



Town Council - Meeting Agenda

October 20th, 2026 @ 6:30pm
Council Chambers - 1 Portland Avenue

www.oobmaine.com/town-council

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

PLEDGE OF ALLEGIANCE:

ROLL CALL:

ACKNOWLEDGEMENTS:

GOOD & WELFARE:

PRESENTATION: Police Chief Chard; Fire Chief Gilboy; Joseph Thornton,
Scarborough Communications Manager – Radio Project Information

ACCEPTANCE OF MINUTES:

Accept the minutes of the 10/6/2026 Regular Town Council Meeting.

Chair: Shawn O'Neill

PUBLIC HEARING:

Public Hearing: Shall Order # 2026-2 entitled, “Order to Authorize the Town of Old Orchard Beach to Issue General Obligation Bonds in the Principal Amount Not to Exceed \$3,300,000 to Acquire and Install New Radio Frequency Equipment” be adopted?

Chair: Shawn O’Neill

NOTICE OF PUBLIC HEARING

TO: Kim McLaughlin, Town Clerk of the Town of Old Orchard Beach:

In the name of the State of Maine you are hereby required to cause the voters of the Town of Old Orchard Beach to be notified of the Public Hearing described in this Notice of Public Hearing.

TO: The voters of the Town of Old Orchard Beach:

Take notice that a public hearing will be held on October 20th, 2026, at 6:30pm, at the Town Hall Council Chambers, 1 Portland Avenue, in Town of Old Orchard Beach on the following Question, which will be the subject of a general municipal election vote on November 3, 2026.

Question 1: Shall Order # 2026-2 entitled, "Order to Authorize the Town of Old Orchard Beach to Issue General Obligation Bonds in the Principal Amount Not to Exceed \$3,300,000 to Acquire and Install New Radio Frequency Equipment" be adopted?

TOWN OF OLD ORCHARD BEACH FINANCIAL STATEMENT

1. Total Town Indebtedness

Bonds Outstanding and Unpaid	\$ 39,610,732.60
Bonds Authorized but Unissued	\$ 1,000,000.00
Bonds to be Issued if this Article is Approved	\$ 3,300,000.00
Total:	\$ 43,910,732.60

2. Estimated Costs of Proposed Bonds

At an estimated average annual interest rate of 3% for a 10-year term, the estimated costs of this bond issue will be:

Principal	\$ 3,300,000.00
Interest	\$ 578,242.77
Total Principal & Interest to be Paid at Maturity	\$ 3,878,242.77

3. Validity

The validity of the bonds and of the voters' ratification of the bonds may not be affected by any errors in the above Estimated Costs of Proposed Bonds. If the actual amount of the total debt service for the bond issue varies from the estimate, the ratification by the electors is nevertheless conclusive and the validity of the bond issue is not affected by reason of the variance.

Brynn Patenaude, Treasurer

Town Council Recommends: _____

Finance Committee Recommends: _____

Signed and dated at the Town of Old Orchard Beach, _____, 2026.

A Majority of the Town Council of the Town of Old Orchard Beach

A true copy of the Notice, attest:

Kim McLaughlin, Town Clerk
Town of Old Orchard Beach

RETURN

York County, ss.

State of Maine

TO: The Municipal Officers of the Town of Old Orchard Beach

I have notified and warned the voters of the Town of Old Orchard Beach of the time and place of the within described public hearing by posting an attested copy of said notice as follows:

<u>Location of Posting</u>	<u>Date</u>	<u>Time</u>

Being conspicuous public places within the Town of Old Orchard Beach and being at least seven (7) days prior to the date of the public hearing.

Signed and dated at the Town of Old Orchard Beach this _____ day of _____, 2026.

Name:

Title:

Town of Old Orchard Beach

PUBLIC HEARING – ORDINANCE AMENDMENTS:

Public Hearing: Shall the Town amend the Code of Ordinances, Chapter 54, Traffic and Vehicles, Section 54-187, Restrictions and Prohibitions, adding a weight restriction to Miles Avenue Extension.

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 October 20th, 2026, 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 54, Traffic and Vehicles, Section 54-187, Restrictions and Prohibitions, Miles Avenue, by adding the underscored language as follows:

Miles Avenue Extension: No vehicle having a registered gross weight in excess of 9,000 pounds shall be operated or caused to be operated on or over Miles Avenue Extension. Exceptions are emergency vehicles, municipal vehicles or solid waste removal service vehicles.

Per Order of the Municipal Officers this _____ day of _____, 2026.

A True Copy

Attest:

Kim M. McLaughlin, Town Clerk

Public Hearing: Shall the Town consider ordinance amendments to Chapter 18 - Licensing, Article XII - Adult Use Marijuana Business Licensing to add to Section 18-606 definitions for transfer and transferee, add to Section 18-611 (3) defining selection criteria for a transfer, and adding to Section 18-617 transfer procedures.

Chair: Shawn O'Neill

PART II - CODE OF ORDINANCES
Chapter 18 - LICENSING
ARTICLE XII. ADULT USE MARIJUANA BUSINESS LICENSING

Exit 710, LLC Proposed Amendment
Submitted: August 24, 2026

ARTICLE XII. ADULT USE MARIJUANA BUSINESS LICENSING¹

Sec. 18-604. Purpose.

The purpose of this article is to provide for and regulate the issuance of local licenses for adult use marijuana business as defined in this article and by the State of Maine under the Marijuana Legalization Act, 28-B M.R.S.A. Chapter 1, as may be amended.

(Ord. of 11-16-2021(6))

Sec. 18-605. Authority.

This article is adopted pursuant to the authority granted by 28-B M.R.S.A. § 401 et seq., as may be amended.
(Ord. of 11-16-2021(6))

Sec. 18-606. Definitions.

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

Adult use marijuana: Marijuana cultivated, manufactured, distributed or sold by an adult use marijuana business.

Adult use marijuana business: Adult use marijuana stores regulated under this article.

Adult use marijuana cultivation facility: A facility licensed under this article to purchase marijuana plants and seeds from other cultivation facilities; to cultivate, prepare and package adult use marijuana; to sell adult use marijuana to adult use products manufacturing facilities, to adult use marijuana stores and to other cultivation facilities; and to sell marijuana plants and seeds to other cultivation facilities and immature marijuana plants and seedlings to adult use marijuana stores.

Adult use marijuana nursery cultivation facility: A facility licensed under this article to cultivate not more than 1,000 SF of plant canopy pursuant to 28-B M.R.S. § 501.

Adult use marijuana product: A marijuana product that is manufactured, distributed or sold by an adult use marijuana business.

¹Editor's note(s)—An ordinance adopted November 16, 2021(5), repealed the former Article XII, §§ 18-604—18-608, and an ordinance adopted November 16, 2021(6), enacted a new Article XII as set out herein. The former Article XII pertained to retail marijuana establishments and derived from Ord. of January 2, 2018(1).

Cross reference(s)—Adult use marijuana business, § 78-1279.

Adult use marijuana store: A facility licensed under this article to purchase adult use marijuana, immature marijuana plants and seedlings from an adult use cultivation facility, to purchase adult use marijuana and adult use marijuana products from an adult use products manufacturing facility and to sell adult use marijuana, adult use marijuana products, immature marijuana plants and seedlings to consumers.

Adult use marijuana products manufacturing facility: A facility licensed under this article to purchase adult use marijuana from a cultivation facility or another products manufacturing facility; to manufacture, label and package adult use marijuana and adult use marijuana products; and to sell adult use marijuana and adult use marijuana products to marijuana stores and to other products manufacturing facilities.

Applicant: A person or business entity that has submitted an application for licensure as an adult use marijuana business pursuant to this article.

Business entity: A partnership, association, company, corporation, limited liability company or other entity incorporated or otherwise formed or organized by law. "Business entity" does not include a federal, state or municipal government organization.

Compliant/compliance: The state of operating a business in accordance with municipal and state laws, ordinances and regulations.

