limited to households at or below 80% of the local area median income at the time of initial occupancy; and
- 2) For owned housing, occupancy of all the units designated affordable in the development will remain limited to households at or below 120% of the local area median income at the time of initial occupancy.

C. Density Bonus for Affordable Housing

If the requirements for eligibility for density bonus outlined under the Affordable Housing Density Bonus above are met, the following density bonuses are allowed:

- 1) An affordable housing development can have a dwelling unit density of 2.5 times the base density of the zoning district in which the lot is located; and
- 2) If fractional results occur when calculating this density bonus, the number of units is rounded down to the nearest whole number.

6) **Dwelling unit increase allowance**

The Dwelling unit increase allowance allows for multiple dwelling units on lots where housing is allowed beginning on January 1, 2024, subject to the requirements below:

A. Applicability

- 1) If more than one dwelling unit has been constructed on a lot as a result of this allowance pursuant to Section 78-1272, the lot is not eligible for any additional units or increases in density. The planning board will determine if a dwelling unit or accessory dwelling unit has been constructed on the lot.
- 2) If a dwelling unit(s) in existence as of January 1, 2024 is torn down, resulting in an empty lot, for the purpose of the dwelling unit increase allowance in this section, the lot shall be treated as if the unit still existed, unless prior authorization for the demolition and dwelling unit increase allowance is given by the planning board, in which the board will determine the maximum number of dwelling units allowed, not to exceed the allowances in this section.
- 3) Dwelling units proposed under this section need to meet the Ch. 78, Article VIII, Performance Standards for Multifamily housing which includes access standards, landscaping, and buffering requirements.

B. Dimensional and setback requirements

Proposed dwelling units pursuant to Section 78-1272 shall meet the space and bulk requirements for the zoning district in which the lot is located.

1) The number of units allowed under the Dwelling Unit Increase Allowance are listed in the table below:

| <u>Number of existing dwelling units on lot in area in which housing is allowed</u> | <u>Max number of dwelling units</u> | |
|---|---|--|
| <u>0</u> | <u>Lot in designated growth area</u> | <u>Lot outside designated growth area</u> |
| | Up to Four (4), with no more than one single-family structure allowed. Under this section the structure arrangement can include duplexes, a triplex, or a quadplex. | Up to Two (2) within one structure or as two separate structures |
| <u>1</u> | Up to Two (2): one within or attached to existing structure, one detached from existing structure, or one of each | |
| <u>2</u> | Zero (0) | |

Sec. 78-1383 Accessory Dwelling Unit

5. Purpose

The purpose of this section is to meet the requirements of the State of Maine Housing Opportunity Program to allow for the following:

- D. One accessory dwelling unit to be located on a lot containing one single-family dwelling unit in any area where housing is permitted (Accessory Dwelling Unit - ADU).
- E. The ADU shall not be used for short-term rentals.

6. Applicability and Application Requirements

This ordinance applies to any ADU proposed to be developed after the date in which this ordinance is adopted.

- D. ADUs approved by the town of Old Orchard Beach and constructed before the adoption of this ordinance shall be allowed to continue.
- E. An ADU can be located on the same lot where a single-family dwelling unit is the principal structure and only existing dwelling unit in any area in which housing is allowed, provided the ADU requirements and performance standards outlined in this section are met, and shall be constructed only:
 - 1) Within the existing single-family dwelling unit or accessory structure on the lot;
 - 2) Attached to the single-family dwelling unit; or
 - 3) As a new structure on the lot for the primary purpose of creating an ADU

- F. This section does not:
- 5) Abrogate or annul the validity or enforceability of any valid and enforceable easement, covenant, deed restriction or other agreement or instrument between private parties that imposes greater restrictions than those provided in the State rule, as long as the agreement does not abrogate rights pursuant to the United States Constitution or the Constitution of Maine;
 - 6) Exempt a subdivider from the requirements in Title 30-A, Chapter 187, subchapter 4;
 - 7) Exempt an ADU from the shoreland zoning requirements established by the Department of Environmental Protection pursuant to Title 38, Chapter 3 and the Town of Old Orchard Beach shoreland zoning ordinance; or
 - 8) Abrogate or annul minimum lot size requirements under Title 12, Chapter 423-A.
 - 9) Allow an ADU to further increase a lot nonconformity, meaning the ADU cannot cause further deviation from the dimensional standard(s) creating the nonconformity, excluding lot area.
- G. Applications for ADUs will be reviewed by the Code Enforcement Officer through building permit review and must contain the following in addition to meeting the requirements and standards in this section:
- 1) A mortgage loan inspection plan prepared by a Maine licensed land surveyor and drawn to scale showing the boundaries of the lot; any existing improvements on the lot, including buildings, structures, and paving; and any existing easements. This requirement may be waived by the Code Enforcement Officer if the proposed construction is entirely internal to the principal dwelling structure on the subject property.
 - 2) A separate copy of the mortgage loan inspection plan prepared by a Maine licensed land surveyor that is marked up to scale by either the applicant or the surveyor to include the following additional information: the proposed improvements to the lot, including buildings, structures, paving, landscaping, easements, and utilities; a safe path of travel for access to the ADU; a title block with the property address approved by the assessor and map, block, and lot identification; the name of the record owner of the property; north arrow; date; total square footage of the principal dwelling; total square footage of the ADU; percentage of the ADU total square footage in relation to the principal dwelling total square footage; and the number and location of parking spaces provided.
 - 3) For any ADU involving new construction (interior or exterior), a set of building plans, photographs or drawings that show the following: existing and proposed principal and accessory buildings; the floor plan of the principal building and the ADU; elevations for all sides of the existing and proposed buildings; and the architectural treatment of the principal building and the ADU.

7. Definitions exclusive to the Accessory Dwelling Unit

As used in this section the terms listed below have meanings set forth below, whether or not such terms are otherwise defined elsewhere in this chapter. Terms not listed below have the same meanings as in

section 78-1 of this chapter.

Accessory Dwelling Unit (ADU): a self-contained dwelling unit located within, attached to or detached from a single-family dwelling unit located on the same parcel of land.

Attached: means connected by a shared wall to the principal structure or having physically connected finished spaces.

Certificate of occupancy: The municipal approval for occupancy granted pursuant to 25 M.R.S. § 2357-A or the Maine Uniform Building and Energy Code adopted pursuant to Title 10, chapter 1103.

Short-Term Rental: Any building or structure, or portion thereof, that is offered or provided to a guest or guests to be used for living or sleeping for a fee for less than thirty (30) consecutive days, with the exception of motels, hotels, bed and breakfast, inn's, overnight cabins, and campgrounds. Short-term rental units may be whole house, duplexes, multifamily, apartments, condominiums, condominium hotels/motels, and individual rooms or individual units in homes, duplexes, multifamily, apartments, condominiums, and condominium hotels/motels.

Single-family dwelling unit: A detached residence designed for or occupied by one family only. Only one such single-family dwelling shall be permitted per lot.

8. Standards and Requirements for Accessory Dwelling Units

D. Water and Wastewater

The owner of an ADU shall provide written verification that the ADU is connected to adequate water and wastewater services prior to certification of the ADU for occupancy. Written verification must include the following:

- 7) If the lot is served by public sewer, both the single-family dwelling and the ADU must be connected to the public sewer system. If being connected to a public sewer system, proof of adequate service to support any additional flow created by the ADU and proof of payment for the connection to the sewer system;
- 8) If the lot is served by subsurface sewage disposal, the owner must demonstrate that the use conforms to the State of Maine Minimum Lot Size law and that the sewage disposal system(s) for both the single-family dwelling and the ADU complies with the Maine Subsurface Wastewater Disposal rules. If an ADU is connected to a septic system, proof of adequate sewage disposal for subsurface wastewater. The septic system must be verified as adequate by a local plumbing inspector pursuant to 30-A M.R.S. § 4221. Plans for a subsurface wastewater disposal must be prepared by a licensed site evaluator in accordance with 10-144 C.M.R. ch. 241, *Subsurface Wastewater Disposal Rules*.
- 9) If an ADU is connected to a public water system, proof of adequate service to support any additional flow created by the unit, proof of payment for the connection and the volume and supply of water required for the unit; and
- 10) If an ADU is connected to a well, proof of access to potable water, including the standards outlined in 01-672 C.M.R. ch. 10, section 10.25(J), *Land Use Districts and Standards*. Any test of an existing well or proposed well must indicate that the water supply is potable and acceptable for domestic use.

E. Parking

An ADU is not subject to any additional motor vehicle parking requirements beyond the parking requirements of the single-family dwelling unit on the lot where the ADU is located.

F. Addressing

The applicant shall show the road name(s) and address on a plan after consultation and approval by the town assessor, prior to any approval. This will be used for the purpose of E-911 addressing.

G. Space and Bulk

- 1) Any new accessory structure constructed on the lot to be an ADU shall meet the setback requirements as required for an accessory structure in that zoning district.
- 2) An ADU located within the same structure as a single-family dwelling or attached to a single-family dwelling, shall meet the setback requirements and not exceed the maximum height, as required for a single-family dwelling in that zoning district;
- 3) A detached ADU shall not exceed the maximum height allowed for an accessory building.
- 4) For an ADU permitted in an existing accessory structure or garage as of January 1, 2024, the setback requirements of the existing accessory structure or garage shall apply.
- 5) For the purposes of this section, ADUs outside of a shoreland zone shall not be considered to be a second dwelling unit for determining the required minimum lot area, or net residential density.
- 6) The ADU and single-family dwelling shall not exceed the maximum building coverage allowed for the zoning district in which the lot is located.

H. Size

- 1) An ADU must be a minimum of 190 square feet and shall not exceed 50 percent of the floor area of the single-family dwelling unit, up to a maximum total floor area of 1,000 square feet, or whichever is less.
- 2) The ADU shall not contain more than two bedrooms.
- 3) Floor area measurements of the single-family dwelling shall not include unfinished attic, basement or cellar spaces.
- 4) Total floor area of an ADU shall be measured from the interior faces of the inside walls.

I. Performance standards

- 1) ADUs established under this section must meet the performance standards below, as part of the permitting requirements, and the applicant must provide a narrative describing conformance with each:
 - (a) The construction of any ADU must be in conformity with all applicable federal, state and local laws, codes, ordinances, and regulations.

- (b) The ADU cannot be permitted or licensed for short-term rentals.
- (c) Only one ADU is permitted per lot.
- (d) If there is more than one dwelling unit on a lot, an ADU is not permitted.
- (e) An ADU must remain in common ownership with the single-family dwelling unit.
- (f) An ADU must not be sold separately from the single-family dwelling.
- (g) The owner of the lot on which the ADU is located must reside in that unit or the single-family dwelling, either of which residence may be seasonal, or occupied seasonally by the owner.
- (h) To ensure continued compliance by current and subsequent owners, the applicant shall provide and record in the York County Registry of Deeds a covenant in a form acceptable to the town that the existence of the ADU is predicated upon the occupancy of either the ADU or principal dwelling by a person who owns the property. It is also required that any owner of the property must notify a prospective buyer of the limitations of this section. Violations of the terms of this covenant shall result in the loss of the ADU permit. Said covenant shall be provided to the town prior to the issuance of an occupancy permit for the ADU.
- (i) If an owner is unable or unwilling to fulfill the owner occupancy requirement, the owner must remove the features of the ADU that make it a dwelling.
- (j) A safe path of travel shall be provided from the ADU to the nearest public sidewalk or right-of-way. The path must be a minimum of three (3) feet wide and remain clear and passable at all times.
- (k) Above-ground exterior mechanical and utility equipment associated with the accessory dwelling unit should not be located within any required structure setbacks and shall be shielded to protect neighboring properties.
- (l) A detached ADU is not permitted to have a rooftop deck.
- (m) To improve compatibility with neighborhoods, ADUs must be built with an orientation, scale, and architectural style that reflects the predominant pattern existing in the neighborhood, preserves privacy for neighbors and for the occupants of the single-family dwelling.

Per Order of the Municipal Officers this 21st day of November, 2023.

A True Copy

Attest:

s/Kim McLaughlin

Kim M. McLaughlin, Town Clerk

AGENDA ITEM #8077

Discussion with Action: Approve the quote from Tyler Technologies in the amount of \$5,000.00 for the purchase of a Property Room Bar Code Kit from account # 20131-50503 Police Department Investigative Supplies Expense with a balance of \$7,867.75.

Chair: Shawn O'Neill



TYLER TECHNOLOGIES
Hardware Proposal - Property Room Barcode Kit
Enterprise Records
Spring 2023

| PROPERTY ROOM BARCODE KIT | |
|---------------------------|------------|
| HARDWARE | INVESTMENT |



- | | |
|---|-----------------------|
| <p>(1) Zebra TC72 TC720L-OME24B0-FT Handheld Tablet</p> <ul style="list-style-type: none"> - Android 10 Operating System - Qualcomm Snapdragon 660 octa-core 2.2 Ghz - 4.7" HD Multi Touch LCD, 1280 X 720 Resolution, Gorilla Glass - 32GB Flash Memory - 4GB RAM - 802.11 a/b/g/n/ac WiFi, Bluetooth, NFC, GMS - 1D/2D Barcode Laser (SE4750) - 13MP Rear Camera, 5MP Front Camera - 4620mAh, 3.7V Hot Swap Li-Ion Battery Pack - 6.3" (L) X 3.3" (W) X 1.1" (H), 13.3 oz. - FIPS & TAA Compliant | <p>\$1,850</p> |
|---|-----------------------|

- | | |
|---|---------------------|
| <p>(1) Five-Year OneCare Essential Support Services Z1AE-TC72XX-5C00</p> | <p>\$600</p> |
|---|---------------------|



- | | |
|--|---------------------|
| <p>(1) Zebra LI4278-PRBU2100AWR Cordless Handheld Scanner Kit</p> <ul style="list-style-type: none"> - Zebra LI4278-SR20007WR Linear Scanner - Zebra CR0078-SC10007WR Desktop Cradle - Zebra PWR-BGA12V50W0WW Power Supply - 7' USB Cable - Bluetooth - 3 Year Limited Warranty, Parts & Labor (Excludes Battery) | <p>\$480</p> |
|--|---------------------|













- | | |
|---|---------------------|
| <p>(1) Zebra ZD421 ZD4A042-301E00EZ Thermal Barcode Printer</p> <ul style="list-style-type: none"> - 4" Print Width - Thermal Transfer/Direct Thermal - 203 dpi Print Resolution - 256MB Standard Memory - 10/100 Ethernet or USB | <p>\$590</p> |
|---|---------------------|



- | | |
|---|---------------------|
| <p>(1) Topaz SignatureGem T-LBK755SE-BTB1-R Bluetooth Signature Pad</p> <ul style="list-style-type: none"> - Tempered Glass 4X3 LCD Display - 2 Year Manufacturer Warranty - *A USB Signature Pad is available upon request (T-LBK755-BHSB-R) | <p>\$570</p> |
|---|---------------------|

| | |
|-------------------------------|----------------|
| Total Barcode Hardware | \$4,090 |
|-------------------------------|----------------|

| ACCESSORIES | | INVESTMENT |
|--|---|-----------------------|
|  | (1) Zebra CRD-TC7X-SE2EPP-01 Single Desktop ShareCradle - Includes Spare Battery Charging Slot - Charge/USB/Ethernet Connection | 340 |
|  | (1) Zebra PWR-BGA12V50W0WW Power Supply Adapter | 50 |
|  | (1) Zebra CBL-DC-388A1 DC Line Cord | 10 |
|  | (3) Zebra 23844-00-00R AC Line Cord | 30 |
|  | (1) Zebra SG-TC7X-HSTR2-03 Hand Strap, 3 pack | 75 |
|  | (1) Zebra SG-TC7X-STYLUS-03 Stylus with Tether, 3 pack | 45 |
|  | (1) Zebra BTRY-TC7X-46MAH-01 Spare Battery Pack | 100 |
|  | (12) Thermark TTL4010P5 4" X 1" Therm. Trans. Label (2,260/Roll) | 170 |
|  | (12) Zebra 03200GS11007 4.3" X 244' Wax Resin Ribbon | 75 |
|  | (1) TRENDNET TBW-106UB Micro Bluetooth USB Adapter | 15 |
| Total Accessories | | \$910 |
| TOTAL INVESTMENT | | <u>\$5,000</u> |

NOTES

1. Requires Enterprise Public Safety Version 2020.1 HF1 or higher.
2. The above hardware and system software costs assume the licensing of Tyler Technologies' application software and support as part of a complete solution.
3. Hardware Installation/Configuration services not included in this hardware proposal.
4. The above customer costs are subject to confirmation prior to contract execution.
5. Configuration requires access to the customer's secure Wi-Fi network or a commercial cellular network.
6. If a Wi-Fi network is not available the Zebra TC72 can be upgraded to a Zebra TC77 that offers a cellular connection.
7. A Bluetooth USB adapter is included for use with a desktop computer without a Bluetooth adapter to connect the Signature Pad and Handheld Scanner.

AGENDA ITEM #8078

Discussion with Action: Approve the quote from Setronics in the amount of \$25,595.00 for the installation of security cameras and 2 year maintenance agreement in the Town Hall building, \$24,500 from account # 51002-50924 Town Hall Security/Access Control Capital with a balance of \$24,500.00 and \$1,095.00 from account #20115-50450 Town Hall Building Repair Maintenance Expense with a balance of \$24,265.40.

Chair: Shawn O'Neill



Install New Surveillance System

Prepared for:

Old Orchard Beach Town Hall

Diane Asanza
dasanza@oobmaine.com

Prepared by:

setronics
security integrators

Andy Wilder
awilder@setronics.com

Thursday, December 21, 2023

Old Orchard Beach Town Hall
Diane Asanza
1 Portland Street
Old Orchard Beach, ME 04064
dasanza@oobmaine.com

Dear Diane,

Thank you for the opportunity to present the following Proposal # 23-002335.

The following detail outlines the scope of work for the sale and installation of a New Surveillance System.

