



Town of Old Orchard Beach
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Town Council Workshop

January 4th, 2024

I, Tim Fleury, Secretary to the Town Council of Old Orchard Beach, Maine, do hereby certify that the foregoing document consisting of 6 pages is a copy of the original minutes from the Old Orchard Beach Town Council Workshop held on 1/4/2024.

Prepared By:	Tim Fleury
Approved By:	Old Orchard Beach Town Council
Approval Date:	2/6/2024

Respectfully
Submitted,

Tim Fleury
Town Council
Secretary



Town Council Workshop Agenda

Thursday, January 4th, 2024, 6:00pm
Council Chambers - 1 Portland Avenue

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

There will be a Town Council Workshop on Thursday, January 4th, 2024 at 6:00pm to discuss the Capital Improvement Roadway Paving Project and to discuss the status of the Adult Use Retail Marijuana Application Process.

Chair: Shawn O'Neill

Chairman O'Neill opened the workshop at 6:01 pm.

Capital Roadway Paving project – Chairman O'Neill – gave a quick background of the funds set aside for the project and the project guidelines.

Town Manager Asanza – Public Works has been working with Wright Pierce to develop a list of roads in town requiring paving including underground structures. Town Manager Asanza introduced Jaime Wallace from Wright Pierce and Chris White DPW director. Ready to bid for project with approval of Council.

Jaime Wallace gave a background of the road identification process and CCTV progress – infrastructure issues and paving issues present.

Town Manager Asanza – roughly 3,700ft of paving – Michaud Rd 450ft, needs sewer work as well – constant maintenance on road currently – Washington Ave – CBDG project on Washington Ave – sidewalk in bad shape needs work, 650ft of the sidewalk – Vice Chair Blow – Michaud – repave without sewer? – Town Manager Asanza – no, it would include sewer. Can it come from the 1 million or from Sewer Capital – Vice Chair Blow – should storm drains be added when the road is open? Should do it right and include stormwater – Councilor Tousignant – Harmon Ave is similar – no drainage – concern about entire neighborhood needing drainage – are there options for a temporary fix until engineering can be done on a stormwater system/sewer? – Vice Chair Blow – want to make sure drainage systems are in place if the sewer and roadway are being replaced? – Chairman O’Neill – looking for a temporary fix until the engineering study can be completed – Jaime Wallace – reclaim has a cost associated to it, keep that in mind – Councilor Tousignant – do we have numbers on Temple and other streets for cost? – Jaime Wallace – no CCTV issues, can be just repaving, – Councilor Tousignant – Reggio, grease intrusion? – Washington Ave number – Town Manager Asanza roughly \$100k for 650 linear feet – sidewalk is additional – Chairman O’Neill – Town Manager Asanza can prepare list of roads that are ready to go with costs – like to study Michaud area for stormwater – Jaime Wallace – Washington will need additional engineering and surveying for sidewalk and ADA compliance – Chairman O’Neill – look for study that was done with CDBG project to see if includes the entire sidewalk – Chairman O’Neill – First Street sidewalk for Atlantic to Heath – interest in funding? – Vice Chair Blow – yes – Chairman O’Neill – would like to see sidewalk engineered too by the summer – moving to next topic.

Chairman O’Neill – Council discussion on Adult Use Marijuana license process – looking at the future of the ordinance, not the existing ordinance in effect currently – looking at using form without criteria system – lots of complications during existing process – single license only has been an issue since day one – 2 topics – additional licenses and dropping merit criteria for

a yes/no criteria – licenses would only be in the same allowed zone – Town Manager Asanza – discussion on removing license # cap and merit criteria moved to complete/incomplete on items – existing license moving forward in the process currently -Vice Chair Blow – cap on distance between licenses, would need to remove it – Councilor Rague – yes or no for distance? – Vice Chair Blow – no, do away with distance requirement, currently 1000ft.

Peter Mourmouras – stunned by email sent by Council moving to dropping license cap – confusion on what is being discussed tonight – no one has been given license, gave quick history of current license process, - incomplete applications would still be incomplete – lease issues on same property at 11 Ocean Park Rd – 710 LLC has only complete license when Theory Wellness application will be dismissed at Planning level.

Patrick Mourmouras – questions on what has been stated, moving to change rules for single applicant – ok with unlimited number of applications, initially wanted more than one license – does not understand why changes are being done now for single applicant – if Council wants more stores, can move forward after current application process – what brought on change in rules? Chairman O’Neill – new Council brought on new concerns and new direction moving forward – Patrick – support more stores moving forward but feel changing rules for single applicant – Vice Chair Blow – have been looking for more stores for years, now concerned that town is opening up for more stores – hypothetically, if Theory Wellness gets it, would you like more licenses available after that? problems have arisen with current process and change to process – Chairman O’Neill – moving forward with discussion on changing ordinances – Patrick – moving forward for single applicant? – Chairman O’Neill – moving forward for any applicants – do you support ordinance changes or not? – Patrick – not – Chairman O’Neill – process is moving forward with current applicants – Patrick – more stores are fine, less restrictions are not for a single applicant – Chairman O’Neill – not changing rules for a single applicant.

Councilor Tousignant – what is the current process referring to? –

Chairman O'Neill – the applicant that was picked is going through planning board process – Town Planner Hinderliter – application must be submitted and complete within 90 days of application, middle of February – part of planning board process is right and title of review – Councilor Tousignant – if that stops process what are next steps? – Town Planner Hinderliter – if no application is submitted by February, process fails, if application is submitted, 9 months to go through planning process – Councilor Tousignant – if planning fails? – Town Planner Hinderliter – moves back to part one of ordinance – Councilor Tousignant – was applicant disqualified? – Code Officer Haskell – yes, both applicants without highest score are on sidelines – Town Manager Asanza – 3 applications, 1 deemed incomplete, 2 remaining scored, 1 received highest score and moved forward – if failed in planning process, process starts over from start – Councilor Tousignant under impression that process would default to second place applicant – Chairman O'Neill – need clarification on that point – Town Manager Asanza – Town Planner's interpretation, will get legal guidance.

Thomas Mourmouras – been in the process for years – lawsuits going around – why is the town attorney not at the meeting? – Chairman O'Neill – not initially thought it would be this much discussion, would have brought an attorney in. Tonight is an informal discussion – workshop tonight is what happens when the first process is over – Thomas Mourmouras – why now, and not when the first process was completed? – Chairman O'Neill – starting dialog now to move forward – Councilor Rague – craziness needs to stop in town, trying to keep it simple – Thomas Mourmouras – can this be brought to voters to binding process?

Vice Chair Blow – workshop only – unknown what the future brings – could be unlimited, or limited number of licenses – unknown where this will end up – not factual that process is being changed for individual applicant –

Peter Mourmouras – is the Council favorable for unlimited licenses? – Chairman O'Neill – not the entire town of Old Orchard Beach, limited to single zone in town – Peter Mourmouras – willing to go on record if in favor of unlimited stores? – Vice Chair Blow – in favor of discussing process of

unlimited stores – Councilor Rague – making this simpler for town –
Councilor Tousignant – Council doesn't have authority to answer question
in workshop – let's find out where initial process that has been started
finishes and move forward from there.

Chairman O'Neill – comment made that Town Planner doesn't understand
process, unjustly belittling Town Planner – not true – seeking legal
clarification

Vice Chair Blow – process has broken down – applicants are bullying
Council regardless of where they stand – causing additional applicants to
fear walking to their car

Chairman O'Neill – Council is trying to clarify and simplify process,
apologized for actions presented tonight at meeting – adjourn workshop at
7:30pm