Cultivation or cultivate: The planting, propagation, growing, harvesting, drying, curing, grading, trimming or other processing of marijuana for use or sale.

Dwelling: A building a portion thereof used exclusively for residential occupancy, including one-family, two-family, and multifamily dwellings, but not including hotels, motels, lodging houses or boardinghouses. The term "dwelling" includes the term "residence."

Edible marijuana product: A marijuana product intended to be consumed orally, including, but not limited to, any type of food, drink or pill containing marijuana or marijuana concentrate. "Edible marijuana product" does not include an edible product containing "hemp" as defined in Title 7 M.R.S.A, section 2231, subsection 1-A, paragraph D.

Harvested marijuana: The plant material harvested from a mature marijuana plant, except the stalks, leaves and roots of the plant that are not used for a qualifying patient's medical use. "Harvested marijuana" includes marijuana concentrate and marijuana products.

Immature marijuana plant: A marijuana plant that is not a mature marijuana plant or a seedling.

Licensed premises: the premises specified in an application for a state or local license pursuant to this chapter and article that are owned or in possession of the licensee and within which the licensee is authorized to cultivate, manufacture, distribute, sell, or test adult use marijuana or adult use marijuana products, in accordance with the provisions of this chapter and article and the requirements of state law and regulations.

Licensee: A person or business entity licensed pursuant to this chapter and article.

Local license: Any license required by and issued under the provisions of this chapter and article.

Local licensing authority: The license administrator, the license administrator's designee or the town council, as further specified in the provisions of this chapter and article.

Manufacture or manufacturing: The production, blending, infusing, compounding or other preparation of marijuana concentrate and marijuana products, including, but not limited to, marijuana extraction or preparation by means of chemical synthesis. "Marijuana" means the leaves, stems, flowers and seeds of a marijuana plant, whether growing or not.

Marijuana: The leaves, stems, flowers and seeds of a marijuana plant, whether growing or not. "Marijuana" includes marijuana concentrate but does not include hemp as defined in Title 7 M.R.S.A, section 2231, subsection 1-A, paragraph D or a marijuana product.

Marijuana product: A product composed of marijuana or marijuana concentrate and other ingredients that is intended for use or consumption. "Marijuana product" includes, but is not limited to, an edible marijuana product, a marijuana ointment and a marijuana tincture. "Marijuana product" does not include marijuana concentrate or a product containing hemp as defined in Title 7 M.R.S.A., section 2231, subsection 1-A, paragraph D.

Owner: A person whose beneficial interest in an adult use marijuana business is such that the person bears risk of loss other than as an insurer, has an opportunity to gain profit from the operation or sale of an adult use marijuana business and has a controlling interest in an adult use marijuana business.

Person: A natural person, partnership, association, company, corporation, limited liability company or organization or a manager, agent, owner, director, servant, officer or employee thereof. "Person" does not include any governmental organization.

Plant canopy: The total surface area within the licensed premises of a cultivation facility that is authorized by the department for use at any time by the cultivation facility licensee to cultivate mature marijuana plants. The surface area of the plant canopy must be calculated in square feet and measured using the outside boundaries of the area and must include all of the area within the boundaries. If the surface area of the plant canopy consists of noncontiguous areas, each component area must be separated by identifiable boundaries. If a tiered or shelving system is used by the cultivation facility licensee, the surface area of each tier or shelf must be included in calculating the area of the plant canopy. Calculation of the area of the plant canopy may not include the areas within the licensed premises of a cultivation facility that are used by the licensee to cultivate immature marijuana plants and seedlings and that are not used by the licensee at any time to cultivate mature marijuana plants.

Stakeholder: A stakeholder means, with respect to a trust, the trustee and beneficiaries; with respect to a limited liability company, all members and managers; with respect to a corporation, whether profit or non-profit, all stockholders, directors, corporate officers or persons with equivalent titles; and with respect to a partnership or limited liability partnership, all partners and investors.

State license: Any license, registration or certification issued by the State of Maine.

Testing or test: The research and analysis of marijuana, marijuana products or other substances for contaminants, safety or potency.

Transfer: a change in ownership interest or controlling interest (as defined pursuant to 28-B M.R.S.A. § 401 et seq. and the rules and regulations promulgated thereunder)

Transferee: a Person who is permitted to obtain a local license from a Licensee permitted by this chapter and article.

(Ord. of 11-16-2021(6); Ord. of 1-17-2023)

Sec. 18-607. Adult use marijuana business allowed.

Adult use marijuana business shall be allowed, subject to the requirements of this chapter and article and chapter 78 of the Old Orchard Beach Code of Ordinances.

(Ord. of 11-16-2021(6))

Sec. 18-608. Limitations in licenses.

No adult use marijuana business shall operate in the Town of Old Orchard Beach without obtaining a business license pursuant to this article. No more than the specified quantities of licenses shall be issued.

Adult use marijuana store (general business 1): One total

Sec. 18-609. License application contents.

All license applications for adult use marijuana business licenses under this article shall complete and file an application on the form provided by the license administrator or their designee. All applicants must be qualified according to the provisions of this article and shall provide sufficient information to demonstrate that they meet all qualifications and standards established in this article. Each applicant shall be considered a licensee if a license is granted.

The completed application for an adult use marijuana business license shall contain, at a minimum, the following information and shall be accompanied by the specified documentation:

- (1) Name of applicant.
 - a. If the applicant is an individual: The individual shall state their legal name and any aliases and submit proof that they are at least 21 years of age.
 - b. If the applicant is a partnership: The partnership shall state its complete name, and the names of all partners, whether the partnership is general or limited, submit a copy of the partnership agreement, if any, and submit proof that all partners are at least 21 years of age.
 - c. If the applicant is a corporation: The corporation shall state its complete name, the date of its incorporation, evidence that the corporation is in good standing under state law, the names and capacity of all officers, directors and principal stockholders, the name of the registered corporate agent, the address of the registered office for service of process, and submit proof that all officers, directors and principal stockholders are at least 21 years of age.
 - d. If the applicant is a limited liability company (LLC): The LLC shall state its complete name, the date of its establishment, evidence that the LLC is in good standing under state law, the names and capacity of all members, a copy of its operating agreement, if any, the address of its registered office for service of process, and submit proof that all members are at least 21 years of age.
 - e. If the applicant intends to operate the adult use marijuana business under a name other than that of the applicant, they must state the adult use marijuana business name and submit the required registration documents.
- (2) The applicant's mailing address and residential address.
- (3) Recent passport-style photograph(s) of the applicant(s).
- (4) The applicant's driver's license.
- (5) A sketch showing the configuration of the subject premises, including building footprint, plant canopy square footage calculations, interior layout with floor space to be occupied by the business, and parking plan. The sketch must be drawn to scale with marked dimensions.
- (6) Evidence of all state approvals or conditional approvals required to operate the adult use marijuana business, including, but not limited to a state license as defined in this article.
- (7) The location of the proposed adult use marijuana business, including a legal description of the property, street address, and telephone number. The applicant must also demonstrate that the property meets the zoning requirements for the proposed use.
- (8) If the applicant has had a previous license under this article or other similar marijuana business, as licensed under 28-B M.R.S.A. Chapter 1, in another municipality in Maine, in the Town of Old Orchard

Beach, or in another state denied, suspended or revoked, they must list the name and location of the for which the license was denied, suspended or revoked, as well as the date of the denial, suspension or revocation, and they must list whether the applicant has been a partner in a partnership or an officer, director, or principal stockholder of a corporation that is permitted/licensed under this article, whose license has previously been denied, suspended or revoked, listing the name and location of the marijuana establishment for which the permit was denied, suspended, or revoked as well as the date of denial, suspension or revocation.