Scope of Work:

- Provide and install Cat 6 Cable to all cameras
- Provide and install (2) Exterior 5MP IP Dome camera w/ IR on the East side of the building, one looking at the parking lot and one looking at the basement door area and lower side parking area
- Provide and install (2) Exterior 5MP IP Dome camera w/ IR on the west Main Entrance, one looking at the Voter Box and one looking at the upper parking lot
- Provide and install (1) Interior 5MP IP Dome camera w/ IR on the first floor North Hallway
- Provide and install (1) Interior 5MP IP Dome camera w/ IR in the 2nd Floor North entrance foyer looking at the elevator and down the hallway
- Provide and install (1) Interior 5MP IP Dome camera w/ IR in the 2nd Floor South end of the Hallway
- Provide and install (1) Interior 5MP IP Dome camera w/ IR in the 2nd Floor South entrance foyer looking at the stairs
- Provide and install (1) Interior 5MP IP Dome camera w/ IR in the 3rd Floor South landing
- Provide and install (1) Interior 5MP IP Dome camera w/ IR in the 3rd Floor Council Chambers in the corner above the entrance facing to the Northeast capturing 95% of the room
- Provide and install (1) Exacq NVR with 12TB and integrated Access Control software included
- Provide and install (2) Network switches, (1) 24 Port PoE in the 2nd Floor IT closet and (1) 8 Port Plus PoE in the 4th Floor attic space
- Provide and install (10) IP camera licenses one time only fee
- Program in all the cameras into the Exacq NVR and work with the Administrators and Police Dept to view them live, recorded, and remotely.

Customer Responsibilities:

- Provide 120VAC in each IT room for equipment
- Provide a Rack in the Head end room
- Provide Network in Head end room for remote connectivity with Static IP address

Sincerely,



Andy Wilder
Senior Sales Executive
Setronics Corp.

COVID-19 & Other Hazardous Conditions

■ COVID-19 & Other Hazardous Conditions

In response to the COVID-19 pandemic, Setronics has implemented certain protocols to better protect the safety of our employees, customers, and others with whom we come in contact while performing installations and service at customer locations. Following guidelines issued as by the US CDC and other state regulatory authorities, all Setronics employees will arrive at customer locations wearing masks and gloves (as required).

In addition, all equipment and tooling will be sanitized for use. All Setronics employees have been directed to maintain social distancing and to monitor their personal health. Setronics employees will excuse themselves from work should they be exposed to COVID-19, develop a temperature, or experience any flu-like symptoms. Setronics is prepared to review and implement additional safety processes in response to specific customer requirements.

For the safety of all, Setronics encourages and expects all customers to require their staff and others visiting their locations to adapt these safety procedures as outlined above.

Please see Section 1.B.2. of our Terms and Conditions for information on identification of any other potentially hazardous job site conditions.

Payment Terms

■ Weekday Labor Rates - 50% Deposit - NET30

This proposal is valid for thirty days. Labor charges assume regular weekday labor rates. Applicable shipping charges are not included. Customer has advised Setronics, in writing, of any special circumstances associated with completing the proposed work (e.g. hazardous materials, presence of asbestos, etc.), if applicable.

Any changes to project scope or unplanned project delays may result in additional charges for which you will be notified in advance.

Setronics shall invoice this proposal as follows:

Upon Proposal Acceptance - 50% - Due Upon Receipt
Upon Commencement of Installation - 25% - Due Upon Receipt
Upon Completion - 25% - Due Net 30 Days

The terms and conditions of this proposal are as outlined on Exhibit A.

Signed approval of this proposal and applicable purchase order is required by Setronics to purchase materials and schedule installation resources.

Project Price

| Qty | Description |
|----------|---|
| 6 | 5MP IP Interior Dome Camera w/IR & 2.8mm Lens |
| 4 | 5MP IP Exterior Camera w/IR & 2.8mm Lens |
| 2 | Hanging Mount |
| 6 | Pendant Cap Adaptor |
| 6 | Wall Mount Accessory |
| 6 | Wall Mount Base |
| 1 | 24 Port PoE+ Network Switch |
| 1 | 8 Port PoE+ Network Switch |
| 1 | 22" LED Monitor w/ VGA, HDMI |
| 1 | NVR w/8TB Storage & 8 IP Licenses |
| 2 | IP Professional Camera License |
| 1 | Cable, Materials and Labor |

Subtotal: **\$24,008.00**

Maintenance Plan

* Contains Optional Items

| Description | Total |
|--------------------------------------|------------|
| 2nd Year Maintenance | \$1,587.00 |
| 2nd & 3rd Year Maintenance | \$3,173.00 |
| 2nd, 3rd & 4th Year Maintenance | \$4,231.00 |
| 2nd, 3rd, 4th & 5th Year Maintenance | \$5,289.00 |

* Optional Subtotal: **\$14,280.00**

Install New Surveillance System

Prepared by:

Setronics Corp.

Andy Wilder

Main Office: 978-835-9571

Mobile:

Fax 978-6715448

awilder@setronics.com

Prepared for:

Old Orchard Beach Town Hall

1 Portland Street

Old Orchard Beach, ME 04064

Diane Asanza

(207) 937-5626

dasanza@oobmaine.com

Quote Information:

Quote #: 23-002335

Version: 5

Delivery Date: 12/21/2023

Expiration Date: 12/31/2023

Quote Summary

| Description | Amount |
|---------------|--------------------|
| Project Price | \$24,008.00 |
| Total: | \$24,008.00 |

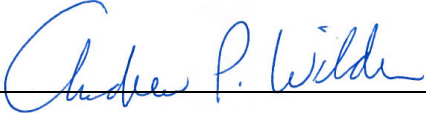
*Optional Expenses

| Description | One-Time |
|---------------------------|--------------------|
| Maintenance Plan | \$14,280.00 |
| Optional Subtotal: | \$14,280.00 |

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Setronics Corp.

Old Orchard Beach Town Hall

Signature: 
Name: Andy Wilder
Title: Senior Sales Executive
Date: 12/21/2023

Signature: _____
Name: _____
Title: _____
Date: _____

Terms and Conditions

I. SERVICES

- A. Setronics, Inc. shall provide the following services under the Proposal.
1. Supply all materials required for performance of the proposal, purchase order, or other form of the parties' agreement(s) in compliance with all terms therein;
 2. Install products in accordance with the proposal, purchase order, or other form of agreement(s) in accordance with the scope of same, in a good and workmanlike fashion, using Setronics personnel or persons who may be arranged by Setronics on an as-needed basis;
 3. Test any systems installed and ensure that all operate in accordance with industry standards for the purposes agreed upon by the parties;
 4. Maintain a reasonably clean and safe working environment at all times, removing all debris from the job site upon completion of the work and keeping all areas reasonably neat/clean during the performance of the work.
- B. Customer shall provide the following services under the Proposal.
1. Cooperate fully with all planning and performance of the work, ensuring that Setronics and its personnel have appropriate access to all areas where work is to be performed during times and on schedules as may be reasonably agreed by Setronics for performance of work;
 2. Prior to the start of any work, inform Setronics of any and all known hazards or potential hazards in the work area that may be relevant to Setronics' performance under the Proposal, along with any other conditions that might materially affect Setronics in the performance of agreed work, wherever located and of any nature whatsoever, including but not limited to conditions of construction and orders of any local or other governmental authority.

II. PAYMENTS

Timing of invoices and related terms are as outlined in the proposal cover letter. Any invoice that is not timely paid shall be subject to interest at the rate 12% per annum, compounded monthly. Setronics reserves the right to cease all work in the event any invoice is not timely paid. If invoices for work performed or products purchased are not paid on time and in full, Setronics may institute legal proceedings to collect same, in which case Customer shall pay, in addition to prior assessments, interest at the statutory rate along with all costs and legal fees Setronics may incur to collect any amount owed.

III. INDEMNIFICATION

The Customer shall indemnify, defend and hold Setronics harmless from any claim, suit, cause of action or legal action that arises from Customer's negligent conduct; from any hazardous condition that may exist at property where services are performed by Setronics; from the failure to inform Setronics about material or hazardous conditions that it will or may encounter during performance of work; and from any breach of any condition agreed upon by the parties. This indemnification shall include but not be limited to all financial losses suffered by Setronics along with any and all costs or legal fees it may incur in connection with any matter covered by this indemnification.

IV. TERM AND TERMINATION

Work shall commence on the date and under terms agreed by the Parties as same may be specified in the proposal, purchase order, or other agreement(s), written or oral, between the parties. Work shall continue for so long as all conditions of same and of these terms/conditions are complied with.

V. VENUE AND ENFORCEMENT

Any agreement between the parties shall be subject to and enforceable under the laws of the Commonwealth of Massachusetts. All disputes under any agreement or these terms/conditions shall be settled by binding arbitration in accordance with the rules and procedures of JAMS in Boston, Massachusetts. Upon the conclusion of any arbitration proceedings, the arbitrator shall render findings of fact and conclusions of law and a written opinion setting forth the basis and reasons for any decision reached by him or her and shall deliver same to each party to this Agreement along with a signed copy of the award. Costs of arbitration shall be shared equally by the parties and shall be subject to reasonable reapportionment by the arbitrator who, in the event he/she finds that Customer breached any substantive term of its agreement(s) with Setronics or the term/s conditions herein, shall require that Customer reimburse Setronics for all arbitration fees along with all costs and legal fees it may incur during the arbitration process. Nothing in this paragraph shall preclude Setronics from applying to a court of competent jurisdiction for injunctive relief in the event Setronics deems such relief necessary or appropriate.

VI. ADDITIONAL TERMS

- 6.1 Failure by Setronics at any time or from time to time to enforce any of the provisions of the parties agreement(s) or these terms/conditions shall not be construed to be a waiver of such provision or of its right to thereafter enforce same.
- 6.2 Setronics shall at all times retain complete discretion and control over its business operations; workforce; and decisions as to implementation of the terms of the parties' agreement(s) and these terms/conditions.
- 6.3 These terms and conditions shall form an integral part of the parties' agreement(s) and they along with such agreement(s) represent the entire agreement between the parties. No term, condition or agreement shall be amended, altered or changed except by written agreement signed by both parties.
- 6.4 In the event any condition encountered during the work requires an expansion of the scope of work agreed to by the parties, or if Customer opts during the work to expand the scope, any such additional work required or desired shall be agreed upon by written change order that specifies the agreed additional work, time for performance, and price to be paid by Customer. Setronics shall not be obligated to perform any work or provide any service that is not included in the proposal, purchase order or other agreement(s) except by written change order. If any such condition makes continued performance by Setronics impracticable, or if same occurs due to a force majeure, Setronics may terminate this agreement by delivering written notice. Any amounts then owed to Setronics shall be paid upon delivery of the final invoice by Setronics.
- 6.5 Any and all notices and other communications permitted or required to be given hereunder shall be validly given or made in writing if (a) personally delivered, (b) delivered and confirmed by telecopies or like instantaneous transmission service, (c) delivered by reputable overnight courier delivery service or (d) deposited in the United States mail, first class, postage prepaid, addressed to the Customer at the address set forth in the proposal, purchase order, or other form of agreement between the parties.
- 6.6 Customer represents that it has read these terms/condition and fully understands all terms. It recognizes and agrees that all terms herein shall form an integral part of any and all agreement(s) between the parties, regardless of form. Customer materially represents that it will comply in good faith with all terms and conditions stated herein.

Statement from Brian LaCroix, President - Setronics Corp.

To Our Customers:

In response to the critical importance of providing security services during the COVID -19 pandemic, Setronics is classified as an essential business and has remained open during the entire period of government-enforced business closures. Setronics is committed to remaining open and supporting our customers with uninterrupted access to system sale, installation and service. Setronics has advised all employees of CDC recommended personal health and hygiene protocols and adopted CDC and other regulatory authority recommended practices to best ensure the health and safety of our employees, customers and their clients.

These practices, among others, include:

- Frequent sanitizing of all equipment and work tools
- Maintaining social distancing while performing all work
- Wearing mask & gloves at all customer locations

As guidance from the CDC and other regulatory authorities regarding best practices continues to evolve, Setronics will monitor and adopt such practices to ensure our employees perform our work safely.



Sincerely,

Brian LaCroix
President of Setronics Corp.

AGENDA ITEM #8086

Discussion with Action: Order a new Official Zoning Map per Section 78-457 of the Old Orchard Beach Zoning Ordinance and request the signature of the Chair of the Town Council to sign the updated Zoning Map, with the following information: By official action of the Town Council, the following changes were made to the Official Zoning Map: On November 21, 2023, change the zoning district designation to Contract Zone 4 on a property located at 60 Saco Ave., MBL: 206/10/1. On December 5, 2023, change the zoning district designation to Contract Zone 5 on the property located at 63-91 East Emerson Cummings Blvd., MBL: 207/1/2. Entry shall be signed by the Chair of the Town Council and attested by the Town Clerk.

Chair: Shawn O'Neill

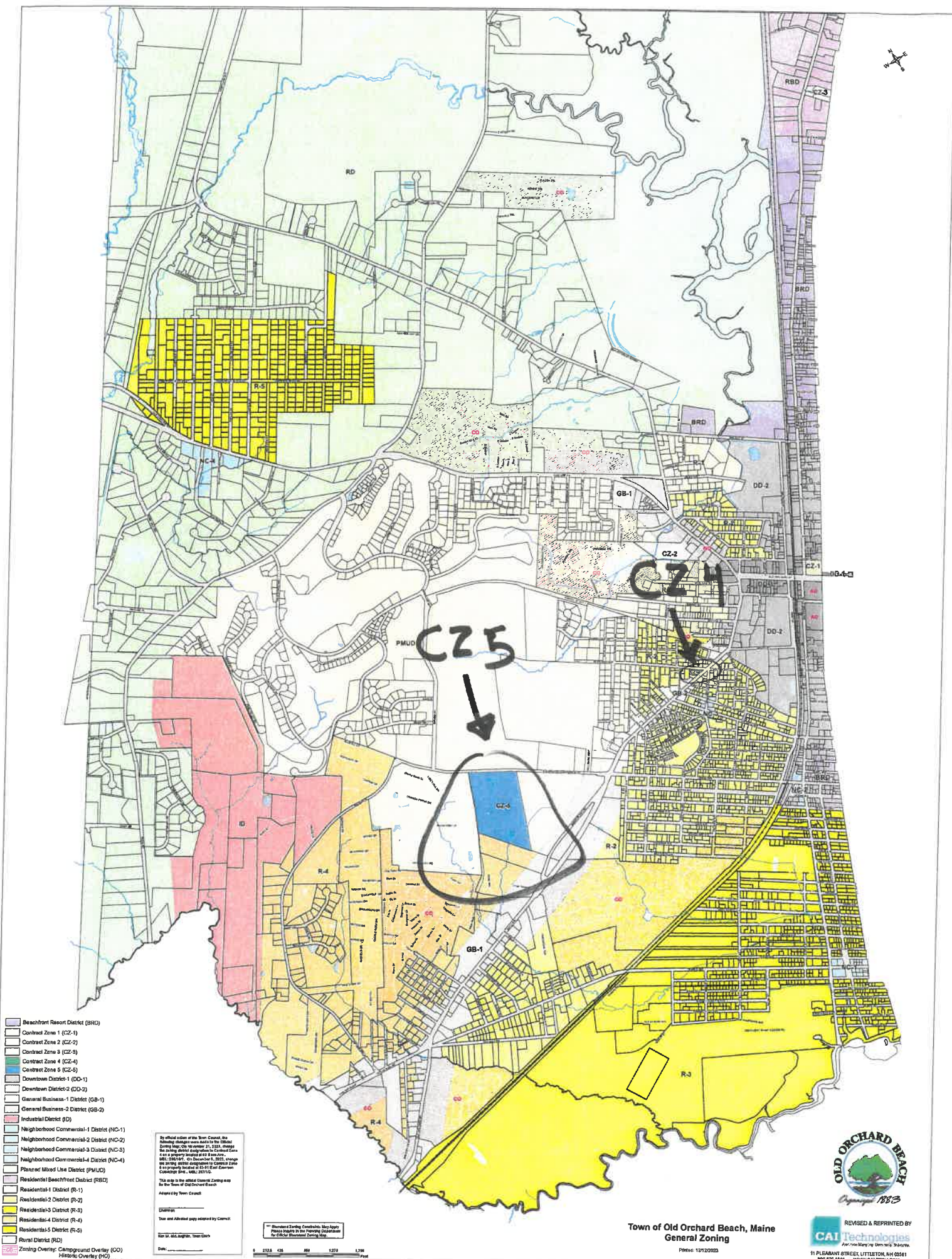
TO: Old Orchard Beach Town Council
Diana Asanza, Town Manager
Tim Fleury, Executive Assistant

FROM: Planning Staff

SUBJECT: Revised Zoning Map

DATE: 16 January 2024

Recently, Council adopted two contract zones- Contract Zone 4, located at 60 Saco Ave., and Contract Zone 5, located at 63-91 E. Emerson Cummings Blvd. Adoption of the contract zones must be reflected on a revised zoning map. The revised zoning map becomes official after Council approval and signature from the Council Chair. A small version of the revised map is included in your packet (Contract Zone 4 is very small on this map due to the map scale) and a large official map will be provided for the Chair's signature.