- (9) If the applicant holds any other permits/licenses under this article or other similar marijuana business, as licensed under 28-B M.R.S.A. Chapter 1, from another municipality in Maine, the Town of Old Orchard Beach, or state the applicant shall provide the names and locations of such other permitted/licensed businesses, including the current status of the license or permit and whether the license or permit has been revoked.
- (10) Completion of applicable release forms, supplied by the town, allowing the town to perform background checks of each applicant.
- (11) The type of adult use marijuana business for which the applicant is seeking a license and a general description of the business including hours of operation.
- (12) Proof of ownership of the property on which the adult use marijuana business will be located or, in the event the applicant is not the owner, the license application must be accompanied by a notarized statement and consent from the owner of the property acknowledging that a adult use marijuana business may be located on the property. If the property is leased or rented, the license application must be accompanied by a copy of the signed lease or rental agreement pertaining to the property or structure in which the adult use marijuana business may be located. In addition to the above, the applicant shall provide the name and mailing address of the owner of record of the property or structure.
- (13) A copy of a map depicting all property boundary lines and land uses on each property within 1,000 feet of the adult use marijuana business property boundary lines.
- (14) A business plan which shall include responses to the following:
 - a. Owner qualifications.
 - b. A budget for construction, operations, and maintenance.
 - c. Hours of operation and opening and closing procedures.
 - d. Daily operations, including, but not limited to customer check in procedures; location for receiving deliveries; estimate of number of customers per day; products to be sold; parking availability and location.
- (15) A neighborhood compatibility plan which shall include responses to the following:
 - a. How the business will proactively address and respond to complaints.
 - b. How the business will be managed so as to avoid becoming a nuisance or having impacts on its neighbors and the surrounding community.
- (16) A safety plan which shall include responses to the following:
 - a. The safety plan shall consider all possible fire, medical, and hazardous situations.
 - b. Accident and incident reporting procedures.
 - c. Evacuation routes.
 - d. The location of fire extinguishers and other fire suppression equipment.

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- e. Procedures and training for all fire and medical emergencies.
 - (17) A community relations plan which shall describe public outreach and education programs such as youth drug addiction and other actions that directly benefit the community.
 - (18) Responses and supplemental documentation answering each of the merit criteria identified in section 18-610(1).
- (Ord. of 11-16-2021(6); Ord. of 1-17-2023)

Sec. 18-610. New license application procedure.

All applicants submitting new adult use marijuana business license applications shall follow the following license application procedure.

(1) *Part 1.*

- a. All adult use marijuana business licenses applications will be evaluated by a determination of completeness and use of the merit criteria outlined below. The completed license application package shall include a completed license application, all of the information required by section 18-609 of this article, documentation showing the business location conformity with section 78-803 and section 78-1279(5)a., merit criteria responses and supplemental documentation was submitted, and the adult use marijuana store license application fee.
- b. No applicant, person, business entity or stakeholder shall apply for more than one license in any location in town.
- c. Completed license applications and any fees the town requires to conduct review of the application shall be submitted in person during regular business hours to the license administrator or their designee only during the posted application acceptance period as described in section 18-612 of this article.
- d. Upon closing of the application acceptance period, the license administrator or their designee will review the license applications for the purpose of determination of completeness and assign points in accordance with the merit criteria identified in this section. The license administrator or their designee shall consult with town staff for the purpose of assisting with the determination of completeness. For the purposes of this article, a determination of completeness means a completed license application and all materials are provided in accordance with section 18-609 of this article, the business location conforms with section 78-803 and section 78-1279(5)a., merit criteria responses and supplemental documentation was submitted, and the required fee was submitted. During the determination of completeness and merit criteria review, the town manager shall authorize background checks on all applicants. Applicants will not be allowed to submit new information or resubmit incomplete information during or after determination of completeness and merit criteria review.
- e. Merit criteria. All applicants must provide responses and supplemental documentation answering and supporting answers for each of the following merit criteria. The supplemental documentation shall provide the support which demonstrates how the applicant will comply with their response to the merit criteria.

Merit Criteria	Possible Points	Applicant Score
e.1. The applicant or owners of an applicant that own 30% or more of a business applying for a business license are also owners of any business for 2 or more consecutive years that (select one and provide documentation):		

☐ Requires municipal and state approvals:	1	
☐ Requires municipal approvals:	1	
Total Points Possible: 1		
e.2. The applicant or owners that own 30% or more of a business applying for a business license can document their ability to operate an adult use or medical marijuana store, caregiver retail store or its equivalent with no history of license suspensions or revocations (select all that apply).		
☐ Operated a compliant adult use marijuana store in Maine for 1 or more years:	2	
☐ Operated a compliant medical marijuana caregiver retail store in Maine for 2 or more years:	2	
☐ Operated a compliant adult use marijuana or medical marijuana store, caregiver retail store or its equivalent in another State for 2 or more years:	2	
Total Points Possible: 6		
e.3. The property where the proposed adult use marijuana business will be located can be defined as "Use, commercial" as defined in Old Orchard Beach Zoning Ordinance, Sec. 78-1, at the time the license application is submitted or any time within the previous 4 years:	2	
Total Points Possible: 2		
e.4. Retail sales floor area size (select one).		
☐ Proposed business sales floor area (area of licensed sales area open to the public) size of 1,500 sq. ft. of less:	2	
☐ Proposed business sales floor area size more than 1,501 sq. ft. but less than 2,500 sq. ft.:	1	
Total Points Possible: 2		
e.5. Business incorporates energy efficient elements and green infrastructure (select all that apply).		
☐ Applicant will utilize energy efficient lighting indoors and outdoors certified by the U.S. Department of Energy:	1	
☐ Applicant will utilize permeable or pervious asphalt or concrete:	1	
☐ Applicant will utilize an on-site renewable energy source such as solar:	1	
Total Points Possible: 3		

e.6. Applicant provides Maine Registered Traffic Engineer analysis and assessment report demonstrating customer vehicle traffic will not negatively contribute to high crash locations identified by Maine Department of Transportation, 2019-2021 data:		
	2	
Total Points Possible: 2		
e.7. Proposal has legal access and use to on-site off-street parking that exceeds town parking requirements identified in Ch. 78, Sec. 1279 (5) by 20% or more:		
	1	
Total Points Possible: 1		
e.8. The lot where the adult use marijuana business is proposed to be located does not share a real property boundary line with a lot used for one or more dwelling purposes as of the date of the adoption of these merit criteria:		
	2	
Total Points Possible: 2		
e.9. Applicant proposes redevelopment of a building or property that has been vacant for at least twelve consecutive months preceding the date of the adoption of these merit criteria:		
	1	
Total Points Possible: 1		
Maximum Total Merit Criteria Points Available	20	
Total Merit Criteria Points Awarded		

- f. Merit criteria evaluation. Following the closing of the application acceptance period, the license administrator or their designee will evaluate the applicant's response to merit criteria and supplemental documentation. The license administrator or their designee may consult with town staff, town legal counsel, and peer review engineers for the purpose of assisting with the evaluation. For each criterion met by the applicant, the applicant shall receive the entire assigned point value or associated sub scores. Submissions with no response to criteria will receive zero points for the criteria or associated sub criteria that received no response from the applicant. Submissions with responses but without supplemental documentation will receive zero points for each criteria or associated sub criteria without supplemental documentation. The scores awarded by the license administrator or their designee shall be totaled for each application. The application that scores the highest point total shall be the application selected for merit criteria purposes. Each application will be independently scored.

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- g. In the event of a merit criteria scoring tie between two or more applications with the highest point total, license application selection shall be administered through a public random lottery. Applications that qualify for the lottery are only those tied for the highest point total. The council will conduct a lottery drawing from among the selected license applications to determine which applicant is awarded the opportunity to proceed to conditional use permit review process. The council will randomly select, via the lottery drawing, each license application. The order in which each license application is drawn shall determine the priority for each application for the purpose of proceeding to the conditional use permit review process. The first license application selected by the council has the priority with subsequent priority following in numerical selected position. Selection in the lottery is not approval of the license application.
 - h. Within 60 calendar days after closing of the application acceptance period, the license administrator or their designee will conclude the determination of completeness review and merit criteria evaluation process and notify all applicants of the results. The application selected by the license administrator or their designee shall: have been determined complete; confirmed the business location is in apparent conformity with Old Orchard Beach Code of Ordinances Chapter 78, section 78-803 and section 78-1279(5)a.; scored the highest total points for merit criteria; and submitted the required fee. In the event of a merit criteria scoring tie, the applicants who are tied shall proceed to the public random lottery before the selected license application can proceed to the conditional use process. In the event a single application scores the most points, that applicant shall proceed with the conditional use permit process. Selection of a license application is not approval of a license application, it only provides the applicant the right to apply for a conditional use permit.
 - i. The selected applicant shall submit a complete conditional use permit application to the planning board within 90 days of the date of license application selection notification. Failure to submit a complete conditional use permit application within the time frame stated above shall disqualify an applicant from Parts 2 and 3 of this section.
- (2) *Part 2.* Only the applicant selected in part 1; have secured conditional use permit approval from the planning board; and supply evidence of all state approvals required to operate a adult use marijuana business have the town's approval to continue with part 2 of the license application procedure.
- a. The applicant shall submit the following to the town manager:
 - (i) Copy of the completed license application and license application contents identified in section 18-609 of this article
 - (ii) Copy of conditional use permit findings of fact;
 - (iii) Copy of conditional use permit application submission to the planning board;
 - (iv) Attested statement certifying the documentation in 18-610(1) remains the unchanged;
 - (v) Proof and copy of all state license ~~final~~conditional approvals allowing the adult use marijuana business; and
 - (vi) Any other information the town manager feels is necessary to assist the town council with review and final decision.
 - (vii) Full payment of the adult use marijuana store license fee.
 - b. Upon receipt of the above, the town manager will place on the town council agenda with the request of scheduling a public hearing.
 - c. The town manager shall authorize background checks on all applicants for adult use marijuana business licenses before any license application is placed on the town council agenda.

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- d. The council will conduct a public hearing for each adult use marijuana business license application. The applicant shall provide notice of the public hearing location, date, and time to all property owners within 1,000 feet of the premise's property boundary lines. Notice shall be mailed by the applicant at least ten days before the public hearing is held. Proof of mailing shall be submitted to the town manager before the date of the public hearing.
 - e. Upon completion of the public hearing, the town council will consider public comments, applicant submissions, staff evaluations, state records, and any other documentation the council determines is necessary in order to conduct a final review.
- (3) *Part 3.* At a regularly scheduled meeting of the town council following the public hearing, the council will make a final decision on adult use marijuana business license applications. Only those applicants who successfully meet [section] 18-610(1) and (2) and other applicable state laws, this article and Old Orchard Beach ordinances and adopted codes will be eligible to receive an adult use marijuana business license. The town council shall apply the review criteria set forth in section 18-35 of this chapter in making its determination on the license application.

The town council shall have the authority to impose any conditions on a license that are reasonably necessary to ensure compliance with the requirements of this article or to address concerns about operations. Failure of any licensee to comply with such conditions shall be considered a violation of the chapter and article.

Marijuana business licenses issued under this section shall automatically expire if the licensee does not commence operation of the marijuana store within 180 days from the date of license issuance. An application for the renewal of an expired license under this subsection shall be treated as a new license application.

(Ord. of 11-16-2021(6); Ord. of 1-17-2023)

Sec. 18-611. Renewal license application procedure.

- (1) Each license issued shall be effective for one year from the date of council approval.
- (2) Renewal license applications shall be submitted to the license administrator or their designee a minimum of 45 days before the date of expiration of the annual local license. Any licensee who fails to submit a renewal application by the applicable deadline shall not have authority to operate until a license is granted.
- (3) Renewal license applicants shall be subject to the procedure and shall submit documentation identified in section 18-610(2) and (3) of this article-; provided that the Transferee renewing a license shall not be subject to Section 18-610(2)(iv) and the criteria otherwise set forth in Sec. 18-610(1) shall not be considered by the Town council for the renewal of a Transferee's license Applicants shall be subject to updated background checks and inspections of the premises.
- (4) Applicants shall submit documentation, including identified actions, which demonstrates compliance with initial application merit criteria responses and supplemental documentation.
- (5) The town manager shall consult with town staff before any license application is placed on the town council agenda. The purpose of this consultation is to allow town staff an opportunity to provide feedback to the town council.

(Ord. of 11-16-2021(6); Ord. of 1-17-2023)

Sec. 18-612. Application acceptance period.

- (1) The license administrator or their designee shall provide notice within a local newspaper of general circulation and on the Town of Old Orchard Beach website announcing when the town will accept new adult use marijuana business license applications. The notice shall include dates during which new license applications will be accepted and contact information for questions. The license administrator or their designee will accept new adult use marijuana business license applications up to ten business days during the posted licenses application period.
- (2) If additional licenses become available, the license administrator or their designee will provide notice within a local newspaper of general circulation and post on the Town of Old Orchard Beach website. The notice shall include dates during which the applications will be accepted and contact information for questions.

(Ord. of 11-16-2021(6); Ord. of 1-17-2023)

Sec. 18-613. Expired license.

An application for the renewal of an expired license shall be treated as a new license application. Any licensee who fails to submit a renewal application by the applicable deadline shall not have authority to operate until a license is granted.

(Ord. of 11-16-2021(6))

Sec. 18-614. Background checks.

The town manager shall authorize background checks of each license applicant and renewal license applicant. If the applicant is a business entity, every officer, director, manager and general partner of the business entity is required to submit to a criminal history check. Failure to submit required release for a background check is grounds for denial of a license. The applicant shall be billed for the cost of the background check.

(Ord. of 11-16-2021(6))

Sec. 18-615. Right of access/inspections.

Every adult use marijuana business shall allow law enforcement officers, fire department officials code enforcement officer, and license administrator or their designee entry onto the premises at reasonable times for the purpose of checking compliance with all applicable state laws, this article and other Old Orchard Beach ordinances and adopted codes.

(Ord. of 11-16-2021(6); Ord. of 1-17-2023)

Sec. 18-616. Fees.

Adult use marijuana business license application and store license fees. Adult use marijuana business license application and store license fees are set forth as specified in the schedule of license, permit and application fees established by the town council. All applicants are responsible for the town's expenses associated with the review of an application, including the cost of any third-party review if necessary. The store license fee shall be paid by applicants selected for part 2 of the new license application procedure and for store license renewal.

(Ord. of 11-16-2021(6))

Sec. 18-617. Transfer of ownership and change of location.

Except as permitted pursuant to this Section 18-617. Licenses issued under this article are not transferable to

(1) Permitted Transfers:

a. Voluntary Transfers:

- i. A Licensee may transfer a new owner. Any change local license, not then under suspension or revocation pursuant to this chapter, to a Transferee subject to the following conditions:
 1. The Transferee, or any person owning thirty percent (30%) or more of a Transferee that is a business entity, shall provide evidence of operating a separate business, within or without the State of Maine, which requires either municipal, state, or federal licensing or approval.
 2. The Transferee shall provide proof and copies of all applicable state license conditional approvals allowing the adult use marijuana business;
 3. The Transferee shall be subject to background checks pursuant to Section 18-614;
 4. The Transferee shall provide an attested statement certifying that it will comply with all conditional use and performance standards listed in Sec. 78-1279 and described in current conditional use permit issued pursuant to chapter 78;
 5. The Transferee shall provide sufficient documentation demonstrating possession or entitlement to possession of the proposed licensed premises of the adult use marijuana business pursuant to a lease, rental agreement, purchase and sale agreement or other arrangement for possession of the premises or by virtue of ownership or change in of the officers of an owner premises;
 6. The Transferee shall require provide a new copy of the document evidencing the transfer of the local license- as between the Licensee and Transferee.

b. Involuntary Transfers:

- i. A Licensee may transfer a local license, not then under suspension or revocation pursuant to this chapter, to a Transferee pursuant to 18-691 C.M.R., Chapter 20, § 12(4).