- Beachfront Resort District (BRD)
- Contract Zone 1 (CZ-1)
- Contract Zone 2 (CZ-2)
- Contract Zone 3 (CZ-3)
- Contract Zone 4 (CZ-4)
- Contract Zone 5 (CZ-5)
- Downtown District-1 (DD-1)
- Downtown District-2 (DD-2)
- General Business-1 District (GB-1)
- General Business-2 District (GB-2)
- Industrial District (ID)
- Neighborhood Commercial-1 District (NC-1)
- Neighborhood Commercial-2 District (NC-2)
- Neighborhood Commercial-3 District (NC-3)
- Neighborhood Commercial-4 District (NC-4)
- Planned Mixed Use District (PMUD)
- Residential Beachfront District (RBD)
- Residential-1 District (R-1)
- Residential-2 District (R-2)
- Residential-3 District (R-3)
- Residential-4 District (R-4)
- Residential-5 District (R-5)
- Rural District (RD)
- Zoning Overlay: Calvingground Overlay (CO)
- Historic Overlay (HO)
- Adjustment Overlay (AO)

By official action of the Town Council, the following changes were made to the Official Zoning Map. On November 21, 2024, the following amendments to the Official Zoning Map were adopted by the Town Council:

Amendment 1: Change the zoning district assignment for Contract Zone 4 (CZ-4) from Residential-3 District (R-3) to Residential-4 District (R-4) on parcels 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

Standard Zoning Codebook, May 2024
 Please Refer to the Planning Department for Official Zoning Map.

Town of Old Orchard Beach, Maine
 General Zoning
 Please 12912023



REVISED & REPRINTED BY
CAI Technologies
 11 PLEASANT STREET, LITTLETON, NH 03541
 804.322.4342 - WWW.CAI-TECH.COM

AGENDA ITEM #8088

Discussion with Action: The “Back to the Beach” Corvette Weekend Special Event Permit for June 7th and 8th, 2024 was approved by the Town Council on December 21, 2021. Request to amend the date to June 14th and 15th, 2024.

Chair: Shawn O’Neill

AGENDA ITEM #8089

Discussion with Action: Approve the bid from Shaw Brothers Construction in the amount of \$265,020.00 for the New Salt Road reconstruction project to be funded in part by FEMA Disaster Relief Fund and Old Orchard Beach Capital Road Improvement Fund, account # 50002-50506 with a balance of \$635,144.12.

Chair: Shawn O'Neill

December 27, 2023

Ms. Diana Asanza, Town Manager
1 Portland Avenue
Old Orchard Beach, ME

SUBJECT: New Salt Road Reconstruction - Evaluation of Bids

Dear Diana,

We have completed our review of the bids that were received on December 22, 2023, for the New Salt Road Reconstruction Project. The project, which is anticipated to be funded by FEMA under the disaster relief fund, addresses damage from the December 2022 storm. This letter represents a summary of our findings.

Two bids were received and reviewed; a tabulation of the bids is attached. The project includes roadway reconstruction and rehabilitation, reconstruction of riprap embankments, as well as the construction of a new concrete headwall. Due to the need for expansion of work outside of FEMA's pay limits for the project, it should be noted that there are bid items that are the sole responsibility of the Town. Bid items 1 through 14 will be paid for under FEMA's disaster relief fund, whereas items 15 through 17 will be Town responsibility. Items 15 through 17 address ponding issues in the roadway that are outside of the FEMA pay limits.

Shaw Brothers of Gorham, ME submitted the low bid of \$265,020.00. The next low bid was Crooker Construction, with a bid of \$494,765.00, approximately 186% higher than the low bid. For Shaw Brothers bid, items 1 through 14 equal \$249,480.00 (FEMA funded), and items 15 through 17 equal \$15,540.00 (Town funded).

The received bids were reviewed to confirm the minimum bid information required was included. The apparent low bidder, Shaw Brothers was determined to have a complete bid package, meeting the requirements stated in the bid documents.

Based on our experience with Shaw Brothers, Wright-Pierce is not aware of any reason why this contract should not be awarded to Shaw Brothers as the lowest responsible and responsive bidder. It is important to understand that Wright-Pierce makes no guarantee that the contractor will perform the work within the bid amount and in accordance with the contract, specifications, and drawings. As with any contract of this nature, the Town should anticipate the possibility of minor changes in the cost of the work associated with change orders and variation in estimated quantities as the project progresses.

Upon concurrence and approval of the award by the Town Council, the next step would be to issue the Notice of Award to Shaw Brothers. As stated in the Instruction for Bidders in the Contract Documents, bid bonds should be returned to bidders whom you believe do not have a reasonable chance of receiving the award.

Since only two bids were received for this project, we recommend holding the bid bond for Crooker Construction until the Agreement is signed. After the Agreement has been executed, and upon authorization from the Town, Wright-Pierce will return all bid bonds of all the bidders.

Should you have any questions regarding this evaluation, please do not hesitate to contact me at 207-798-3744 or jaime.wallace@wright-pierce.com.

Sincerely,
WRIGHT-PIERCE



Jaime C. Wallace, PE
Project Manager
jaime.wallace@wright-pierce.com

Enclosures:

- *Bid Tabulation*

*Cc: Chris White – Old Orchard Beach Public Works and Wastewater Superintendent
Miranda Pierre – Wright-Pierce Project Engineer
Valerie Jenkins – FEMA PA Program Delivery Manager
Naomi Petley – MEMA Representative
Harley Morgan – MEMA Representative*

Project Name/No.: OOB,ME - New Salt Road Reconstruction-2154

Bid Opening: 12/21/23, 2:00pm

Location: Old Orchard Beach, ME

ENG/PM: Jaime Wallace, PE

Engineer's Estimate: \$308,000

Issuing Office: Topsham Office

11 Bowdoin Mill Island, Ste 140

Topsham, ME 04086

| BID QUANTITIES | | | | BIDDER'S NAME | | | |
|--|--|------|----------|----------------------------|--------------|----------------------|---------------|
| | | | | Shaw Brothers Construction | | Crooker Construction | |
| Item | Qty. | UNIT | UNIT AMT | BID | UNIT AMT | BID | |
| BASE BID | | | | | | | |
| 1 | Mobilization/Demobilization (10% Max of Total Bid) | 1 | Lump Sum | \$ 26,400.00 | \$ 26,400.00 | \$ 48,500.00 | \$ 48,500.00 |
| 2 | Signage/Traffic Control | 1 | Lump Sum | \$ 5,000.00 | \$ 5,000.00 | \$ 18,500.00 | \$ 18,500.00 |
| 3 | Removal of Existing Pavement/Material | 1 | Lump Sum | \$ 48,020.00 | \$ 48,020.00 | \$ 49,500.00 | \$ 49,500.00 |
| 4 | Aggregate Base (MaineDOT Type A) | 60 | CY | \$ 85.00 | \$ 5,100.00 | \$ 150.00 | \$ 9,000.00 |
| 5 | Aggregate Subbase (MaineDOT Type D) | 70 | CY | \$ 65.00 | \$ 4,550.00 | \$ 95.00 | \$ 6,650.00 |
| 6 | Reset Existing Riprap | 190 | CY | \$ 149.00 | \$ 28,310.00 | \$ 165.00 | \$ 31,350.00 |
| 7 | Hot Mix Asphalt (19.0 mm, Binder) | 90 | TON | \$ 151.00 | \$ 13,590.00 | \$ 275.00 | \$ 24,750.00 |
| 8 | Hot Mix Asphalt (12.5 mm, Surface) | 5 | TON | \$ 225.00 | \$ 1,125.00 | \$ 300.00 | \$ 1,500.00 |
| 9 | Guardrails | 140 | LF | \$ 50.00 | \$ 7,000.00 | \$ 85.25 | \$ 11,935.00 |
| 10 | Site Restoration | 1 | Lump Sum | \$ 18,910.00 | \$ 18,910.00 | \$ 73,500.00 | \$ 73,500.00 |
| 11 | Concrete Encased Guardrail Over Culverts | 36 | LF | \$ 100.00 | \$ 3,600.00 | \$ 205.00 | \$ 7,380.00 |
| 12 | Furnish and Install Concrete Headwall | 1 | Lump Sum | \$ 81,275.00 | \$ 81,275.00 | \$ 168,500.00 | \$ 168,500.00 |
| 13 | Concrete Walkway | 10 | CY | \$ 600.00 | \$ 6,000.00 | \$ 460.00 | \$ 4,600.00 |
| 14 | Pavement Markings | 20 | LF | \$ 30.00 | \$ 600.00 | \$ 130.00 | \$ 2,600.00 |
| 15 | Hot Mix Asphalt (19.0 mm, Binder) (Town Pay Limit) | 40 | TON | \$ 151.00 | \$ 6,040.00 | \$ 275.00 | \$ 11,000.00 |
| 16 | Hot Mix Asphalt (12.5 mm, Surface) (Town Pay Limit) | 20 | TON | \$ 225.00 | \$ 4,500.00 | \$ 300.00 | \$ 6,000.00 |
| 17 | Ditch Grading (Town) | 1 | Lump Sum | \$ 5,000.00 | \$ 5,000.00 | \$ 19,500.00 | \$ 19,500.00 |
| TOTAL BASE BID AMOUNT ITEMS (1 THROUGH 17) | | | | | \$265,020.00 | | \$494,765.00 |

AGENDA ITEM #8090

Discussion with Action: Approve the quote from Peter Petit Excavating for \$47,640.00 for the replacement of 212' of sewer line on Roussin Street and approve the quote from Peter Petit Excavating for \$55,400.00 for the replacement of 260' of sewer line on Brisson Street for a total of \$103,040.00 from account #50002-50508 Sewer Maintenance and Improvement Capital Reserve with a balance of \$1,042,843.83.

Chair: Shawn O'Neill

Council Information

Department: Public Works

Meeting date: January 16, 2024

Subject: Replacement of 260' of sewer line, two structures and the tie in of seven laterals on Brisson Street.

Commentary: The current condition of the line is in poor condition containing several sags, intruding laterals and requires regular cleaning.

Information included: Quote from Peter Petit Excavating for \$55,400.00 and Shaw Brothers Construction for both Brisson and Roussin for \$199,353.00.

Recommendation: Approve the quote from Peter Petit Excavating for \$55,400.00.

Discussion with action:

Account #

Balance \$

Respectively submitted by,

Christopher White

Wastewater/Public Works Superintendent

Peter Petit Excavating, Inc.
 20 Forest Street
 Biddeford, ME 04005 - 3833
 Tel: 207 282-9305

ESTIMATE

| Name / Address |
|---|
| Town of Old Orchard Beach 1 Portland Avenue Old Orchard Beach, ME 04064 |

| Date | Estimate # |
|----------|------------|
| 1/2/2024 | 1738 |

| Item | Description | Total |
|--------------|---|--------------------|
| Pipe | Roussin St 212ft of pipe (8" & 6" SCH 35) installed | 25,440.00 |
| Materials | 2 structures installed | 9,000.00 |
| Service | tie in 6 laterals | 7,200.00 |
| Concrete | Concrete trench | 6,000.00 |
| | Note: ledge & anything unforeseen will be an extra estimate includes all material & labor | |
| Total | | \$47,640.00 |

Peter Petit Excavating, Inc.
 20 Forest Street
 Biddeford, ME 04005 - 3833
 Tel: 207 282-9305

ESTIMATE

| Name / Address |
|---|
| Town of Old Orchard Beach 1 Portland Avenue Old Orchard Beach, ME 04064 |

| Date | Estimate # |
|----------|------------|
| 1/2/2024 | 1739 |

| Item | Description | Total |
|--------------|--|--------------------|
| | Brisson St | |
| Pipe | 260ft of pipe (8" & 6" SCH 35) installed | 31,200.00 |
| Materials | 2 structures installed | 9,000.00 |
| Service | tie in 7 laterals | 8,400.00 |
| Concrete | Concrete trench | 6,800.00 |
| | Note: ledge & anything unforeseen will be an extra estimate includes all materials & labor | |
| Total | | \$55,400.00 |



SHAW BROTHERS CONSTRUCTION, INC.

P.O. Box 69 • 341 Mosher Road • Gorham, Me 04038

Tel: (207) 839-2552 • Fax: (207)839-6239

Website: www.shawbrothers.com

January 4, 2023

To: Town of Old Orchard Beach Wastewater/Public Works Department
1 Portland Avenue
Old Orchard Beach, ME, 04063

Attn.: Christopher White

Subject: Sewer Replacement
Old Orchard Beach, ME
Sewer Replacement Pricing

Dear Christopher,

Shaw Brothers Construction, Inc. is pleased to provide the following lump sum proposal for the sitework associated with replacing approximately 140' of 6" SDR 35 sewer pipe, 100' of 8" SDR 35 sewer pipe and (2) 4' diameter structures on Roussin St. and replacing approximately 71' of 6" SDR 35 sewer pipe, 170' of 8" SDR 35 sewer pipe and (3) 4' diameter structures on Brisson St. in Old Orchard Beach, Maine. Our pricing and scope are based on a site visit and discussion between John Fairweather and Christopher White on 1/4/24. Our lump sum sitework pricing is as follows:

Base Bid: \$199,353.00

We have attached a copy of our bid estimate worksheet which provides our intended scope of work, clarifications, and exclusions, for your review. Please review our clarifications and exclusions.

Shaw Brothers Construction would like to thank you for the opportunity to provide you with our proposal. If you have any questions, or need clarification on any items, please feel free to contact us at your convenience.

Very truly yours,
SHAW BROTHERS CONSTRUCTION, INC.

Benjamin Trytek

Benjamin Trytek,
Estimator
Attachment: Bid Est Worksheet w/clarifications

AGENDA ITEM #8091

Discussion with Action: Approve the Mutual Aid MOU between the Old Orchard Beach Fire Department and the City of Saco Fire Department.

Chair: Shawn O'Neill

**MEMORANDUM OF UNDERSTANDING BETWEEN
TOWN OF OLD ORCHARD BEACH
AND
CITY OF SACO**

WHEREAS, the Town of Old Orchard Beach is a municipality under the laws of the State of Maine with a principal location at 1 Portland Avenue, Old Orchard Beach, Maine 04064;

WHEREAS, the City of Saco is a municipality under the laws of the State of Maine with a principal location at 300 Main Street Saco, Maine 04072.

WHEREAS, the purpose of this Memorandum of Understanding ("MOU") is to address mutual fire aid between Old Orchard Beach and Saco.

NOW THEREFORE, Old Orchard Beach and Saco hereby agree as follows:

1. **Definitions:**

Emergency – Any incident, human-caused or natural, that requires responsive action to protect life, property or environment.

Emergency Response - Activities that address the short-term, direct effects of an incident of emergency. Response includes immediate actions to save lives, protect property, and meet basic human needs. Response also includes the execution of emergency operations plans and of mitigation activities designed to limit loss of life, personnel injury, property damage and other unfavorable outcomes.

Emergency Response Equipment -Emergency response organization's vehicles, tools and supplies as well as municipal vehicles and equipment which may be used in an emergency response.

Emergency Response Organization – Any organization approved by the state, county or local governmental organization to provide emergency response.

Emergency Response Personnel - Persons who are members in good standing of an emergency response organization, and who are trained and certified to provide specified emergency services, or who are under the supervision of a trained and certified person.

Fire Department - An emergency response organization with the responsibility of the protection of LIFE (First Priority), the preservation of PROPERTY (Second Priority) and the environment (Third Priority).

Incident Command System- A standard, on-scene, all hazards incident management system already in use by firefighters, law enforcement, hazardous material teams, rescuers and emergency medical teams. The ICS has been established by the NIMS (as defined below) as the standardized incident organizational structure for the management of all incidents.

Mutual Aid Emergency - Any emergency which is beyond the capabilities of the local emergency response organizations to resolve, or which by normal protocol requires the assistance of emergency response organizations based outside the town, municipality or locale in which the emergency occurs.

National Incident Management System <NIMS>- A comprehensive national approach to incident management utilizing best practices that have been developed over the years.

Unified Command - A command structure in which the ranking members from multiple emergency response organizations and or jurisdictions jointly determine objectives, plans and priorities, and then work together to execute them.

2. On an annual basis (prior to June 30th of each year) the Fire Chiefs of Saco and Old Orchard Beach will review the terms of this MOU and report in writing to each other regarding any recommended revisions, changes, additions or deletions to said terms.
3. The Saco and Old Orchard Beach Fire Departments shall assist each other as necessary in times of emergency, or in times of disaster by sending equipment and emergency response personnel at request, or by holding equipment or emergency response personnel in a standby status at request, to the extent that, in the opinion of the sending Fire Chief, Fire Chiefs designee, or person in charge, such equipment or personnel can be spared when a call for assistance is received.
4. Any request for assistance shall be made by the incident commander at the scene of an emergency or by the dispatch centers based on the location of the incident.
5. Command at an incident shall be structured in accordance with the Incident Command System (ICS) of the National Incident Management System (NIMS), and that if the emergency/disaster is multi-jurisdictional, a Unified Command will be employed when practical. When necessary, for the safety of all responders, the senior officer of the requested agency may, assume Command of an incident in the requesting agencies jurisdiction until properly relieved by a senior officer of the requesting agency.
6. When any personnel or equipment are sent under the terms of this agreement, the ranking officer of the requested organization shall report to the requesting organization's incident commander. Emergency responders will respond with full turnout gear and personal protective equipment consistent with accepted practices of their respective disciplines. The department providing aid personnel may be under the direct control of an officer of the requesting organization. The department mutual aid officer or person in charge shall have the right and responsibility to ensure that department providing aid personnel are asked to perform only those tasks or operations that are consistent with their training, and in accordance with their protocols and accepted safe practices. Such personnel shall remain under the control of Command until the organization requesting assistance releases said personnel and equipment, or until said personnel and

equipment are recalled by the organization providing assistance. Such personnel and equipment shall be released as soon as is reasonably possible and returned to the mutual aid organization.