(2) Local licenses transferred pursuant to this Section 18-617 shall be valid for the remainder of the term of the local license. The Transferee shall be subject to the renewal process in accordance with this chapter and article. Licenses are limited to the location for which they are issued and shall not be transferable to a different location. A licensee who seeks to operate in a new location shall acquire a new local license for that location.

(3) Transfer Procedure: The Transferee shall submit an application to the license administrator containing the information listed in Sec. 18-609(1)-(11) and the materials requested in Sec. 18-617(1)(a). Such application shall be signed by both the Transferee and Licensee. The license administrator shall review the application for completeness and compliance with this Sec. 18-617. Upon the license administrator's determination that the transfer is in compliance with this chapter, the license administrator shall issue a local license to the Transferee conditioned on the issuance of all final state licenses.

(4) A Transfer of a local license made pursuant to this Sec. 18-617 shall not be considered a change of use/addition of use/expansion of use under Sec. 78-1279(g).

(5) Sec. 78-1279(4)(b) and (c) shall not apply to Transfers.

(Ord. of 11-16-2021(6))

Sec. 18-618. Appeals.

Any appeal of a decision of the town council shall be to the Superior Court, in accordance with the requirements of Rule 80B of the Maine Rules of Civil Procedure.

(Ord. of 11-16-2021(6))

Sec. 18-619. Violations and penalties.

The operation of any adult use marijuana business without the required local license or in violation of the requirements of this chapter and article including, but not limited to the applicant's documented responses and submissions to the merit criteria shall be a violation of this chapter and article. Violations shall be subject to fines as set forth in section 18-28 of this chapter and may result in revocation of adult use marijuana business license.

(Ord. of 11-16-2021(6); Ord. of 1-17-2023)

Sec. 18-620. Severability.

The provisions of this article are severable, and if any provision shall be declared to be invalid or void, the remaining provisions shall not be affected and shall remain in full force and effect.

(Ord. of 11-16-2021(6))

Sec. 18-621. Other laws.

Except as otherwise specifically provided herein, this article incorporates the requirements and procedures set forth in the Maine Marijuana Legalization Act, 28-B M.R.S.A. Chapter 1, as may be amended. In the event of a conflict between the provisions of this article and the provisions of said Act or any other applicable state or local law or regulation, the more restrictive provision shall control.

(Ord. of 11-16-2021(6))

Sec. 18-622. Effective date.

The effective date of this article shall be the date of adoption by the town council.

(Ord. of 11-16-2021(6))

PUBLIC HEARING – BUSINESS LICENSE & APPROVALS:

Laura Anderson, 39 West Grand Avenue #41, 310-6-1-41, 1 Year-Round Short-Term Rental.

Stacy Fleckles, 57 Central Park Avenue, 309-1-1, 1 Year-Round Short-Term Rental (no previous license).

China Eatery (Lei Wang), 5 Ocean Park Road, 210-11-6, 1 Victualers with Preparation & No Alcohol.

Chair: Shawn O'Neill

TOWN MANAGER REPORT

NEW BUSINESS:

AGENDA ITEM #9126

Discussion with Action: Shall the town consider a request from the Beachmont Homeowners Association to accept title and to accept and establish as town ways those developed portions of Neptune Road and Dolphin Avenue as depicted on the subdivision plan entitled "Beachmont Subdivision" dated August 23, 2012, approved by the Town of Old Orchard Beach Planning Board on November 8, 2012, and recorded in the York County Registry of Deeds in Plan Book 358, Pages 26-28, together with all of the rights appurtenant thereto and all guardrails, curbing, catch basins, street signs, stop signs, infrastructure situated in, on or under said roadway, but specifically excluding any stormwater runoff systems outside of the right of way, all electrical systems, fixtures, lighting electricity costs, sewer outside of the right of way, gas, trees, mailboxes and the responsibility of snow removal from sidewalks and around the mailboxes, common parking areas, all retaining walls, for all of which the Grantor reserves and retains an easement for the installation, use and maintenance thereof.

Also specifically excluding sidewalks, for which Grantee is granted a public easement over, but the maintenance of which remains the responsibility of Grantor, its successors and assigns.

Also excepting from the foregoing any water lines, service laterals and public fire hydrants located in, on or under the Dolphin Avenue and Neptune Road rights of way which are the property of Maine Water Company.

As described in the Warranty Deed from Beachmont Homeowners Association to the Town of Old Orchard Beach, Maine, dated,_____.

Chair: Shawn O'Neill

TO: Old Orchard Beach Town Council
Tim Fleury, Interim Town Manager
FROM: Planning Department
SUBJECT: Neptune Road and Dolphin Avenue (Beachmont Subdivision)
ACTION: Public Hearing and Consideration of Application for Road Acceptance
DATE: 10/6/2026, Background 9/15/2026

Neptune Road and Dolphin Avenue are being proposed for Town acceptance by the Beachmont HOA. The purpose of this memo is to provide updates to information previously provided. See next section, Background 9/15/2026, for overview of development history and proposal details. Updates are provided below:

- We received a Roadway Acceptance Site Walk Memo from Sebago Technics dated 9/14/2026 that wasn't in council packet last month.
- We received an updated Warranty Deed from the HOA on 9/18/2026 with language removing Town responsibility for maintenance of sidewalks based on comments received from Public Works. The suggested redline edits provided by town attorney were not incorporated. Updated language from deed is below:
 - *Also specifically excluding sidewalks, for which Grantee is granted a public easement over, but the maintenance of which remains the responsibility of Grantor, its successors and assigns.*
- HOA provided updated and recorded stormwater Maintenance Agreement for Post-Construction BMPs
- The HOA president met with Planning staff on 9/21/2026 and provided the below updates regarding Public Works comments:
 - Storm drain repair between CB-1165 and CB-1420 was completed
 - Warranty deed updated to remove sidewalks from acceptance
 - HOA will address road crack sealing and has started sidewalk crack sealing
 - Stop sign/post was twisted back towards road
 - Curb at tip down cleaned up, no repairs made
 - Curb flaking at 9 Dolphin cleaned up and HOA confirmed with homeowner they are not draining hot tub
- As of 9/15/2026 hydrant flow testing results have not been provided. Fire Inspector Patrick Cotter was previously scheduled to meet onsite to observe the flow test, but tester was not there. Update is pending.

Background 9/15/2026

On September 15 the Council will begin considering a request from the Beachmont Homeowners Association (Beachmont HOA) to accept Neptune Road and Dolphin Avenue. In addition to both roads and their right-of-way (ROW), Beachmont HOA is requesting public acceptance of guardrails, curbing, street signs, stop signs, and infrastructure situated in, on or under the roadway. They are also proposing that the town maintains the sidewalks, except for snow removal.

Brief Development History

Beachmont Subdivision is a 44-lot single family residential development approved by the town during October 2012. The development includes public water and private septic systems. Electric is underground. Stormwater systems consist of typical storm drain infrastructure (catch basins, storm drainpipes) within the ROW, two infiltration basins and drainage easements (one basin off Neptune Road and one basin off Dolphin Avenue). There are three open space areas, two for the infiltration basins, and one with trail easement between lot 26 & 27 connecting Dolphin Avenue to Garden Street. Due to traffic concerns at the time of Planning Board review and approval, a condition was included requiring a traffic exclusion device [gate] at the Date Street connection to remain for 25 years.

What is Beachmont HOA Requesting the Town Accept and Not Accept?

Beachmont HOA is requesting acceptance of the following items:

- Roads and 50' Right-of-Way (ROW)

- Guardrails
- Curbing
- Street signs
- Stop signs
- Infrastructure situated in, on or under said roadway

Beachmont HOA excludes the following from public acceptance:

- Any stormwater runoff systems outside the right of way
- All electrical systems
- Fixtures
- Lighting electricity costs
- Sewer outside of the right of way
- Gas
- Trees
- Mailboxes
- The responsibility of snow removal from sidewalks and around the mailboxes
- Common parking areas
- All retaining walls
- Sidewalks (Grantee is granted a public easement over and will maintain, except for snow removal which remains the responsibility of Grantor, its successors and assigns.)
- Water lines, service laterals and public fire hydrants in the rights of way which are property of Maine Water

See deed enclosed with Beachmont HOA submission for actual language.

Miscellaneous Comments

- Traffic exclusion device at end of Dolphin Avenue at connection to Date Street:
 1. Approved plans note:
Traffic exclusion device at Date Street connection to remain in place for 25 years, as defined in orders of cession.
 2. Approval Findings of Fact (FOF) condition:
The traffic exclusion device at Date Street connection to remain for 25 years. This time frame may be extended.
- CCTV of storm drain completed on 7/16/2026 and showed moderate collapse on section of storm drain between CB-1165 and CB-1420. Repairs on this section of pipe were completed 8/27/2026.

Town Staff and Town Attorney Review of the proposal

Town departments reviewed the proposal and performed a site visit. We had the following comments:

- Public Works:
 1. Storm drain line on Dolphin Avenue between CB-1165 and CB-1420 has moderate collapse/break and will need to be repaired. Repairs on this section of pipe were completed 8/27/2026.
 2. Ensure we are not accepting sidewalks.
 3. Sidewalk sink holes near curb between 7 & 9 Neptune, and sidewalk lifting between 1 & 3 Neptune. Should be crack sealed.
 4. Cracks in roads need to be crack sealed.
 5. Stop sign/post twisted away from road on Neptune at Dolphin Ave.
 6. Curb on Neptune Rd at Dolphin Ave stop damaged at tip down.
 7. Drain at curb from 9 Dolphin causing flaking of curb and pavement. What is causing flaking?
 8. Prefer to have no gate at Date Street connection for plowing access.

- Fire Department:
 1. Fire Hydrants painted wrong color.
 2. Need flow test results.
- Assessing confirmed that the deed accurately describes the roads as shown on our GIS map.
- The town attorney reviewed the warranty deed and suggested a few changes. The suggestions were sent to the applicant. Updates are pending.

All other departments were fine with the proposal.

Wright-Pierce engineers performed a final inspection during November 2025. The project was found complete, which allowed us to close it out in December 2025.

Conclusion:

The next step is for the Council to schedule a public hearing and decide if the town will accept all items proposed for acceptance in the deed. The Council may want to schedule a workshop on this application if there are questions or items to discuss. If the Council accepts the deed as currently proposed, the Town will take responsibility for all the infrastructure identified in the deed. If Council decides not to accept items proposed for acceptance in the deed or wants to accept items not identified, the deed should be amended to reflect what Council is willing to accept before a final vote.

WARRANTY DEED

KNOW ALL PERSONS BY THESE PRESENTS,

THAT Beachmont Homeowners Association, a Maine non-profit homeowner's association with offices in Old Orchard Beach, in the County of York and State of Maine, for good and valuable consideration, grant to the **Town of Old Orchard Beach**, a municipal corporation with a mailing address of 1 Portland Avenue, Old Orchard Beach, ME 04064, with warranty covenants, for highway purposes and without claim for damages, all of its right, title and interest in and to the streets and ways identified as Neptune Road and Dolphin Avenue as described in Exhibit A annexed hereto and made a part hereof and as depicted on the subdivision plan entitled "Beachmont Subdivision" dated August 23, 2012 recorded in the York County Registry of Deeds in Plan Book 358, Pages 26-28, to which plan reference may be made for a more particular description of the premises hereby conveyed; together with all of the rights appurtenant thereto and all guardrails, curbing, street signs, stop signs, infrastructure situated in, on or under said roadway, but specifically excluding any stormwater runoff systems outside of the right or way, all electrical systems, fixtures, lighting electricity costs, sewer outside of the right of way, gas, trees, mailboxes and the responsibility of snow removal from sidewalks and around the mailboxes, common parking areas, all retaining walls, for all of which the Grantor reserves and retains an easement for the installation, use and maintenance thereof.

Also specifically excluding sidewalks, for which Grantee is granted a public easement over, but the maintenance of which remains the responsibility of Grantor, its successors and assigns.

Also excepting from the foregoing any water lines, service laterals and public fire hydrants located in, on or under the Dolphin Avenue and Neptune Road rights of way which are the property of the Maine Water Company.

IN WITNESS WHEREOF, Beachmont Homeowners Association, has caused this instrument to be signed and sealed by _____, its President, thereunto duly authorized, this _____ day of _____ 2026.

Beachmont Homeowners Association

Witness

By: _____
Its President

STATE OF MAINE

COUNTY OF YORK, ss. _____, 2026

Personally appeared the above-named _____, duly authorized President of Beachmont Homeowners Association, and acknowledged the foregoing instrument to be his free act and deed in said capacity and the free act and deed of Beachmont Homeowners Association.

Before me,

Notary Public/Attorney at Law

Print Name: _____

My commission expires:

EXHIBIT A

Dolphin Avenue

A certain lot or parcel of land together with certain improvements thereon, situated in the Town of Old Orchard Beach, County of York and State of Maine, bounded and described as follows:

Beginning at a drill hole in a granite monument set in the ground on the northeasterly side of Lot 12 in Block 17 as shown on a plan entitled "Homewood Park, Subdivision of Land of Resort Development Corp. in Old Orchard Beach, Maine" dated September 22, 1963 made by DesRoberts Engineering Co. and recorded at the York County Registry of Deeds in Plan Book 36, Page 39; said granite monument marking the westerly corner of Lot 32 shown on a plan entitled "Final Plan Showing Beachmont Subdivision, Old Orchard Beach Maine, (Beachmont Plan) Sheet S-3, dated August 23, 2012, revised September 27, 2012 made by Dow & Coulombe, Inc. and recorded at said Registry in Plan Book 358, Page 28;

Thence, by said Lot 32 by the following four lines, North 34°-49'-05" East, a distance of 50.00 feet to a mag nail set in pavement;

Thence, North 55°-10'-55" West, a distance of 38.00 feet to a mag nail set in pavement;

Thence, North 34°-49'-05" East, a distance of 90.50 feet to a drill hole in a granite monument set in the ground;

Thence, northeasterly and easterly, by a circular curve deflecting to the right having a radius 10.00 feet, an arc distance of 15.71 feet to a drill hole in a granite monument set in the ground; the chord bears North 79°-49'-05" East, a distance of 14.14 feet;

Thence, South 55°-10'-55" East, by Lots 32, 31, 30, 29, and 28 as shown on said Beachmont Plan, Sheet S-3, and by Lot 27, open space, and partly by Lot 26 as shown on Beachmont Plan, Sheet S-2, recorded at said Registry in Plan Book 358, Page 27, a distance of 966.21 feet to a drill hole in a granite monument set in the ground;

Thence, southeasterly, partly by said Lot 26, and partly by Lot 25 as shown on said Beachmont Plan, Sheet S-2, and by a circular curve deflecting to the left having a radius of 1225.00 feet, an arc distance of 117.01 feet to a drill hole in a granite monument set in the ground; the chord bears South 57°-55'-10" East, a distance of 116.96 feet;

Thence, South 60°-39'-20" East, by said Lots 25, 24, 23, and 22 as shown on said Beachmont Plan, Sheet S-2, a distance of 366.09 feet to a drill hole in a granite monument set in the ground;