7. Assisting emergency response organizations under this MOU shall operate in accordance with their department district protocols and/or guidelines, and each emergency response person will operate according to the protocols and/or guidelines of his/her own organization, and within the scope of his/her own training and certification, or under the supervision of a person with the appropriate training and certification. In no event shall department providing aid personnel be required to perform in a way inconsistent with their protocols and/or guidelines, or inconsistent with accepted safe practices.
8. It is further agreed that there will be no compensation for providing any mutual aid described in this MOU, unless other contractual agreements for services exist and/or become established; however, where a party or parties responsible for causing the emergency are liable for coverage of expenses, coverage of such expenses may be pursued from such parties. It is further agreed that during prolonged operations emergency response organizations receiving assistance may provide assisting organizations with fuel, lubricants or reimbursement for said items.
9. Subject to the limitations and immunities provided in the Maine Tort Claims Act, Old Orchard Beach and Saco agree to be responsible for their own personnel and equipment and agree to indemnify, protect, and save harmless each other, in the absence of the other's negligence or misconduct, from any and all claims, demands, and liability for loss, damage, injury, or any other casualty to their own personnel and/or equipment.
10. Old Orchard Beach and Saco may terminate their participation under this MOU in their discretion and for their convenience upon no less than three (3) months' prior written notice to the other municipality
11. This MOU constitutes the entire agreement between Old Orchard Beach and Saco with regard to the mutual aid described herein. If any clause, section or provision is held to be invalid or unenforceable, that shall not affect the entire agreement and the parties agree to meet and negotiate a new clause, section or provision. Amendments to this MOU shall be in writing and executed by both Old Orchard Beach and Saco. Old Orchard Beach and Saco each represent that they have the authority to enter into this memorandum of understanding and that it is being executed by its duly authorized representatives. This MOU shall be governed solely by the laws of the State of Maine.

Seen and agreed to this _____ day of _____, 2024

Witness

City of Saco City Administrator

Witness

Town of Old Orchard Beach Town Manager

AGENDA ITEM #8092

Discussion with Action: Discussion with Action: Move Irvin Paradis from Associate member of the Zoning Board of Appeals to a regular member, term to expire 12/31/2026.

Chair: Shawn O'Neill

AGENDA ITEM #8093

Discussion with Action: Appoint Graham Roeber as a regular member of the Finance Committee, term to expire 12/31/25.

Chair: Shawn O'Neill

AGENDA ITEM #8094

Discussion with Action: Approve the quote in the amount of \$127,346.12 from Freightliner and Western Star of Maine for a 2024 Freightliner 108SD Plow Truck and extended warranty and the quote from Viking Cives (USA) to outfit the truck with plow, wing, sander in the amount of \$122,376.12 for a total amount of \$251,296.12 to be financed through a lease purchase agreement with Gorham Leasing Group at 5.74% (tax exempt) with five annual payments in the amount of \$56,143.25 from account #20197-50330 Debt Service Equipment Replacement with a balance of \$214,835.45.

Chair: Shawn O'Neill

Council Information

Department: Public Works

Meeting date: January 2, 2024

Subject: Purchase of new Freightliner cab and chassis

Commentary: The department reserved a slot with Freightliner during the FY24 budget development. The truck was specified with the appropriate specifications to serve as a main line plow truck, including a larger engine, and will replace truck #11 which is a 2006 International Harvester. Truck #11 is currently under evaluation and not expected to return to service. If approved the Freightliner specified is expected to arrive in January. Verbal conversations with other truck dealers indicate a newly ordered cab and chassis would not arrive until late 2024 and mid-2025. The current fleet includes one Freightliner and one Western Star which are serviced at the same dealer. Overall, the department has had good luck with the performance of both trucks. If approved, we expect that this truck should be outfitted in time for next winter. I have included the quote and specs.

Information included: Quote from Freightliner and Western Star of Maine for \$122,376.12

Recommendation: Approve the quote from Freightliner and Western Star of Maine for \$122,376.12

Discussion with action:

Account #

Balance \$

Respectively submitted by,

Christopher White

Wastewater/Public Works Superintendent

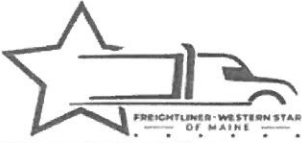
QUOTE

Freightliner & Western Star of Maine

Bangor | Westbrook | Auburn | Waterville | Houlton | Fort Kent
Maine's Most Complete Truck-Trailer-Parts and Tire Facility

10 Terminal Street
Westbrook, ME 04092
Ph: 207-591-1975
freightlinerofmaine.com

Expiration Date:
Date: **12/12/2023**
Deal/Package: **2037**
Branch: **Westbrook**
Department: **Sales**
Salesperson: **Michael Bean**



Bill-To:

Town of Old Orchard Beach
1 Portland Ave
Old Orchard Beach, ME 04064
(207) 934-5714

Ship-To:

Town of Old Orchard Beach
1 Portland Ave
Old Orchard Beach, ME 04064

Stock Number: **1946**

Price: \$122,734.10

VIN: **1FVAG5FE2RHVK5886**

Year: **2024**

Make: **Freightliner**

Model: **108SD**

Cab Style/Sleeper: **Plow**

ADDITIONAL UNIT CHARGES

MUNICIPALITY FET TAX CREDIT

Price: (\$357.98)
Unit Price: \$122,376.12
Total Sold: \$122,376.12
Total FET: \$0.00
Total: \$122,376.12
Net: **\$122,376.12**

Accepted by: _____ Date: _____



Cives Corporation, dba
 Viking Cives (USA)
 14331 Mill Street
 Harrisville, NY 13648
 Phone: (315) 543-2321
 Fax: (315) 543-2366
 www.vikingcives.com

QUOTATION

Quote ID: 908

Page 1 of 2

* 2012 Factory/Shipper Catalog

Customer: Town of Old Orchard Beach
Contact: Jarvis Grant
Address: 1 Portland Ave
 Old Orchard Beach, Me
 04064
Phone: 207-934-4416
Fax:
Attn:

Quote Number: 908
Quote Date: 1/5/2024
Quote valid until: 2/19/2024
For:
Terms: Net 30 days
Salesperson: John Nault
FOB: Lewiston, Me

| QUANTITY | DESCRIPTION | UNIT PRICE | AMOUNT |
|----------|---|------------|--------|
| 1 | Custom Hitch with mtg. bolts nuts and pins (P10) | | |
| 1 | S10500F - Custom Hitch Plow & Wing Mount-Power Tilt (incl. yoke) | | |
| 1 | S10996 - Access Step | | |
| 1 | S11010 - 4" x 10" DA Cylinder (cannot be used with Husting Hitches) | | |
| 1 | S12700 - SAE "C" 2 bolt (constant running pump) | | |
| 1 | S13010 - Push Center, 30-1/2" | | |
| 1 | S14000 - Lift group - All plows except Metros with chain lift leveling device -not needed if using telescopic lift yoke | | |
| 1 | S15000F - Hose Connecting Bracket w/restrictor, fittings and disconnects (for PRL pushframe only) | | |
| 1 | S15100F - Quick Disconnects for Lift Cylinder | | |
| 1 | S30700F - FH33 Hydraulic Assembly w/mtg. brk't (3 x 33 cyl.) | | |
| 1 | S33300F - Full Trip Hinge (not to be used with trip edge wing) | | |
| 1 | S34000F - Quick Disconnects for Front Wing Cylinder (1 per front mast) | | |
| 1 | Rear Mast Weldment - includes slides, cylinders, mounting brackets - no tank) S40547 Rear Mast H1059IP RH Assy. CSS | | |
| | REVERSIBLE PLOWS, FLEX 10 DEGREE Reversible, Flex Moldboard (no shoes or blades) | | |
| 1 | S58010 - R113151FL Moldboard Reversible, Flex (no shoes or blades) | | |
| 1 | S58065 - Steel Blade, 12" punching - for 11' Moldboard | | |
| 1 | S58315 - Twin Cylinder (cushion valve) Power Reverse Pushframe (PRR) | | |
| 1 | S58174 - Contour Cylinders - plumbed independently and separately | | |
| 1 | S58090 - 30-1/2" pushlug swivel | | |
| 1 | S58155 - Dead Sheave Leveling Device (stainless steel cable) | | |
| 1 | S58180 - 10 Degree Moldboard Shoes (pair) | | |
| 1 | S60010 - 132WHD RH WING WELDMENT - Standard RH Wing | | |
| 1 | S60300 - 10 deg. Fabricated Shoe | | |
| 1 | S60410 - Steel Blade 12" punching -for 132 Wing | | |
| 1 | S61041F - Full Trip Hydraulic Arms (cushion spring lower) | | |
| 1 | Body - Viking Proline Model PL1011HW-II, 10' Stainless Steel U-Style Design Combination Body, D.A. 3-Stage Telescopic Hoist, AR450 Floor, Rear Discharge Center Conveyor, High Tensile Steel Conveyor Cover, (2) Prewet Saddle Tanks w/ Stainless Steel Mounting Trays, Rear Chute Assy. | | |
| 1 | Plow Lights - Led ABL Heated | | |
| 1 | Lights - Led Amber Strobes Front & Side of Cab Shield. Led Amber Strobes, S/T/T & B/U in Rear Corner Posts, Led Wing & Spinner Lights. | | |



Cives Corporation, dba
 Viking Cives (USA)
 14331 Mill Street
 Harrisville, NY 13648
 Phone: (315) 543-2321
 Fax: (315) 543-2366
 www.vikingcives.com

QUOTATION

Quote ID: 908

Page 2 of 2

2012 Factory/Shipper
 Catalog

| QUANTITY | DESCRIPTION | UNIT PRICE | AMOUNT |
|---------------------|---|------------|---------------------|
| 1 | Pintle Plate w/ 25 Ton Hook, D-Rings & Trailer Plug | | |
| 1 | Donovan Electric Tarp System w/ Asphalt Cover | | |
| 1 | Mud Flaps w/ Anti-Sails | | |
| 1 | Back Up Camera | | |
| 1 | Hydraulics To Includes: PTO/Pump (trans mounted), Hyd Tank (40 gal behind cab), Hydraulic Oil, Walvoil Valves, Del Air Controls, Hose Kit, Stainless Steel Lines Where Feasible, Cirus EZ Spread Controls, Electric Calcium Pump (module, nozzle kit) | | |
| 1 | Paint | | |
| 1 | Labor To Install | | |
| Quote Total: | | | \$123,940.00 |
| Discount: | | | \$0.00 |
| Total Due: | | | \$123,940.00 |

The following options may be added:

| QUANTITY | DESCRIPTION | PRICE EACH | AMOUNT |
|----------|-------------|------------|--------|
| | | | |

Customer must fill out the information below before the order can be processed...

| | |
|--------------|--|
| Accepted by: | |
| Date: | |
| P.O. number: | |

The price and terms on this quotation are not subject to verbal changes or other agreements unless approved in writing by the Home Office of the Seller. All quotations and agreements are contingent upon strikes, accidents, fires, availability of material and all other causes beyond our control. Prices are based on costs and conditions existing on date of quotation and are subject to change by the Seller before final acceptance.

- ◆ Typographical and stenographic errors subject to corrections. Purchaser agrees to accept either overage or shortage not in excess of ten percent to be charged pro-rata. Purchaser assumes liability for patent and copyright infringement when goods are made to Purchaser's specifications. When quotation specifies material to be furnished by the purchaser, ample allowance must be made for reasonable spoilage and material must be of suitable quality to facilitate efficient production.
- ◆ Conditions not specifically stated herein shall be governed by the established trade customs. Terms inconsistent with those stated herein which may appear on Purchaser's formal order will not be binding on the Seller.
- ◆ Unless otherwise stated, Installation charges do not include modifications to exhaust systems, cab protectors or bumpers.

John - (201) 624-1928
 jvault@vikingcives.com

AGENDA ITEM #8095

Discussion with Action: Approve the Council Order 2024-1 entitled “Order to authorize the Lease Purchase of a Freightliner Plow Truck in the Principal Amount of \$251,296.12.”

Chair: Shawn O’Neill

February 6, 2024: **Order # 2024-1**

Agenda: To see what action the Council will take regarding Order # 2024-1, entitled, “Order to Authorize Lease Purchase of a **Freightliner Plow Truck** in Principal Amount of **\$251,296.12.**”

Motion: I move that the Council approve Order # 2024-1, entitled, “Order to Authorize Lease Purchase of a **Freightliner Plow Truck** in Principal Amount of **\$251,296.12,**” and that an attested copy of this Order be filed with the minutes of this meeting.

**ORDER TO AUTHORIZE LEASE PURCHASE OF A FREIGHTLINER PLOW TRUCK
IN PRINCIPAL AMOUNT OF \$251,296.12**

BE IT ORDERED, by the Town Council of the Town of Old Orchard Beach, Maine, in Town Council assembled:

That the purchase of a **Freightliner Plow Truck with related accessories and equipment** (the “Equipment”) with a purchase price of **\$251,296.12** is approved;

That under and pursuant to the Charter of the Town of Old Orchard Beach (the “Town”), including Section 409.12 of said Charter, the Town Manager and Finance Director, acting singly, are authorized to accept the proposal of **Gorham Savings Leasing Group, LLC** (the “Lessor”) to provide tax-exempt lease purchase financing for the Equipment in the principal amount of **\$251,296.12** to be paid in **five (5)** annual installments with interest at a rate of **5.74%** per annum, and any prior such acceptance is ratified and confirmed;

That the Town Manager and Finance Director, acting singly, are authorized to execute and deliver a lease purchase agreement with Lessor or its nominee, in the name and on behalf of the Town for the Equipment, in principal amount not to exceed **\$251,296.12**, in such form and on such terms not inconsistent herewith as the Town Manager or Finance Director may approve (the “Lease”);

That neither the proceeds of the Lease nor the Equipment shall be used in any manner that would cause the Lease to be an “arbitrage bond” or a “private activity bond” within the meaning of Sections 148 and 141 of the Internal Revenue Code of 1986, as amended (the “Code”);

That the Town Manager and Finance Director, acting singly, are authorized to designate the Lease, as applicable, as a qualified tax-exempt obligation within the meaning of Section 265(b)(3) of the Code;

That the Town Manager and Finance Director, acting singly, are authorized to covenant on behalf of the Town to file any information report and pay any rebate due to the United States in connection with the issuance of the Lease, and to take all other lawful actions necessary to ensure that the interest portion of the rental payments under and pursuant to the Lease will be excludable from the gross income of the owners thereof for purposes of

federal income taxation and to refrain from taking any action which would cause such interest portion of the rental payments to become includable in the gross income of the owners thereof;

That the appropriate officials of the Town are authorized to execute and deliver such other documents and certificates as may be required in connection with the Lease; and

That an attested copy of this Order be filed with the minutes of this meeting.

A true copy, attest:

Kim McLaughlin, Town Clerk

AGENDA ITEM #8096

Discussion with Action: Approve the applications for Pole Permits from Central Maine Power for the following poles: Ross Road, 1340' Northeasterly of the intersection of Portland Avenue; Walnut Street, 65 feet North of the intersection of Milliken Street; Smithwheel Road, 65 feet North of the intersection of Mayflower Drive; West Grand Avenue, 70 feet Southwest of the intersection of Old Orchard Street; and East Grand Avenue, 200 feet North of the intersection of Cleaves Street.

Chair: Shawn O'Neill

Notification: 10300934007

Work Order: 801000595531

CENTRAL MAINE POWER COMPANY
APPLICATION FOR POLE LOCATION OR UNDERGROUND LOCATION

In the City/Town of: Old Orchard Beach, Maine

To the:

[X] City

[] Town

[] County of: York, Maine

[X] Central Maine Power hereby applies for permission to:

[X] Construct and maintain poles together with attached facilities and appurtenances upon, along or across certain streets and highways in said City/Town as described below.

[] Construct and maintain buried cables, conduits, manholes and handholes, together with wire and cables, transformers, cutouts, and other equipment therein, under, along, and across certain streets and highways in said City/Town as described below.

[X] Central Maine Power Company and

[Redacted Name]

jointly apply for permission to construct and maintain poles together with attached facilities and appurtenances upon, along or across certain streets and highways in said City/Town as described below.

1. Starting Point: Intersection of Portland Ave and Ross Rd

2. Road (State & CMP): Ross Road

3. Direction: Northeasterly

4. Distance: 1340' feet

5. Number of Poles: 1

[X] Overhead wires shall have a minimum clearance of 18 feet over the public highway and be constructed to conform with the requirements of the National Electric Safety Code.

[] Buried cable facilities shall be placed at a minimum depth of 36 inches under pavement and 30 inches elsewhere and be constructed to conform with the requirements of the National Electric Safety Code.

Any person, firm, or corporation to be adversely affected by this proposed location shall file a written objection with the State Department of Transportation, City, Town or County stating the cause of said objection within fourteen (14) days after the publication of this notice or ninety (90) days after installation of facilities without publication.

[] Public Notice of this application has been given by publishing the text of the same

[X] Not Published

In: [Redacted]

On: [Redacted]

CENTRAL MAINE POWER COMPANY

[Redacted Signature]

By: Courtney Coro

Date: 01/05/2024

By: _____ Date: _____

Auto Fill Form for:
4501 - 4502 - 4503

| | |
|--|--|
| Notification: <input type="text" value="10300934007"/> | <input checked="" type="checkbox"/> Not Published |
| Work Order: <input type="text" value="801000595531"/> | <input type="checkbox"/> Public Notice of this application has been given by publishing the text of the same |
| Field Planner Name: <input type="text" value="Courtney Coro"/> | In: <input type="text"/> |
| Field Planner Phone #: <input type="text" value="207 205 0988"/> | On: <input type="text"/> |
| Date: <input type="text" value="01/05/2024"/> | |

| |
|---|
| City / Town: <input type="text" value="Old Orchard Beach"/> |
| To the: <input checked="" type="checkbox"/> City <input type="checkbox"/> Town <input type="checkbox"/> County of: <input type="text" value="York"/> , <input type="text" value="Maine"/> |

| |
|---|
| CMP applying for: <input checked="" type="checkbox"/> Overhead <input type="checkbox"/> URD |
|---|

| |
|--|
| 1. Starting Point: <input type="text" value="Intersection of Portlamd Ave and Ross Rd"/> |
| 2. Road (State & CMP): <input type="text" value="Ross Road"/> |
| 3. Direction: <input type="text" value="Northeasterly"/> |
| 4. Distance: <input type="text" value="1340'"/> feet |
| 5. Number of Poles: <input type="text" value="1"/> |

| | |
|------------------------------|--|
| TEL CO: <input type="text"/> | Refer To Field Planner Web Page for selecting the appropriate Tel Co.: Home Page > Field Planner Resources > Telco Information |
|------------------------------|--|

If you only need 1 copy of the 4502 Form, just click "Print Form" A print dialogue will open, click print to print all 3 forms.