Thence, southeasterly, by Lot 22 and Lot 21, and partly by Lot 20 as shown on said Beachmont Plan, Sheet S-2 and by a circular curve deflecting to the right, having a radius of 1975.00 feet, an arc distance of 188.64 feet to a mag nail set in a paved driveway; the chord bears South $57^{\circ}-55'-10''$ East, a distance of 188.57 feet;

Thence, South $55^{\circ}-10''-55''$ East, partly by said Lot 20, and partly by said Lot 19 as shown on said Beachmont Plan, Sheet S-2, a distance of 154.56 feet to a drill hole in a granite monument set in the ground;

Thence, southeasterly, and southerly, by said Lot 19, and by a circular curve deflecting to the right having a radius of 10.00 feet, an arc distance of 10.85 feet to a drill hole in a granite monument set in the ground; the chord bears South $24^{\circ}-05'-30''$ East, a distance of 10.33 feet;

Thence, southeasterly, easterly, northeasterly, northerly, northwesterly, and westerly, by Lots 18, 17, 16, 15, 14, and partly by Lot 13 as shown on said Beachmont Plan, Sheet S-2, and by a circular curve deflecting to the left, having a radius of 65.00 feet, an arc distance of 345.29 feet to a mag nail set in a paved driveway; the chord bears North $34^{\circ}-49'-05''$ East, a distance of 60.67 feet;

Thence, westerly, by said Lot 13, and by a circular curve deflecting to the right having a radius of 10.00 feet, an arc distance of 10.85 feet to a mag nail set in the paved driveway; the chord bears North $86^{\circ}-16'-25''$ West, a distance of 10.33 feet;

Thence, North $55^{\circ}-10'-55''$ West, by said Lot 13 and Lot 12, and partly by Lot 11 as shown on said Beachmont Plan, Sheet S-2, a distance of 154.56 feet to a drill hole in a granite monument set in the ground;

Thence, northwesterly, partly by said Lot 11, and partly by Lot 10 as shown on said Beachmont Plan, Sheet S-2, and by a circular curve deflecting to the left having a radius of 2025.00 feet, an arc distance of 193.42 feet to a drill hole in a granite monument set in the ground; the chord bears North $57^{\circ}-55'-10''$ West, a distance of 193.34 feet;

Thence, North $60^{\circ}-39'-20''$ West, partly by said Lot 10, and partly by Lots 9, 8, 7 and 6 as shown on said Beachmont Plan, Sheet S-2, a distance of 366.09 feet to a drill hole in a granite monument set in the ground;

Thence, Northwesterly, by said Lot 6, and by a circular curve deflecting to the right having a radius of 1175.00 feet, an arc distance of 112.23 feet to a drill hole in a granite monument set in the ground; the chord bears North $57^{\circ}-55'-10''$ West, a distance of 112.19 feet;

Thence, North $55^{\circ}-10'-55''$ West, by said Lot 6, a distance of 14.97 feet to a drill hole in a granite monument set in the ground;

Thence, North 55°-10'-55" West, by Neptune Road, a distance of 70.00 feet to a drill hole in a granite monument set in the ground;

Thence, North 55°-10'-55" West, partly by Lot 40 shown on said Beachmont Plan, Sheet S-2, and partly by Lots 39, 38, 37, 36, 35, and 34 as shown on said Beachmont Plan, Sheet S-3, a distance of 941.23 feet to a drill hole in a granite monument set in the ground;

Thence, South 34°-49'-05" West, partly by open space and partly by Lot 33 as shown on said Beachmont Plan, Sheet S-3, a distance of 150.50 feet to a drill hole in a granite monument set in the ground;

Thence, North 55°-10'-55" West, by said Lot 33, a distance of 38.00 feet to a granite monument set in the ground;

Thence, South 34°-49'-05" West, by said Lot 33, a distance of 50.00 feet to a drill hole in a granite monument set in the ground;

Thence, South 55°-10'-55" East, partly by Lot 13 in Block 16 shown on said Plan of Homewood Park, partly by Date Street as shown on said Plan of Homewood Park, and partly by said Lot 12 in Block 17 as shown on said Plan of Homewood Park, a distance of 126.00 feet to the point of beginning. Containing 2.695 acres or 117,406 square feet.

The above courses refer to Grid North -NAD 1983.

Plastic surveyor's identification caps stamped D&C PLS1293 were set in the drill holes in all granite monuments.

Meaning and intending to convey that portion of the land described in the deed to Beachmont Land Development LLC dated December 16, 2011 and recorded at said Registry in Book 16226, Page 538 which is shown as Dolphin Avenue on the above referenced Beachmont Plans, Sheets S-2 and S-3, recorded at said Registry in Plan Book 358, Pages 27 and 28.

Neptune Road

Also another certain lot or parcel of land together with certain improvements thereon, situated in the Town of Old Orchard Beach, County of York and State of Maine, bounded and described as follows:

Beginning at a drill hole in a granite monument set in the ground on the southwesterly side of Portland Avenue, also known as Milliken's Mill Road, at the easterly corner of a lot labelled open space on a plan entitled "Final Plan Showing Beachmont Subdivision, Old Orchard Beach, Maine" (Beachmont Plan), Sheet S-1, dated August 28, 2012 last revised October 10, 2012 made by Dow & Coulombe, Inc. and recorded at the York County Registry of Deeds in Plan Book 358, Page 26; said

point of beginning bears South 42°-35'-50" East, a distance of 109.98 feet from an iron rod with surveyor's cap driven into the ground on the southwesterly side of Portland Avenue at the easterly corner of land described in the deed to Iluminada C. Milliken dated March 9, 2000 and recorded at said Registry in Book 9930, Page 116;

Thence, by said open space shown on said Beachmont Plan, by the following three lines, southerly and southwesterly by a circular curve deflecting to the right having a radius of 10.00 feet, an arc distance of 15.71 feet to a drill hole in a granite monument set in the ground; the chord bears South 02°-24'-35" West, a distance of 14.14 feet;

Thence, South 47°-24'-55" West, a distance of 33.37 feet to a drill hole in a granite monument set in the ground;

Thence, southwesterly, by a circular curve deflecting to the left having a radius of 255.00 feet, an arc distance of 58.11 feet to a drill hole in a granite monument set in the ground; the chord bears South 40°-53'-10" West, a distance of 57.98 feet;

Thence, South 34°-21'-30" West, partly by said open space, and Lots 44, 43, and 42 as shown on said Beachmont Plan, Sheet S-1, and partly by Lots 41 and 40 as shown on Beachmont Plan, Sheet S-2 recorded at said Registry in Plan Book 358, Page 27, a distance of 1154.75 feet to a drill hole in a granite monument set in the ground;

Thence, southwesterly and westerly, by said Lot 40, and by a circular curve deflecting to the right having a radius of 10.00 feet, an arc distance of 15.79 feet to a drill hole in a granite monument set in the ground; the chord bears South 79°-35'-15" West, a distance of 14.20 feet;

Thence, South 55°-10'-55" East, by Dolphin Avenue, a distance of 70.00 feet to a drill hole in a granite monument set in the ground;

Thence, northwesterly and northerly, by Lot 6 as shown on said Beachmont Plan, Sheet S-2, and by a circular curve deflecting to the right having a radius 10.00 feet, an arc distance of 15.63 feet to a drill hole in a granite monument set in the ground; the chord bears North 10°-24'-45" West, a distance of 14.09 feet;

Thence, North 34°-21'-30" East, partly by Lot 6 and Lot 5 shown on said Beachmont Plan, Sheet S-2, and partly by Lots 4, 3, 2, 1, and open space as shown on said Beachmont Plan, Sheet S-1, a distance of 1155.31 feet to a drill hole in a granite monument set in the ground;

Thence, by said open space, by the following three lines, northeasterly, by a circular curve deflecting to the right having a radius of 205.00 feet, an arc distance of 46.71 feet to a drill hole in a granite monument set in the ground; the chord bears North 40°-53'-10" East, a distance of 46.61 feet;

Thence, North 47°-24'-55" East, a distance of 33.38 feet to a drill hole in a granite monument set in the ground;

Thence, easterly and southeasterly, by a circular curve deflecting to the right having a radius of 10.00 feet, an arc distance of 15.71 feet to an iron rod with surveyor's cap driven into the ground; the chord bears South 87°-35'-25" East, a distance of 14.14 feet;

Thence, North 42°-35'-50" West, by said Portland Avenue, 70.00 feet to the point of beginning. Containing 1.449 acres, or 63,126 square feet.