If you need multiple copies of the 4502 Form, click "Print Form" A print dialogue will open, again, click print to print all. After you print all, click "Print Form" again, but this time select print range page "3" only and select the number of copies you need

Notification: 10300934007

CENTRAL MAINE POWER COMPANY

Work Order: 801000595531

SKETCH TO ACCOMPANY APPLICATION FOR POLE OR UNDERGROUND LOCATIONS

Page of

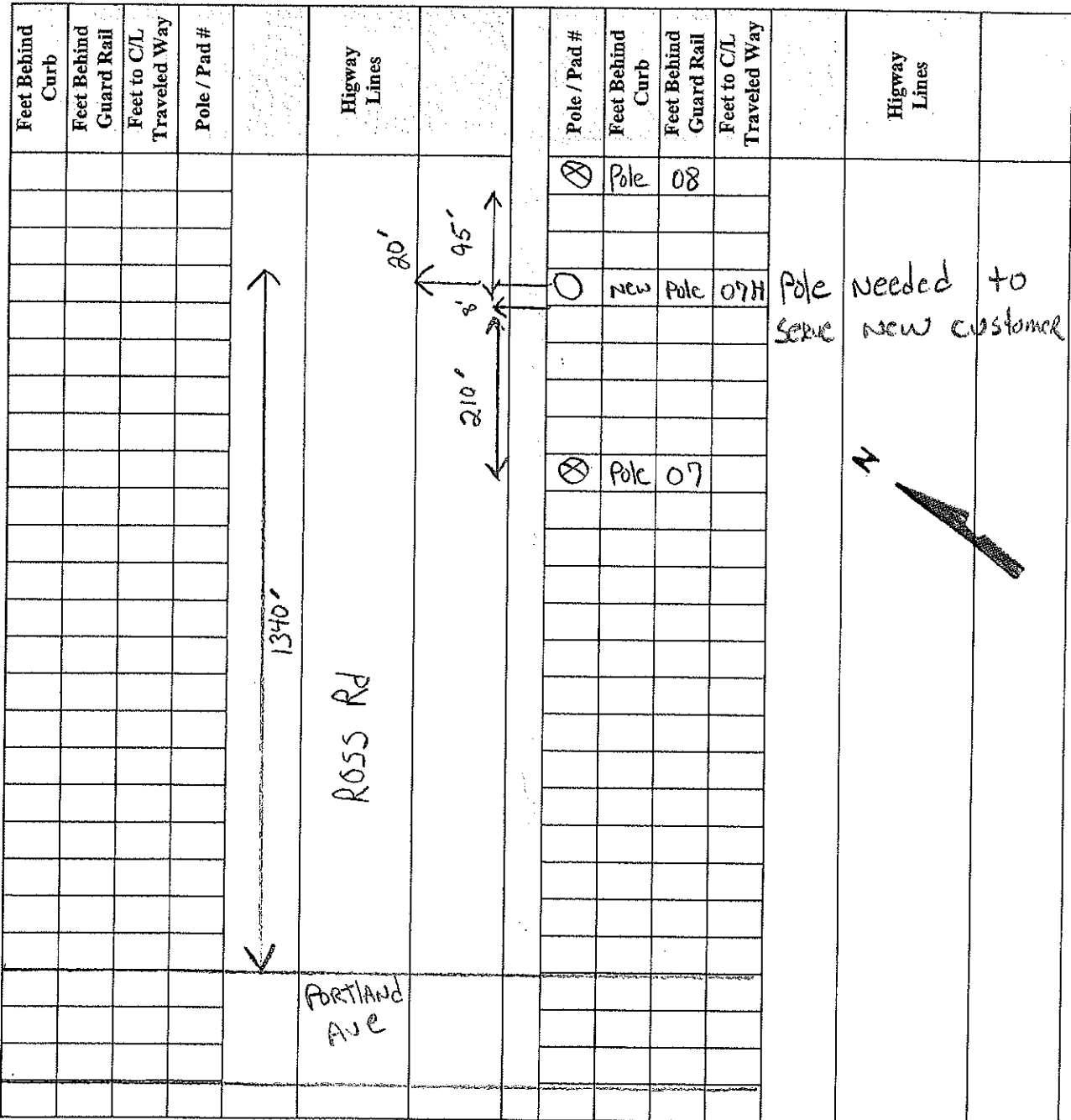
City / Town: Old Orchard Beach

Date: 01/05/2024

Street: Ross Road

By: Courtney Coro

Facilities to consist of wood poles and appurtenances with a minimum clearance of wire and cables not less than 21 feet over the public highway, and/or underground facilities to consist of buried cables, conduits, transformers and manholes for operation at 7200 volts to ground single phase. Construction to be suitable for future operation at a voltage not to exceed 22KV to ground single phase. Right-of-way limits indicated are based on the best field information available. Poles/ Pads are staked. For further information call: Courtney Coro at Central Maine Power Company tel: 207 205 0988 . Pole/Pad spans shown are approximate.



Pole needed to serve new customer

Notification: 10300934007

Work Order: 801000595531

LOCATION PERMIT

Upon the Application of Center Maine Power Company and [redacted]

dated 01/05/2024, asking for permission, in accordance with law, to construct and maintain poles, buried cables, conduits, and transformers, together with attached facilities and appurtenances over, under, along or across certain highways and public roads in the location described in said application, permission is hereby given to construct, reconstruct, maintain and relocate in substantially the same location, said facilities and appurtenances in the City / Town of Old Orchard Beach

approximately located as follows:

- 1. Starting Point: Intersection of Portland Ave and Ross Rd
- 2. Road (State & CMP): Ross Road
- 3. Direction: Northeasterly
- 4. Distance: 1340' feet
- 5. Number of Poles: 1

Facilities shall consist of wood poles and appurtenances with a minimum of wire and cable not less than 18 feet over the public highway and/or buried cables or conduit and appurtenances placed a minimum depth of 36 inches under pavement and 30 inches elsewhere, all in a manner conforming to the National Electric Safety Code.

By: _____

By: _____

By: _____

By: _____

By: _____

Municipal Officers

Office of the _____

Received and Recorded in Book _____, Page _____

Attest: _____

Clerk

MISCELLANEOUS PAYMENT RECPT#: 614745
TOWN OF OLD ORCHARD BEACH
1 PORTLAND AVE.

OLD ORCHARD BEACH, ME 04064

DATE: 01/22/24 TIME: 15:54:26
CLERK: jeff DEPT:
CUSTOMER#:

COMMENT: POLE PERMIT ROSS RD

CHG: TCREC TOWN CLERK RECE 10.00

AMOUNT PAID: 10.00

PAID BY: CENTRAL MAINE POWER
PAYMENT METH: CHECK
 14434

REFERENCE:

AMT TENDERED: 10.00
AMT APPLIED: 10.00
CHANGE: .00

Notification: 10104016663

Work Order: 801000552172

CENTRAL MAINE POWER COMPANY

APPLICATION FOR POLE LOCATION OR UNDERGROUND LOCATION

In the City/Town of: Old Orchard Beach, Maine

To the:

City

Town

County of: _____, Maine

Central Maine Power hereby applies for permission to:

Construct and maintain poles together with attached facilities and appurtenances upon, along or across certain streets and highways in said City/Town as described below.

Construct and maintain buried cables, conduits, manholes and handholes, together with wire and cables, transformers, cutouts, and other equipment therein, under, along, and across certain streets and highways in said City/Town as described below.

- NNE

Central Maine Power Company and Consolidated Communications of ~~Maine Company~~

jointly apply for permission to construct and maintain poles together with attached facilities and appurtenances upon, along or across certain streets and highways in said City/Town as described below.

1. Starting Point: (43.521464, -70.371173) OR 65ft North of Milliken St Intersection

2. Road (State & CMP): Walnut St

3. Direction: _____

4. Distance: _____ feet

5. Number of Poles: 1

Overhead wires shall have a minimum clearance of 18 feet over the public highway and be constructed to conform with the requirements of the National Electric Safety Code.

Buried cable facilities shall be placed at a minimum depth of 36 inches under pavement and 30 inches elsewhere and be constructed to conform with the requirements of the National Electric Safety Code.

Any person, firm, or corporation to be adversely affected by this proposed location shall file a written objection with the State Department of Transportation, City, Town or County stating the cause of said objection within fourteen (14) days after the publication of this notice or ninety (90) days after installation of facilities without publication.

Public Notice of this application has been given by publishing the text of the same

Not Published

In: _____

On: _____

- NNE

CENTRAL MAINE POWER COMPANY

Consolidated Communications of ~~Maine Company~~

By: Brian Dostie

Date: Jun 16, 2023

By: Jessica Theriault Date: 12/13/2023

Jessica Theriault - Right of Way

Auto Fill Form for:
4501 - 4502 - 4503

| | |
|--|--|
| Notification: <input type="text" value="10104016663"/> | <input checked="" type="checkbox"/> Not Published |
| Work Order: <input type="text" value="801000552172"/> | <input type="checkbox"/> Public Notice of this application has been given by publishing the text of the same |
| Field Planner Name: <input type="text" value="Brian Dostie"/> | In: <input type="text"/> |
| Field Planner Phone #: <input type="text" value="207-530-1976"/> | On: <input type="text"/> |
| Date: <input type="text" value="Jun 16, 2023"/> | |

| |
|---|
| City / Town: <input type="text" value="Old Orchard Beach"/> |
| To the: <input checked="" type="checkbox"/> City <input type="checkbox"/> Town <input type="checkbox"/> County of: <input type="text"/> , Maine |

| |
|---|
| CMP applying for: <input checked="" type="checkbox"/> Overhead <input type="checkbox"/> URD |
|---|

| |
|---|
| 1. Starting Point: <input type="text" value="(43.521464, -70.371173) OR 65ft North of Milliken St Intersection"/> |
| 2. Road (State & CMP): <input type="text" value="Walnut St"/> |
| 3. Direction: <input type="text"/> |
| 4. Distance: <input type="text"/> feet |
| 5. Number of Poles: <input type="text" value="1"/> |

| | |
|--|--|
| TELCO: Consolidated Communications of Maine Company | Refer To Field Planner Web Page for selecting the appropriate Tel Co.: Home Page > Field Planner Resources > Telco Information |
|--|--|

Print Button No longer supported, please use File Menu -> Print

Notification: 10104016663

Work Order: 801000552172

LOCATION PERMIT

- NNE

Upon the Application of Center Maine Power Company and Consolidated Communications of ~~Maine Company~~

dated Jun 16, 2023, asking for permission, in accordance with law, to construct and maintain poles, buried cables, conduits, and transformers, together with attached facilities and appurtenances over, under, along or across certain highways and public roads in the location described in said application, permission is hereby given to construct, reconstruct, maintain and relocate in substantially the same location, said facilities and appurtenances in the City / Town of Old Orchard Beach,

approximately located as follows:

- 1. Starting Point: (43.521464, -70.371173) OR 65ft North of Milliken St Intersection
- 2. Road (State & CMP): Walnut St
- 3. Direction:
- 4. Distance: feet
- 5. Number of Poles: 1

Facilities shall consist of wood poles and appurtenances with a minimum of wire and cable not less than 18 feet over the public highway and/or buried cables or conduit and appurtenances placed a minimum depth of 36 inches under pavement and 30 inches elsewhere, all in a manner conforming to the National Electric Safety Code.

By: _____

By: _____

By: _____

By: _____

By: _____

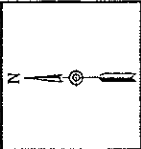
Municipal Officers

Office of the _____

Received and Recorded in Book _____, Page _____

Attest: _____

Clerk



JOB TITLE:
UPGRADE 3PH 400 VOLTAGE
CIRCUIT TO ATPS
WITH NEW 400V
AT WALKER ST

GOAL NUMBER:
4000377

WORK ORDER:
01900002172

NOTIFICATION:
10/19/16/585

SUBSTATION:
OLD ORCHARD

CIRCUIT:
64102

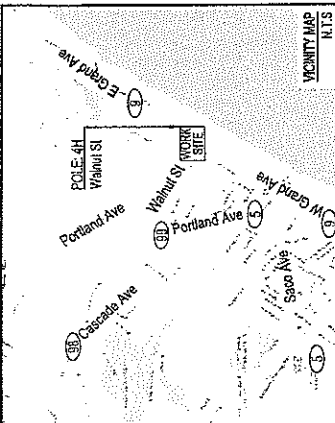
PRIMARY CLASS:
12.5/7.2 KV (64101)
12.5/7.2 KV (64102)

FUNCTIONAL LOCATION:
83104028-4016-022-ED00041

ROAD AXIS TOWN:
WALNUT ST
OLD ORCHARD BEACH, ME

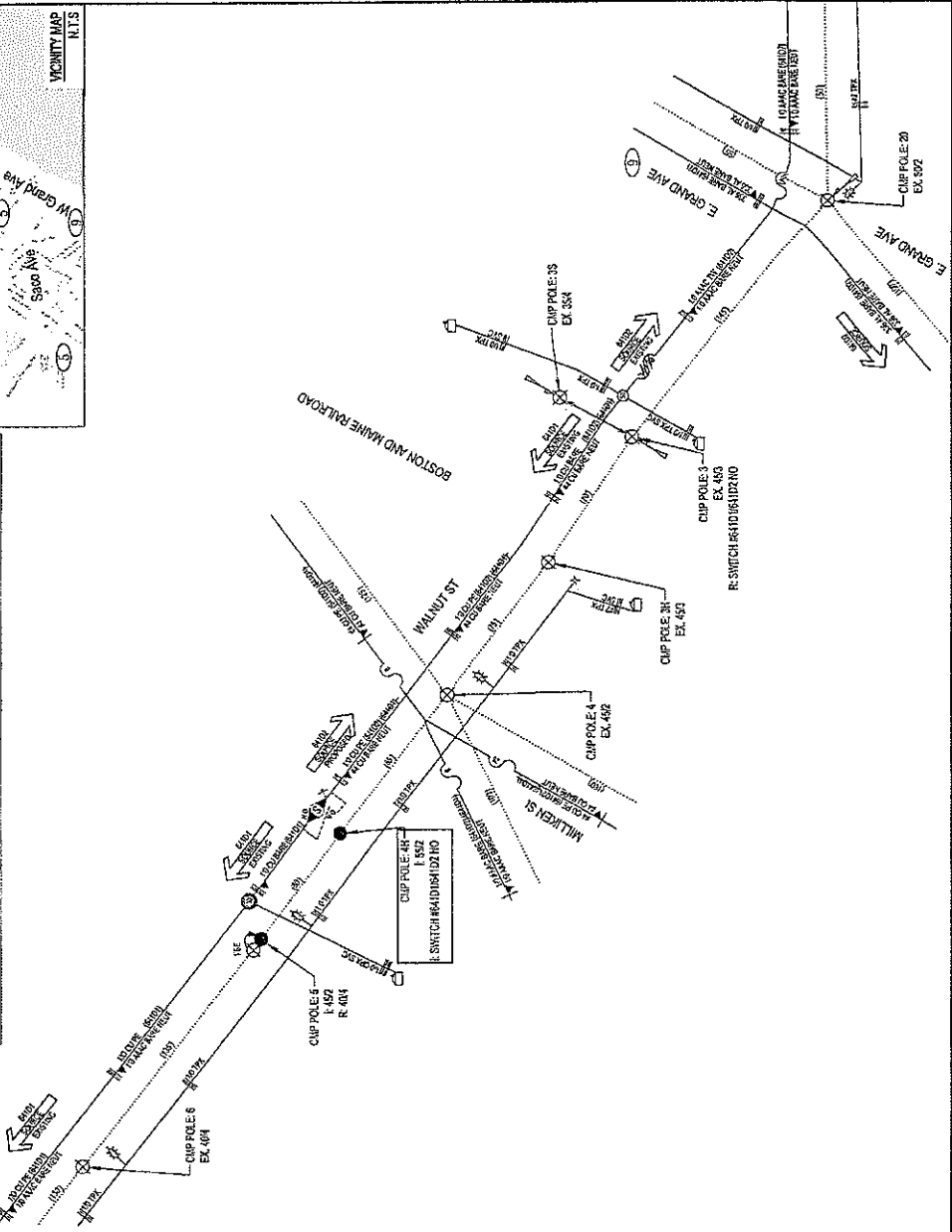
Designed By: D. BROWN
Checked By: J. H. CHASE
Project No.: 72783
Scale: N.T.S.

SHEET #:
1 OF 1



LEGEND

| | |
|--------------------------------|--------------------------------------|
| EXISTING 400V OUTLET POLE | INSTALL CUP POLE |
| EXISTING 400V TRANSFORMER | INSTALL 300V SWITCH (LOOP-SITE ONLY) |
| EXISTING 400V TRANSFORMER TANK | SMALL ENCLOSURE (ECONOMY) |
| EXISTING POLE | CONDUIT - NORMAL OPEN |
| EXISTING 15KV/7.2KV CONDUIT | CONDUIT - 15KV/7.2KV CLOSED |
| EXISTING 15KV/7.2KV (64101) | SMALL ANTENNA |
| EXISTING 15KV/7.2KV (64102) | SPRINKLER HEAD |
| EXISTING 400V (64101) | SERVICE ADDRESS |
| EXISTING 400V (64102) | POLE/TRANSFORMER |
| EXISTING 400V (64103) | EDGE OF RAILMENT - (C&M) |
| EXISTING 400V (64104) | APPROPRIATE DIST. OF WAY |



WALKER ST
1. 1.5KV
1. SWITCH #64101/64102/NO

E GRAND AVE
CUP POLE 20 EX. 197

WALNUT ST
CUP POLE 3 EX. 483
CUP POLE 4 EX. 482
CUP POLE 5 EX. 491
CUP POLE 6 EX. 494
CUP POLE 7 EX. 495
CUP POLE 8 EX. 496
CUP POLE 9 EX. 497
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CUP POLE 92 EX. 580
CUP POLE 93 EX. 581
CUP POLE 94 EX. 582
CUP POLE 95 EX. 583
CUP POLE 96 EX. 584
CUP POLE 97 EX. 585
CUP POLE 98 EX. 586
CUP POLE 99 EX. 587
CUP POLE 100 EX. 588

MISCELLANEOUS PAYMENT RECPT#: 614347
TOWN OF OLD ORCHARD BEACH
1 PORTLAND AVE.

OLD ORCHARD BEACH, ME 04064

DATE: 01/16/24 TIME: 11:39:49
CLERK: jeff DEPT:
CUSTOMER#:

COMMENT: WALNUT ST POLE PERMI

CHG: TCREC TOWN CLERK RECE 10.00

AMOUNT PAID: 10.00

PAID BY: CENTRAL MAINE POWER
PAYMENT METH: CHECK
 144352

REFERENCE:

AMT TENDERED: 10.00
AMT APPLIED: 10.00
CHANGE: .00

Notification: 10104016785

Work Order: 801000554271

CENTRAL MAINE POWER COMPANY
APPLICATION FOR POLE LOCATION OR UNDERGROUND LOCATION

In the City/Town of: Old Orchard Beach, Maine

To the: [X] City [] Town [] County of: [] , Maine

- [X] Central Maine Power hereby applies for permission to:
[X] Construct and maintain poles together with attached facilities and appurtenances upon, along or across certain streets and highways in said City/Town as described below.
[] Construct and maintain buried cables, conduits, manholes and handholes, together with wire and cables, transformers, cutouts, and other equipment therein, under, along, and across certain streets and highways in said City/Town as described below.

- NNE

[X] Central Maine Power Company and Consolidated Communications of Maine Company jointly apply for permission to construct and maintain poles together with attached facilities and appurtenances upon, along or across certain streets and highways in said City/Town as described below.

- 1. Starting Point: (43.512476, -70.413239) OR 65ft North of Mayflower Dr Intersection
2. Road (State & CMP): Smithwheel Rd
3. Direction:
4. Distance: feet
5. Number of Poles: 1

- [X] Overhead wires shall have a minimum clearance of 18 feet over the public highway and be constructed to conform with the requirements of the National Electric Safety Code.
[] Buried cable facilities shall be placed at a minimum depth of 36 inches under pavement and 30 inches elsewhere and be constructed to conform with the requirements of the National Electric Safety Code.

Any person, firm, or corporation to be adversely affected by this proposed location shall file a written objection with the State Department of Transportation, City, Town or County stating the cause of said objection within fourteen (14) days after the publication of this notice or ninety (90) days after installation of facilities without publication.

[] Public Notice of this application has been given by publishing the text of the same [X] Not Published

In:
On:

CENTRAL MAINE POWER COMPANY

- NNE Consolidated Communications of Maine Company

By: Brian Dostie Date: Jun 16, 2023

By: Jessica Theriault Date: 12/13/2023

Jessica Theriault - Right of Way

Auto Fill Form for:
4501 - 4502 - 4503

| | |
|--|--|
| Notification: <input type="text" value="10104016785"/> | <input checked="" type="checkbox"/> Not Published |
| Work Order: <input type="text" value="801000554271"/> | <input type="checkbox"/> Public Notice of this application has been given by publishing the text of the same |
| Field Planner Name: <input type="text" value="Brian Dostie"/> | In: <input type="text"/> |
| Field Planner Phone #: <input type="text" value="207-530-1976"/> | On: <input type="text"/> |
| Date: <input type="text" value="Jun 16, 2023"/> | |

| |
|---|
| City / Town: <input type="text" value="Old Orchard Beach"/> |
| To the: <input checked="" type="checkbox"/> City <input type="checkbox"/> Town <input type="checkbox"/> County of: <input type="text"/> , Maine |

| |
|---|
| CMP applying for: <input checked="" type="checkbox"/> Overhead <input type="checkbox"/> URD |
|---|

| |
|--|
| 1. Starting Point: <input type="text" value="(43.512476, -70.413239) OR 65ft North of Mayflower Dr Intersection"/> |
| 2. Road (State & CMP): <input type="text" value="Smithwheel Rd"/> |
| 3. Direction: <input type="text"/> |
| 4. Distance: <input type="text"/> feet |
| 5. Number of Poles: <input type="text" value="1"/> |

| | |
|--|--|
| TELCO: Consolidated Communications of Maine Company | Refer To Field Planner Web Page for selecting the appropriate Tel Co.: Home Page > Field Planner Resources > Telco Information |
|--|--|

Print Button No longer supported, please use File Menu -> Print

Notification: 10104016785

Work Order: 801000554271

LOCATION PERMIT

- NNE

Upon the Application of Center Maine Power Company and Consolidated Communications of ~~Maine Company~~
dated Jun 16, 2023, asking for permission, in accordance with law, to construct and
maintain poles, buried cables, conduits, and transformers, together with attached facilities and appurtenances
over, under, along or across certain highways and public roads in the location described in said application,
permission is hereby given to construct, reconstruct, maintain and relocate in substantially the same location,
said facilities and appurtenances in the City / Town of Old Orchard Beach,
approximately located as follows:

1. Starting Point: (43.512476, -70.413239) OR 65ft North of Mayflower Dr Intersection
2. Road (State & CMP): Smithwheel Rd
3. Direction: _____
4. Distance: _____ feet
5. Number of Poles: 1

Facilities shall consist of wood poles and appurtenances with a minimum of wire and cable not less than 18 feet over the public highway and/or buried cables or conduit and appurtenances placed a minimum depth of 36 inches under pavement and 30 inches elsewhere, all in a manner conforming to the National Electric Safety Code.

By: _____

By: _____

By: _____

By: _____

By: _____

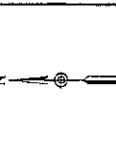
Municipal Officers

Office of the _____

Received and Recorded in Book _____, Page _____

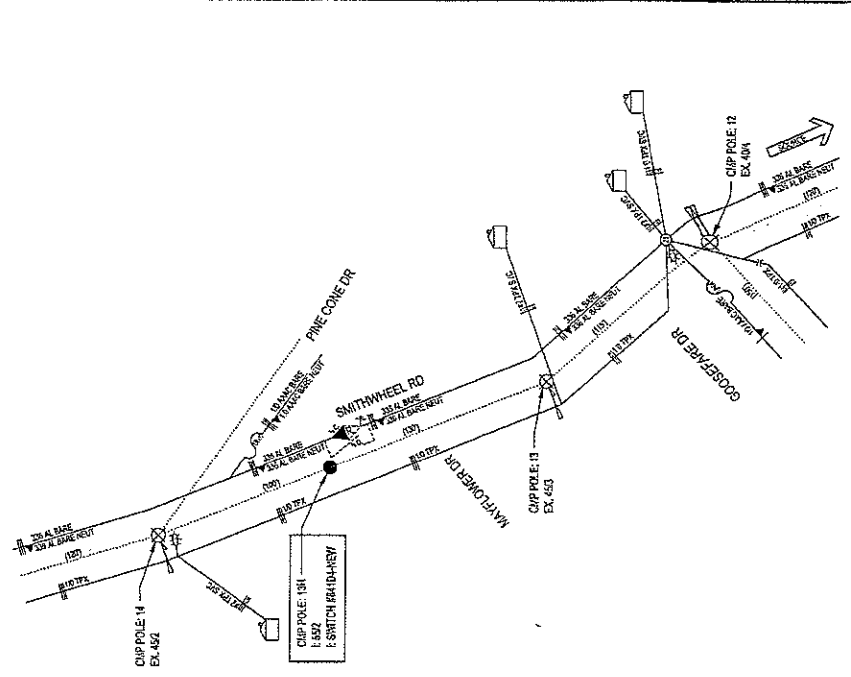
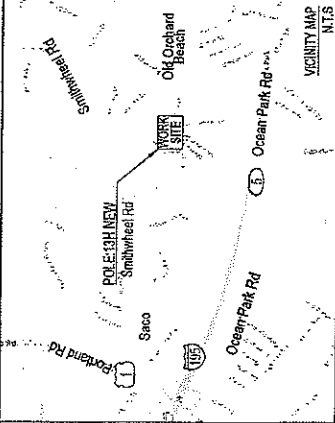
Attest: _____

Clerk



| | |
|-------------------------------|--|
| JOB TITLE: | INSTALL NEW 3PH SCADA RECLUSER LOOP 84504 NEW ATTACH PISH SMITHWHEEL RD |
| CAP ID | 27 CS STARS DWB18TRM |
| WORK ORDER | 400592 |
| WORK ORDER | 0190055321 |
| NOTIFICATION | 10/04/07/85 |
| SUBSTATION | OLD ORCHARD |
| CIRCUIT | 84104 |
| PRIMARY CLASS | 12312RV |
| FUNCTIONAL LOCATION | 9316.0384-4316.0300-ED00113 |
| ROAD AND TOWN | SMITHWHEEL RD OLD ORCHARD TOWN, ME |
| Designed By/Drawn By: | JH CB |
| Issue Date/Checked By: | 08/09/03 JH |
| Project No./Scale: | 2280 N.T.S. |

SHEET #:
1 OF 1



| LEGEND | |
|--------------------------------|------|
| EXISTING 40 FT OVERHEAD POLE | ⊗ |
| EXISTING 11 TRANSFORMER | ⊙ |
| EXISTING FUSE | ⊖ |
| SWITCH STATUS: NORMALLY OPEN | N.O. |
| SWITCH STATUS: NORMALLY CLOSED | N.C. |
| EXISTING 24 INCH RECLUSER | ⊕ |
| EXISTING 12 INCH RECLUSER | ⊕ |
| EXISTING 6 INCH RECLUSER | ⊕ |
| EXISTING 3 INCH RECLUSER | ⊕ |
| EXISTING SCHEMATIC MARK | ⊕ |
| EXISTING END OF LINE POINT | ⊕ |
| EXISTING END OF LINE POINT | X |

MISCELLANEOUS PAYMENT RECPT#: 614348
TOWN OF OLD ORCHARD BEACH
1 PORTLAND AVE.

OLD ORCHARD BEACH, ME 04064

DATE: 01/16/24 TIME: 11:41:37
CLERK: jeff DEPT:
CUSTOMER#:

COMMENT: SMITHWHEEL RD POLE P

CHG: TCREC TOWN CLERK RECE 10.00

AMOUNT PAID: 10.00

PAID BY: CENTRAL MAINE POWER
PAYMENT METH: CHECK
 144349

REFERENCE:

AMT TENDERED: 10.00
AMT APPLIED: 10.00
CHANGE: .00

Notification: 10104016669

Work Order: 801000552230

CENTRAL MAINE POWER COMPANY
APPLICATION FOR POLE LOCATION OR UNDERGROUND LOCATION

In the City/Town of: Old Orchard Beach, Maine

To the: [X] City
[] Town
[] County of: , Maine

- [X] Central Maine Power hereby applies for permission to:
[X] Construct and maintain poles together with attached facilities and appurtenances upon, along or across certain streets and highways in said City/Town as described below.
[] Construct and maintain buried cables, conduits, manholes and handholes, together with wire and cables, transformers, cutouts, and other equipment therein, under, along, and across certain streets and highways in said City/Town as described below.

[X] Central Maine Power Company and Consolidated Communications of Maine Company - NNE
jointly apply for permission to construct and maintain poles together with attached facilities and appurtenances upon, along or across certain streets and highways in said City/Town as described below.

- 1. Starting Point: (43.515667, -70.374609) OR 70ft South West of Old Orchard St Intersection
2. Road (State & CMP): W Grand Ave (ME-9)
3. Direction:
4. Distance: feet
5. Number of Poles: 1

- [X] Overhead wires shall have a minimum clearance of 18 feet over the public highway and be constructed to conform with the requirements of the National Electric Safety Code.
[] Buried cable facilities shall be placed at a minimum depth of 36 inches under pavement and 30 inches elsewhere and be constructed to conform with the requirements of the National Electric Safety Code.

Any person, firm, or corporation to be adversely affected by this proposed location shall file a written objection with the State Department of Transportation, City, Town or County stating the cause of said objection within fourteen (14) days after the publication of this notice or ninety (90) days after installation of facilities without publication.

[] Public Notice of this application has been given by publishing the text of the same [X] Not Published

In:
On:

CENTRAL MAINE POWER COMPANY Consolidated Communications of Maine Company - NNE

By: Brian Dostie Date: Jun 16, 2023 By: Jessica Theriault Date: 12/13/2023
Jessica Theriault - Right of Way

Auto Fill Form for:
4501 - 4502 - 4503

| | |
|--|--|
| Notification: <input type="text" value="10104016669"/> | <input checked="" type="checkbox"/> Not Published |
| Work Order: <input type="text" value="801000552230"/> | <input type="checkbox"/> Public Notice of this application has been given by publishing the text of the same |
| Field Planner Name: <input type="text" value="Brian Dostie"/> | In: <input type="text"/> |
| Field Planner Phone #: <input type="text" value="207-530-1976"/> | On: <input type="text"/> |
| Date: <input type="text" value="Jun 16, 2023"/> | |

City / Town

To the: City
 Town
 County of: , Maine

CMP applying for: Overhead URD

- Starting Point:
- Road (State & CMP):
- Direction:
- Distance: feet
- Number of Poles:

| | |
|--|---|
| TELCO: Consolidated Communications of Maine Company | Refer To Field Planner Web Page for selecting the appropriate Tel Co. Home Page > Field Planner Resources > Telco Information |
|--|---|

Print Button No longer supported, please use File Menu -> Print

Notification: 10104016669

CENTRAL MAINE POWER COMPANY

Work Order: 801000552230

SKETCH TO ACCOMPANY APPLICATION FOR POLE OR UNDERGROUND LOCATIONS

Page of

City / Town: Old Orchard Beach

Date: Jun 16, 2023

Street: W Grand Ave (ME-9)

By: Brian Dostie

Facilities to consist of wood poles and appurtenances with a minimum clearance of wire and cables not less than 21 feet over the public highway, and/or underground facilities to consist of buried cables, conduits, transformers and manholes for operation at 7200 volts to ground single phase. Construction to be suitable for future operation at a voltage not to exceed 22KV to ground single phase. Right-of-way limits indicated are based on the best field information available. Poles/ Pads are staked. For further information call: Brian Dostie at Central Maine Power Company tel: 207-530-1976 . Pole/Pad spans shown are approximate.

Table with columns: Feet Behind Curb, Feet Behind Guard Rail, Feet to C/L or ETW, Pole / Pad #, Highway Lines, Pole / Pad #, Feet Behind Curb, Feet Behind Guard Rail, Feet to C/L or ETW, Highway Lines.

Notification: 10104016669

Work Order: 801000552230

LOCATION PERMIT

- NNE

Upon the Application of Center Maine Power Company and Consolidated Communications of Maine Company

dated Jun 16, 2023, asking for permission, in accordance with law, to construct and

maintain poles, buried cables, conduits, and transformers, together with attached facilities and appurtenances

over, under, along or across certain highways and public roads in the location described in said application,

permission is hereby given to construct, reconstruct, maintain and relocate in substantially the same location,

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approximately located as follows:

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- 3. Direction:
- 4. Distance: feet
- 5. Number of Poles: 1

Facilities shall consist of wood poles and appurtenances with a minimum of wire and cable not less than 18 feet over the public highway and/or buried cables or conduit and appurtenances placed a minimum depth of 36 inches under pavement and 30 inches elsewhere, all in a manner conforming to the National Electric Safety Code.

By: _____

By: _____

By: _____

By: _____

By: _____

Municipal Officers

Office of the _____

Received and Recorded in Book _____, Page _____

Attest: _____

Clerk

MISCELLANEOUS PAYMENT RECPT#: 614349
TOWN OF OLD ORCHARD BEACH
1 PORTLAND AVE.

OLD ORCHARD BEACH, ME 04064

DATE: 01/16/24 TIME: 11:43:38
CLERK: jeff DEPT:
CUSTOMER#:

COMMENT: W GRAND AVE POLE PER

CHG: TCREC TOWN CLERK RECE 10.00

AMOUNT PAID: 10.00

PAID BY: CENTRAL MAINE POWER
PAYMENT METH: CHECK
 144351

REFERENCE:

AMT TENDERED: 10.00
AMT APPLIED: 10.00
CHANGE: .00

Notification: 10104016665
Work Order: 801000552220

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To the: City
 Town
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- NNE

Central Maine Power Company and Consolidated Communications of ~~Maine Company~~ jointly apply for permission to construct and maintain poles together with attached facilities and appurtenances upon, along or across certain streets and highways in said City/Town as described below.

1. Starting Point: (43.520369, -70.370654) OR 200ft North of Cleaves St Intersection
2. Road (State & CMP): E Grand St
3. Direction: _____
4. Distance: _____ feet
5. Number of Poles: 1

- Overhead wires shall have a minimum clearance of 18 feet over the public highway and be constructed to conform with the requirements of the National Electric Safety Code.
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Public Notice of this application has been given by publishing the text of the same Not Published

In: _____
On: _____

CENTRAL MAINE POWER COMPANY

- NNE
Consolidated Communications of ~~Maine Company~~

By: Brian Dostie

Date: Jun 16, 2023

By: Jessica Theriault Date: 12/13/2023
Jessica Theriault - Right of Way

Auto Fill Form for:
4501 - 4502 - 4503

| | |
|--|--|
| Notification: <input type="text" value="10104016665"/> | <input checked="" type="checkbox"/> Not Published |
| Work Order: <input type="text" value="801000552220"/> | <input type="checkbox"/> Public Notice of this application has been given by publishing the text of the same |
| Field Planner Name: <input type="text" value="Brian Dostie"/> | In: <input type="text"/> |
| Field Planner Phone #: <input type="text" value="207-530-1976"/> | On: <input type="text"/> |
| Date: <input type="text" value="Jun 16, 2023"/> | |

| |
|---|
| City / Town: <input type="text" value="Old Orchard Beach"/> |
| To the: <input checked="" type="checkbox"/> City <input type="checkbox"/> Town <input type="checkbox"/> County of: <input type="text"/> , Maine |

| |
|---|
| CMP applying for: <input checked="" type="checkbox"/> Overhead <input type="checkbox"/> URD |
|---|

| |
|---|
| 1. Starting Point: <input type="text" value="(43.520369, -70.370654) OR 200ft North of Cleaves St Intersection"/> |
| 2. Road (State & CMP): <input type="text" value="E Grand St"/> |
| 3. Direction: <input type="text"/> |
| 4. Distance: <input type="text"/> feet |
| 5. Number of Poles: <input type="text" value="1"/> |

| | |
|--|--|
| TELCO: Consolidated Communications of Maine Company | Refer To Field Planner Web Page for selecting the appropriate Tel Co.: Home Page > Field Planner Resources > Telco Information |
|--|--|

Print Button No longer supported, please use File Menu -> Print

LOCATION PERMIT

- NNE

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- 3. Direction:
- 4. Distance: feet
- 5. Number of Poles: 1

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By: _____

By: _____

By: _____

By: _____

By: _____


Municipal Officers

Office of the _____

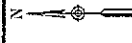
Received and Recorded in Book _____, Page _____

Attest: _____

Clerk



GIA
GENERAL INVESTMENT ASSOCIATES
INCORPORATED
1000 BROADWAY
SUITE 1200
NEWTON, MA 02459
TEL: 617.552.3000
WWW.GIA-MAINE.COM



NEUTRAL MAINE
POWER

JOB TITLE:
INSTALL NEW 3PH
SCADA RECLOSER
BIZONARY
AT
EAST GRAND AVENUE

737 DISTANCE DIVISION

GLOBAL NUMBER:
4002541

WORK ORDER:
80100352220

NOTIFICATION:
10124016855

SUBSTATION:
OLD ORCHARD

CIRCUIT:
64102

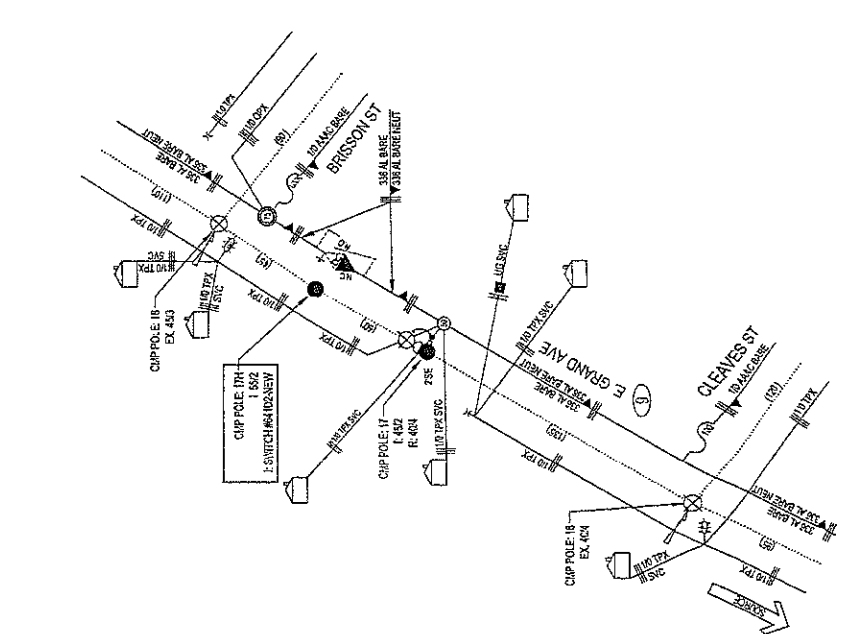
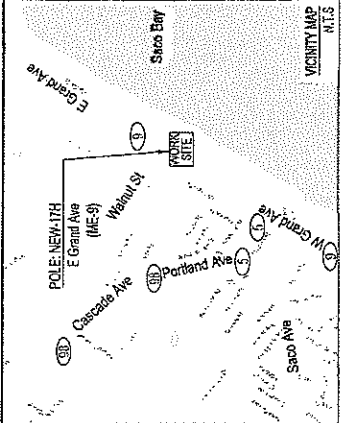
PRIMARY CLASS:
125172BY

FUNCTIONAL LOCATION:
81034082-4104054-600150

ROADS AND TOWN:
E. GRAND AVE
(ME-9)
OLD ORCHARD BEACH, ME

Assigned By: JH
Checked By: CR
Issue Date: 08/14/2018
Project No.: 2783
Scale: N.T.S.

SHEET #:
1 OF 1



REFERENCE TABLE FOR MAINE DOT PERMITTING

| POLE NO. | NEW FEATURE | POLE INSTALL SIZE | ANCHOR | DIRECTION | DISTANCE TO EDGE OF TRAVELED WAY |
|----------|-------------|-------------------|--------|-----------|----------------------------------|
| 17 | POLE | 45/2 | --- | --- | 4' |
| 17H | POLE | 55/2 | --- | --- | 3' |

LEGEND

| | | |
|--------------------------------|-------------------------------|-------------------------------|
| EXISTING 3PH SWER POLE | EXISTING POLE | INSTALL 3PH SWER POLE |
| EXISTING 1PH SWER POLE | INSTALL 1PH SWER POLE | INSTALL 1PH SWER POLE |
| EXISTING 1PH TRANSFORMER | INSTALL TRANSFORMER | INSTALL TRANSFORMER |
| EXISTING 3PH TRANSFORMER | INSTALL 3PH TRANSFORMER | INSTALL 3PH TRANSFORMER |
| EXISTING 1PH PRIMARY CONDUCTOR | INSTALL 1PH PRIMARY CONDUCTOR | INSTALL 1PH PRIMARY CONDUCTOR |
| EXISTING 3PH PRIMARY CONDUCTOR | INSTALL 3PH PRIMARY CONDUCTOR | INSTALL 3PH PRIMARY CONDUCTOR |
| EXISTING 1PH SECONDARY | INSTALL 1PH SECONDARY | INSTALL 1PH SECONDARY |
| EXISTING 3PH SECONDARY | INSTALL 3PH SECONDARY | INSTALL 3PH SECONDARY |
| EXISTING SCADA RECLOSER | INSTALL SCADA RECLOSER | INSTALL SCADA RECLOSER |
| EXISTING SCADA RECLOSER | INSTALL SCADA RECLOSER | INSTALL SCADA RECLOSER |
| EXISTING SCADA RECLOSER | INSTALL SCADA RECLOSER | INSTALL SCADA RECLOSER |

MISCELLANEOUS PAYMENT RECPT#: 614350
TOWN OF OLD ORCHARD BEACH
1 PORTLAND AVE.

OLD ORCHARD BEACH, ME 04064

DATE: 01/16/24 TIME: 11:45:32
CLERK: jeff DEPT:
CUSTOMER#:

COMMENT: E GRAND AVE POLE PER

CHG: TCREC TOWN CLERK RECE 10.00

AMOUNT PAID: 10.00

PAID BY: CENTRAL MAINE POWER
PAYMENT METH: CHECK
 144350

REFERENCE:

AMT TENDERED: 10.00
AMT APPLIED: 10.00
CHANGE: .00

AGENDA ITEM #8097

Discussion with Action: Approve the Special Event Permit application for the Town of Old Orchard Beach to hold the annual Memorial Day Parade to honor our country's veterans. The parade will be on Monday, May 27th, 2024, from 1:00p.m. to approximately 3:00 p.m. with an anticipated parade start at the Ball Park, traveling down Saco Ave, to Old Orchard Street, followed by First Street with an end at Memorial Park.

Chair: Shawn O'Neill

APPLICATION INFORMATION

PLEASE SUBMIT A **COMPLETE** APPLICATION A MINIMUM OF **30 CALENDAR DAYS** PRIOR TO THE EVENT.

1. Name of applicant Town of Old Orchard Beach

Address of applicant 1 Portland Avenue, Old Orchard Beach, ME 04064
City State Zip

Phone number of applicant (207) 934-4042 Fax (207) 934-7967

Cell phone () _____ E-mail kmclaughlin@oobmaine.com

On whose behalf is this event being conducted? (Organization, Firm, Corporation, if applicable)

Town of Old Orchard Beach

Website address (if an Organization, Firm or Corporation) _____

Type of Event:

- Festival/Fair
- Race/Walk/Bike Ride
- Concert
- XXParade/March
- Other – Please specify

2. Event Description (name all vendors who will provide entertainment and the type of entertainment provided)

Memorial Day Parade and Ceremony to honor our Veterans

Will you be using tents? _____ YES NO

If yes, list size of tent and supplier, as well as what portion of the event will be taking place under the tent (i.e. cooking, sales, picnic tables, chairs, etc), and how the tent will be secured.

Will you be using staging? YES NO

If yes, the following items will be used at the event (Please mark all that apply):

- Amplified Music Bleacher(s) Dance Floor(s) Live Entertainment
 Loud Speaker(s) Microphone(s) Stadium(s) Stage(s)

Other: Podium in Memorial Park, and the Gazebo.

Note: If any of the above items will be used, please indicate their location on your attached Site Plan/Map. Use of the above items may require the Event Organizer to meet ADA regulations.

3. Chairperson and/or responsible party for the event, if other than above:
(Include information how this person may be contacted at any time during the event).

Name Kim McLaughlin, Town Clerk Work Phone () SAME

Address _____
City State Zip

Cell phone () _____ Fax () _____

E-mail _____

4. SET-UP Date for Event 05/27/2024 Day of Week MON from 8 a.m. to 1 p.m.

Date of Event 05/27/2024 Day of Week MON from 1 p.m. to 3 p.m.

Date of Event _____ Day of Week _____ from _____ to _____

Date of Event _____ Day of Week _____ from _____ to _____

Date of Event _____ Day of Week _____ from _____ to _____

TAKE-DOWN date _____ Day of Week _____ from _____ to _____

RAIN DATE(s) _____ Times _____

(if rain date listed, insurance must list rain date)

5. Location of the Event Ballpark Way, E. Emerson Cummings Blvd, Saco Avenue, Old Orchard Street, First Street and Memorial Park

(if applicable, a map or diagram showing the area to be used, or parade route)

6. The estimated number of participants in the event

0-150; 150-500; 500-1000; 1,000+

7. If a parade or public gathering, will it occupy any or all of the roadway involved or to be traversed? (if yes, explain). Use extra sheet of paper to describe exact route of parade, including any water stops.

Yes, the route is outlined. There aren't any water stops.

8. Will the sale of food and/or beverages occur at the event? NO If yes, describe the commodities to be sold.

- Alcoholic Beverages (only at Ballpark, using Ballpark Licensee) Pot Luck Items
- Professional Catering Non-Profit Food Vendors Retail Food Vendors

9. Will there be merchandise sold at the event? _____ YES X _____ NO

Description of merchandise _____

10. Is the event a Charitable event? X YES _____ NO

Is this event co-sponsored by the Town of Old Orchard Beach? X YES _____ NO

If this event a Regional School Unit #23 event? _____ Yes X _____ NO

(The request for a waiver can only be requested if the event is a RSU #23 event or sponsored or co-sponsored by the Town of Old Orchard Beach).

11. If the event is charitable, name the beneficiary of the proceeds from the event:

Town of Old Orchard Beach

12. List any Event Sponsors:

American Legion

Will admission be charged for the event? _____ YES X _____ NO

Will participants be charged for parking? X (if spectators use the municipal lots or on-street parking meters) YES _____ NO

Will audible devices be used at this event? YES NO

If yes, what type of devices will be used? What time will they be used? (Decibel level limits are in Chapter 26 of the Code of Ordinances).

Sirens, loud speakers, bands _____

Where will the event attendees/participants park? High School, Ballpark, municipal lots and on-street parking.

Will a shuttle service be provided from parking areas to the event site? YES NO

If yes, please describe shuttle plan, and name of company provided service:

Will you require special parking (RV's, trailers, trucks)? YES NO

If yes, give details: Parking for trailer trucks and buses in the Ballpark.

15. Describe your plans for waste disposal at your event. What arrangements have you made for removal and disposal of trash generated by your event? Please supply details of numbers and type of containers and supplier of containers that will be used. (Attach additional sheets if necessary) Costs associated with waste disposal are the sole responsibility of the event organizer. Disposal in Town trash receptacles is NOT an accepted means of disposal, and is prohibited.

Town of Old Orchard Beach responsible for removal of any trash, although trash should be at a minimum. Request for Public Works to place trash barrels in the Ballpark parking lot.

Is the use of barricades necessary/requested for this event? YES _____

If yes, number needed and location To be worked out with Police/Public Works. Will be the same as last years.

Will it be necessary to cover street and/or parking signs for this event, or place no parking signs?

YES NO If yes, please describe:

Is any other public works assistance needed? Yes, for barricades and trash barrels.

If using First Street or Memorial Park Parking Lot, has the applicant reserved two spaces for Amtrak Parking? YES.

16. Will there be any use of fire (i.e. tiki torches, grills, barbecues, bonfires, etc?) For Bonfires, the pit/bonfire must be pre-approved for use by the Fire Department; the wood to be burned has no paint or nails; the portable pit or bonfire can be removed or filled in after the event leaving no residue or noticeable impact; a small water extinguisher and shovel are present; at least one adult be assigned to "keep fire watch" at all times. Note a burn permit must also be obtained from the Fire Department for the date specified on the date of the event. The Fire Department will issue a permit based on class day as listed by the Maine Forest Service. Permission may be refused or revoked if the Maine State Forestry Commission (governing body) declares a "Red Flag" day on which NO open fires may be allowed in our zone: YES NO

If yes, explain: _____

17. Describe your plans for all signage and/or decorations for the event. Please include type of signage to be used, and description of verbiage being posted on signage.

Signage not needed, other than advertising on electronic signs.

Will this event be posting a banner on public property? YES NO

If yes, please list requested dates, dimensions of banner, wording on banner, and location (no more than two weeks prior to the event):

18. Alcohol is not allowed on public property, except as outlined in the liquor license for the Ballpark. If this is a Ballpark event, will there be alcohol available for consumption? Note, if alcohol is being served, the Town requires additional Liquor Liability Insurance (minimum \$2,000,000, listing Town of Old Orchard Beach as additionally insured): YES NO

Will the alcohol be: Sold; Given away; Both

Describe the type of alcohol to be served, times consumption will be allowed, and plans for controlling consumption:

19. If this is a Ballpark Event, have you signed an agreement with the Ballpark Commission for use of the Ballpark? _____ Yes, it's attached No
20. Will the event involve professional fireworks? _____ YES NO
Consumer Fireworks are prohibited. If professional fireworks are requested, what is the name of the Pyrotechnics Company? _____
(If fireworks are requested, the Fire Chief or his designee must approve of the site prior to the application being submitted to the Town Council for consideration. The Pyrotechnics Company must submit the approval the Maine State Fire Marshal's Office at least one week prior to the event, and the event sponsor's insurance must list that fireworks are occurring).

What time/date will the fireworks display occur? _____

21. Will there be any kind of animals at this event? (e.g. petting zoo, pony rides, etc.) YES NO

If so, please indicate the location of the animals on the Site Plan/Map.

Animals may be marching in the parade.

22. Piping Plovers are state and federally protected birds that nest on beaches. There are mandatory beach management guidelines from April 1st through August 31st of each year. Will this event occur on the beach? _____ YES NO

If yes, you must contact the Public Works Department at 207-934-2250, approximately one week prior to the event. In the event there are any active piping plover nests in the vicinity of your event, you may have to move your event farther down the beach, or request permission to change the date of your event.

Piping Plover Essential Habitat: The Maine Department of Inland Fisheries and Wildlife (MDIFW) has designated two areas on Old Orchard Beach as "Essential Habitat" for nesting piping plovers. By statute, a state agency or municipal government shall not permit, license, fund, or carry out projects that will significantly alter an Essential Habitat or violate protection guidelines adopted by MDIFW. This rule is not a prohibition of all projects within areas designated as Essential Habitat. **However, projects must be reviewed by MDIFW before Town approval.**

If the event is located partly or wholly within a mapped Essential Habitat the applicant will need to coordinate with municipal staff to submit a "Request for Project Evaluation" to MDIFW. MDIFW will evaluate the final project proposal per review standards established for Essential Habitats and determine if the project would significantly alter the habitat or violate protection guidelines.

The applicant is encouraged to obtain MDIFW guidance during project planning and design. Early involvement of MDIFW will help to minimize or avoid potential conflicts, facilitate cooperation between all parties, and enable quick turnarounds on project evaluations.

23. Certificate of Insurance and Additional Insured Endorsement page must be provided to the Town of Old Orchard Beach Town Clerk's Office 30 days prior to the event date. The applicant shall at its own cost and expense furnish a policy or policies for property damage or bodily injury in the amount of at least \$500,000. The Town of Old Orchard Beach **MUST** be listed as an Additional Named Insured.

 X Yes, it has been provided with the application; _____ No, it will be provided at least 30 days prior to the event.

24. Is the applicant requesting the use of the RSU #23 school property (schools, parking lots, playing fields)? X YES _____ NO. If yes, has the applicant received approval from RSU #23 or the date the applicant will receive approval? 1/23/2024 requested use of parking lot through portal. _____
-

SPECIAL EVENT PERMIT AGREEMENT

I, Kim McLaughlin, Town Clerk on behalf of the Town of Old Orchard Beach
(Print Applicant Contact Name) (Print Organization/Group Name)

Agree to abide by the following Special Event requirements:

1. All pre-event determined fees shall be paid at least two weeks prior to the event. I agree to pay any costs determined after the event immediately upon receipt of invoice.
2. Certificate of Insurance and Additional Insured Endorsement page must be provided to the Town Clerk's Office at least 30 days prior to the event date. The Town of Old Orchard Beach MUST be listed as an Additional Name Insured with the proper endorsement included. KMM **(initial)**
3. To develop a comprehensive security plan in conjunction with the Old Orchard Beach Police Department.
4. Town property shall not be removed from the premises including but not limited to benches, trashcans, tables, chairs, fencing, signs, etc.
5. Premises will be left in as good a condition as received except for reasonable wear and tear. All trash will be disposed of properly within 12 hours of the end of the event. I accept responsibility for any damages that might occur during the period of use.
6. To comply will all laws, rules, and regulations of the federal, state, and Town governments governing operations and conduct on Town property.
7. This permit agreement may be terminated by the Town of Old Orchard Beach at any time upon finding a violation of any rule, ordinance, and/or condition of the permit or upon good cause shown.
8. For myself and any other persons, organizations, firms and corporations sponsoring the event, which is the subject of this permit application, jointly and severally, hereby contract and agree to pay all costs of services provided by the Town of Old Orchard Beach, in support of said event.
9. For myself and any other persons, organizations, firms, and corporations sponsoring the event which is the subject of this permit application, jointly and severally, hereby contract and agree to indemnify, defend and hold harmless the Town of Old Orchard beach, its officers and employees, against all claims, loss or liability from any claim or suit arising or alleged to have arisen from any act or omission of said applicant, its agents, invitees or other sponsor in connection with said event.

10. The facility/area is provided in an "as is" condition. The event organization assumes all responsibility for the security and safety of all participants and spectators of the event.
11. I understand that the Town of Old Orchard Beach has no responsibility for equipment and/or items of personal property at the location at any time.
12. Any misrepresentation or deviation from the final permit conditions will result in immediate revocation of the permit and halting of the event.
13. Events are considered rain/shine. Refunds are not issued if the event does not occur.
14. The permit does not authorize alcohol on any public property, including, but not limited to the beach, Memorial Park, streets and sidewalks.
15. Consumer Fireworks are illegal in Old Orchard Beach.

I have read and understand the Special Events Permit Agreement terms and conditions and I agree to be bound by said terms and conditions. I certify that the information I provided is accurate to the best of my knowledge.

Signature: Kim McLaughlin Date: 1-23-2024
(authorized representative)

Print name: Kim McLaughlin

Print Organization Name (if applicable): Town of Old Orchard Beach

SITE PLAN SKETCH OF SPECIAL EVENT (Completed by Event Coordinator)

In the space below, please provide the following information. Attach a separate map if necessary.

General Map of Location
Event Coordinator's Booth
Tents/Stages/Grandstands
Porta Potties/Rest Rooms

Vendor Locations
Garbage Cans
Water Sources

Street Closures/Parking Information
Water/Electricity Sources
Loudspeakers

SEE ATTACHED PARADE ROUTE.



105A-1-200

205-16-3

Old Orchard
Beach

207-3-1

205-1-32

205-1-36

106-2-2

Miliken Pond

205-1-31

106-1-2

205-1-29

106-1-6

106-1-24

207-3-6

206-27-1

207-3-8

309-9-1

07-1-1

311-6-1E

309-9-32

07-2-13

208-3-2

AGENDA ITEM #8098

Discussion with Action: Approve the Special Event Permit application for Tony Myatt to hold a 10k on the beach and East Grand Avenue on Sunday, October 13th, 2024, 9:00 am to 1:00 pm. They will race on the beach from the Pier to Pine Point and race back on East Grand Avenue ending in the Square. Request to close the square during the race hours, for the finish line. Requirement of one police officer for traffic control. Insurance, listing the Town of Old Orchard Beach as additionally insured, to be provided to the Town Clerk's Office a least one month prior to the event.

Chair: Shawn O'Neill

ADJOURNMENT

Chair: Shawn O'Neill

APPLICATION INFORMATION

PLEASE SUBMIT A **COMPLETE** APPLICATION A MINIMUM OF **30 CALENDAR DAYS** PRIOR TO THE EVENT.

1. Name of applicant Tony Myatt
Address of applicant 22 Ramasco Ln Portland, ME 04101
City State Zip
Phone number of applicant (207) 272 7731 Fax ()
Cell phone () SAME E-mail Tonedoy86@aol.com
On whose behalf is this event being conducted? (Organization, Firm, Corporation, if applicable)
A Running Passion & Animal Refuge League
Website address (if an Organization, Firm or Corporation) _____

Type of Event:

- Festival/Fair
 Race/Walk/Bike Ride
 Concert
 Parade/March
 Other - Please specify _____

2. Event Description (name all vendors who will provide entertainment and the type of entertainment provided)

10K on Old Orchard Beach from Pier to Pine Point
back on E Grand Ave finishing @ caldesack in front of
Pier.

Will you be using tents? _____ YES NO

If yes, list size of tent and supplier, as well as what portion of the event will be taking place under the tent (i.e. cooking, sales, picnic tables, chairs, etc), and how the tent will be secured.

Will you be using staging? _____ YES NO

If yes, the following items will be used at the event (Please mark all that apply):
 Amplified Music Bleacher(s) Dance Floor(s) Live Entertainment
 Loud Speaker(s) Microphone(s) Stadium(s) Stage(s)

Other: (Bullhorn) Megaphone for pre-event announcements

Note: If any of the above items will be used, please indicate their location on your attached Site Plan/Map. Use of the above items may require the Event Organizer to meet ADA regulations.

3. Chairperson and/or responsible party for the event, if other than above:
(Include information how this person may be contacted at any time during the event).

Name Tony Myatt Work Phone (203) 272-7731
Address see page 2 City _____ State _____ Zip _____
Cell phone () _____ Fax () _____
E-mail _____

4. **Sunday October 13 9AM-1PM**

Date of Event _____ Day of Week _____ from _____ to _____
Date of Event _____ Day of Week _____ from _____ to _____
Date of Event _____ Day of Week _____ from _____ to _____
Date of Event _____ Day of Week _____ from _____ to _____
TAKE-DOWN date n/a Day of Week _____ from _____ to _____
RAIN DATE(s) _____ Times _____
(if rain date listed, insurance must list rain date)

5. Location of the Event Old Orchard Pier area of Beach
(if applicable, a map or diagram showing the area to be used, or parade route)

6. The estimated number of participants in the event
 0-150; _____ 150-500; _____ 500-1000; _____ 1,000+

7. If a parade or public gathering, will it occupy any or all of the roadway involved or to be traversed? (if yes, explain). Use extra sheet of paper to describe exact route of parade, including any water stops.

Runners/Walkers will return from Pine Pt to Pier
via E Grand Ave against traffic @ all times some ^{on} sidewalk

8. Will the sale of food and/or beverages occur at the event? _____ If yes, describe the commodities to be sold.

- Alcoholic Beverages (only at Ballpark, using Ballpark Licensee) Pot Luck Items
- Professional Catering Non-Profit Food Vendors Retail Food Vendors

Bottled Water @ Finish, possible water ^{stop} @
Pine Point Beach

9. Will there be merchandise sold at the event? _____ YES NO

Description of merchandise _____

10. Is the event a Charitable event? YES _____ NO

Is this event co-sponsored by the Town of Old Orchard Beach? _____ YES NO ~~RSU~~

If this event a Regional School Unit #23 event? _____ Yes NO

(The request for a waiver can only be requested if the event is a RSU #23 event or sponsored or co-sponsored by the Town of Old Orchard Beach).

11. If the event is charitable, name the beneficiary of the proceeds from the event:

12. List any Event Sponsors:

Jimmy the Greeks

Will admission be charged for the event? _____ YES NO

Will participants be charged for parking? _____ YES NO

13. Has this event been held previously in Old Orchard Beach?

____ YES (if yes, please list dates): _____

NO

14. What is the applicant doing to ensure the event will not endanger the public safety or disturb the peace? Describe your plans for security at your event, including crowd control (attach additional sheets if necessary). Security plan will need final approval by the Old Orchard Beach Police Department and they have final say in appropriate number and type of security personnel required. Must include at least one Old Orchard Beach Police Officer, if security is required. Costs associated with security are the sole responsibility of the event organizer.

Please describe your security plan (including your plans for controlling ingress/egress of all persons, vehicles, equipment, and Emergency Medical Services):

Volunteers @ turns & major intersections

Additional Uniformed presence provided by: ____ Off-Duty Police Officers; ____ Private Security;
 Volunteers

Times: 10AM - 1PM How many? 5-10

If you have already made contact with someone about security, provide the contact name and number:

Name: _____ Phone Number: _____

Please list any items that will be left overnight. If equipment will be left on-site overnight, provide details for personal property safety and security of site: (Note that the event organizer is solely responsible for items left on the property. The Town assumes no responsibility for items of personal property at the location at any time)

n/a

Will audible devices be used at this event? YES NO

If yes, what type of devices will be used? What time will they be used? (Decibel level limits are in Chapter 26 of the Code of Ordinances).

Where will the event attendees/participants park? legal parking spots on streets

Will a shuttle service be provided from parking areas to the event site? YES NO

If yes, please describe shuttle plan, and name of company provided service:

Will you require special parking (RV's, trailers, trucks)? YES NO

If yes, give details: just my car @ the finish line on caldesad

15. Describe your plans for waste disposal at your event. What arrangements have you made for removal and disposal of trash generated by your event? Please supply details of numbers and type of containers and supplier of containers that will be used. (Attach additional sheets if necessary) Costs associated with waste disposal are the sole responsibility of the event organizer. Disposal in Town trash receptacles is NOT an accepted means of disposal, and is prohibited.

all waste is recycled by me

Is the use of barricades necessary/requested for this event? NO

If yes, number needed and location _____

Will it be necessary to cover street and/or parking signs for this event, or place no parking signs?

YES NO If yes, please describe:

Is any other public works assistance needed? NO

If using First Street or Memorial Park Parking Lot, has the applicant reserved two spaces for Amtrak Parking? n/a

16. Will there be any use of fire (i.e. tiki torches, grills, barbecues, bonfires, etc?) For Bonfires, the pit/bonfire must be pre-approved for use by the Fire Department; the wood to be burned has no paint or nails; the portable pit or bonfire can be removed or filled in after the event leaving no residue or noticeable impact; a small water extinguisher and shovel are present; at least one adult be assigned to "keep fire watch" at all times. Note a burn permit must also be obtained from the Fire Department for the date specified on the date of the event. The Fire Department will issue a permit based on class day as listed by the Maine Forest Service. Permission may be refused or revoked if the Maine State Forestry Commission (governing body) declares a "Red Flag" day on which NO open fires may be allowed in our zone. A \$100 **cash** deposit is required for all fires to be returned to the applicant if the area is cleaned to the satisfaction of the public works department and/or fire department.
- ____ YES NO

If yes, explain: _____

17. Describe your plans for all signage and/or decorations for the event. Please include type of signage to be used, and description of verbiage being posted on signage.

none other than cones w/ numbers indicating mile marking for runners

Will this event be posting a banner on public property? ____ YES NO

If yes, please list requested dates, dimensions of banner, wording on banner, and location (no more than two weeks prior to the event):

18. Alcohol is not allowed on public property, except as outlined in the liquor license for the Ballpark. If this is a Ballpark event, will there be alcohol available for consumption? Note, if alcohol is being served, the Town requires additional Liquor Liability Insurance (minimum \$2,000,000, listing Town of Old Orchard Beach as additionally insured): ____ YES NO

Will the alcohol be: _____ Sold; _____ Given away; _____ Both

Describe the type of alcohol to be served, times consumption will be allowed, and plans for controlling consumption:

n/a

19. If this is a Ballpark Event, have you signed an agreement with the Ballpark Commission for use of the Ballpark? _____ Yes, it's attached _____ No

20. Will the event involve professional fireworks? _____ YES _____ NO
Consumer Fireworks are prohibited. If professional fireworks are requested, what is the name of the Pyrotechnics Company? _____

(If fireworks are requested, the Fire Chief or his designee must approve of the site prior to the application being submitted to the Town Council for consideration. The Pyrotechnics Company must submit the approval the Maine State Fire Marshal's Office at least one week prior to the event, and the event sponsor's insurance must list that fireworks are occurring).

What time/date will the fireworks display occur? _____

21. Will there be any kind of animals at this event? (e.g. petting zoo, pony rides, etc.) _____ YES _____ NO

If so, please indicate the location of the animals on the Site Plan/Map.

22. Piping Plovers are state and federally protected birds that nest on beaches. There are mandatory beach management guidelines from April 1st through August 31st of each year. Will this event occur on the beach? _____ YES _____ NO

If yes, you must contact the Public Works Department at 207-934-2250, approximately one week prior to the event. In the event there are any active piping plover nests in the vicinity of your event, you may have to move your event farther down the beach, or request permission to change the date of your event.

Piping Plover Essential Habitat: The Maine Department of Inland Fisheries and Wildlife (MDIFW) has designated two areas on Old Orchard Beach as "Essential Habitat" for nesting piping plovers. By statute, a state agency or municipal government shall not permit, license, fund, or carry out projects that will significantly alter an Essential Habitat or violate protection guidelines adopted by MDIFW. This rule is not a prohibition of all projects within areas designated as Essential Habitat. *However, projects must be reviewed by MDIFW before Town approval.*

If the event is located partly or wholly within a mapped Essential Habitat the applicant will need to coordinate with municipal staff to submit a "Request for Project Evaluation" to MDIFW. MDIFW will evaluate the final project proposal per review standards established for Essential Habitats and determine if the project would significantly alter the habitat or violate protection guidelines.

The applicant is encouraged to obtain MDIFW guidance during project planning and design. Early involvement of MDIFW will help to minimize or avoid potential conflicts, facilitate cooperation between all parties, and enable quick turnarounds on project evaluations.

23. Certificate of Insurance and Additional Insured Endorsement page must be provided to the Town of Old Orchard Beach Town Clerk's Office 30 days prior to the event date. The applicant shall at its own cost and expense furnish a policy or policies for property damage or bodily injury in the amount of at least \$500,000. The Town of Old Orchard Beach **MUST** be listed as an Additional Named Insured.

_____ Yes, it has been provided with the application; No, it will be provided at least 30 days prior to the event.

24. Is the applicant requesting the use of the RSU #23 school property (schools, parking lots, playing fields)? _____ YES NO. If yes, has the applicant received approval from RSU #23 or the date the applicant will receive approval?

SPECIAL EVENT PERMIT AGREEMENT

I, Tony Myatt on behalf of Animal Refuge League & A Running Passion
(Print Applicant Contact Name) (Print Organization/Group Name)

Agree to abide by the following Special Event requirements:

1. All pre-event determined fees shall be paid at least two weeks prior to the event. I agree to pay any costs determined after the event immediately upon receipt of invoice.
2. Certificate of Insurance and Additional Insured Endorsement page must be provided to the Town Clerk's Office at least 30 days prior to the event date. The Town of Old Orchard Beach MUST be listed as an Additional Name Insured with the proper endorsement included. GAM (initial)
3. To develop a comprehensive security plan in conjunction with the Old Orchard Beach Police Department.
4. Town property shall not be removed from the premises including but not limited to benches, trashcans, tables, chairs, fencing, signs, etc.
5. Premises will be left in as good a condition as received except for reasonable wear and tear. All trash will be disposed of properly within 12 hours of the end of the event. I accept responsibility for any damages that might occur during the period of use.
6. To comply will all laws, rules, and regulations of the federal, state, and Town governments governing operations and conduct on Town property.
7. This permit agreement may be terminated by the Town of Old Orchard Beach at any time upon finding a violation of any rule, ordinance, and/or condition of the permit or upon good cause shown.
8. For myself and any other persons, organizations, firms and corporations sponsoring the event, which is the subject of this permit application, jointly and severally, hereby contract and agree to pay all costs of services provided by the Town of Old Orchard Beach, in support of said event.
9. For myself and any other persons, organizations, firms, and corporations sponsoring the event which is the subject of this permit application, jointly and severally, hereby contract and agree to indemnify, defend and hold harmless the Town of Old Orchard beach, its officers and employees, against all claims, loss or liability from any claim or suit arising or alleged to have arisen from any act or omission of said applicant, its agents, invitees or other sponsor in connection with said event.

10. The facility/area is provided in an "as is" condition. The event organization assumes all responsibility for the security and safety of all participants and spectators of the event.
11. I understand that the Town of Old Orchard Beach has no responsibility for equipment and/or items of personal property at the location at any time.
12. Any misrepresentation or deviation from the final permit conditions will result in immediate revocation of the permit and halting of the event.
13. Events are considered rain/shine. Refunds are not issued if the event does not occur.
14. The permit does not authorize alcohol on any public property, including, but not limited to the beach, Memorial Park, streets and sidewalks.
15. Consumer Fireworks are illegal in Old Orchard Beach.

I have read and understand the Special Events Permit Agreement terms and conditions and I agree to be bound by said terms and conditions. I certify that the information I provided is accurate to the best of my knowledge.

Signature: G. Anthony Myatt Date: 12/26/2023
(authorized representative)

Print name: G. Anthony (Tony) Myatt

Print Organization Name (if applicable): A Running Passion & Animal Refuge League

MISCELLANEOUS PAYMENT RECPT#: 614081
TOWN OF OLD ORCHARD BEACH
1 PORTLAND AVE.

OLD ORCHARD BEACH, ME 04064

DATE: 01/10/24 TIME: 10:21:22
CLERK: jeff DEPT:
CUSTOMER#:

COMMENT: SPEC EVENT PERMIT

CHG: TCREC TOWN CLERK RECE 50.00

AMOUNT PAID: 50.00

PAID BY: TONY MYATT 10K
PAYMENT METH: CHECK
0011201462

REFERENCE:

AMT TENDERED: 50.00
AMT APPLIED: 50.00
CHANGE: .00