The above courses refer to Grid North – NAD 1983.

Plastic surveyor's identification caps stamped D&C PLS 1293 were set in the drill holes in all granite monuments.

Meaning and intending to convey that portion of land described in the deed to Beachmont Land Development LLC dated December 16, 2011 and recorded at said Registry in Book 16226, Page 538 which is shown as Neptune Road on the above referenced Beachmont Plans, Sheets S-1 and S-2, recorded at said Registry in Plan Book 358, Pages 26 and 27.

AGENDA ITEM #9127

Discussion with Action: Approve the quote from Eastern Industrial for the purchase of a Schneider VFD in the amount of \$5,425.47 from account #20161-50330 Wastewater Equipment Replacement with a balance of \$44,095.00.

Chair: Shawn O'Neill

PURCHASE ORDER REQUEST FORM

Date: 10/14/26

Department: WASTE WATER

Vendor #: 5025 (is vendor active in Munis? If not a vendor packet needs to be completed prior to requesting PO)

Vendor Name: EASTERN INDUSTRIAL

Account (Org/Obj): 20161-50330

Current Account Balance: \$ 44095.66

Amount Requested: \$ 5425.47

- Copies of quotes if required, are they attached? Yes ☐ No ☐
- Copies of bids if required, are they attached? Yes ☐ No ☐
- Items to purchase \$5000 and over approved by Council? Yes ☐ No ☐
 - Agenda Item # _____
 - Date approved _____

General Description: REPLACE VFD FOR DUNEGRASS 100 PER TIM EMERGENCY REPLACEMENT

Estimate, Quote or Itemized list included (enter items on attached table): Yes ☒ No ☐

- Quantity
- Cost for each
- Description of item
- Freight charge

David Jones

Department Head Signature

10/14/26

Date



Eastern Industrial Automation
30 Thomas Drive
Westbrook, ME 04092
USA
207-780-6610

QUOTATION

Order Number	
3812159	
Order Date	Page
10/13/2026 09:59:12	1 of 1

Quote Expires On: 11/12/2026

Bill To:

Town of Old Orchard Beach
One Portland Ave
Old Orchard, ME 04064
USA

207-934-5714

Ship To:

Town of Old Orchard Beach
Wastewater Treatment Plant
Manor Rd
Old Orchd Bch, ME 04064
USA

Requested By: David Jones

Customer ID: 110694

PO Number					Taker	Ship Via		
					KAPT	UPS (Small Package) Prepay & Add		
Quantities					Item ID Item Description	Pricing UOM Unit Size	Unit Price Req Date	Extended Price
Ordered	Allocated	Remaining	UOM Unit Size	Disp.				
1.00	0.00	1.00	EA		SCH ATV630D37M3	EA	5,425.4714	5,425.47
				1.0	Atv630 Ip21 37Kw 200V-240V	1.0	10/13/2026 00:00:00	

Total Lines: 1

SUB-TOTAL: 5,425.47

TAX: 0.00

Prices are subject to change and surcharges without noting, in the event of unforeseen material cost increase, due to the temporary Tariff Trade Act

AMOUNT DUE: 5,425.47

U.S. Dollars



Outlook

Re: VFD

From Josiah Whitish <jwhitish@easternia.com>

Date Tue 10/13/2026 11:26 AM

To David Jones <djones@oobmaine.com>

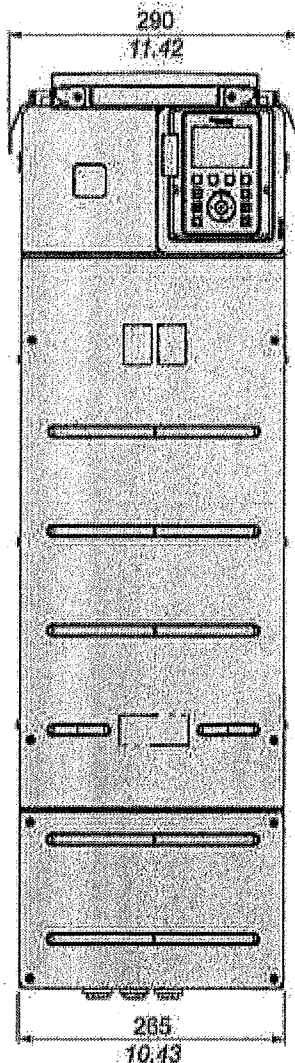
Cc Ken Bergeron <kbergeron@easternia.com>; Kevin Apt <kapt@easternia.com>

Dave,

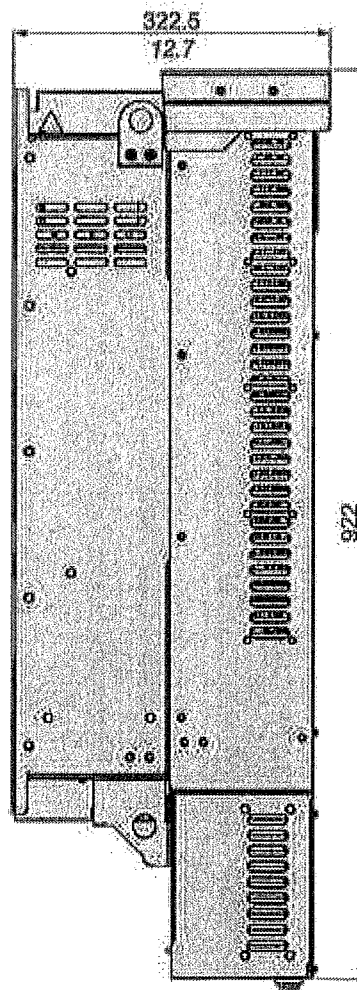
Below are the drawings for the drives.

Schneider: ATV630D37M3

mm
in.



mm
in.



Dunegrass 100

Toshiba VFD #2

13 inches deep

22 inches high

17.5 inches wide

Electrical cabinet
inside size

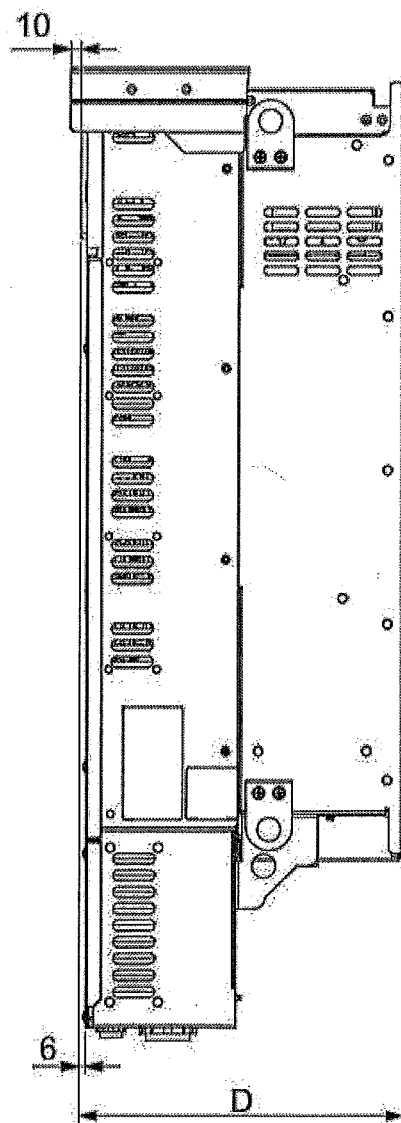
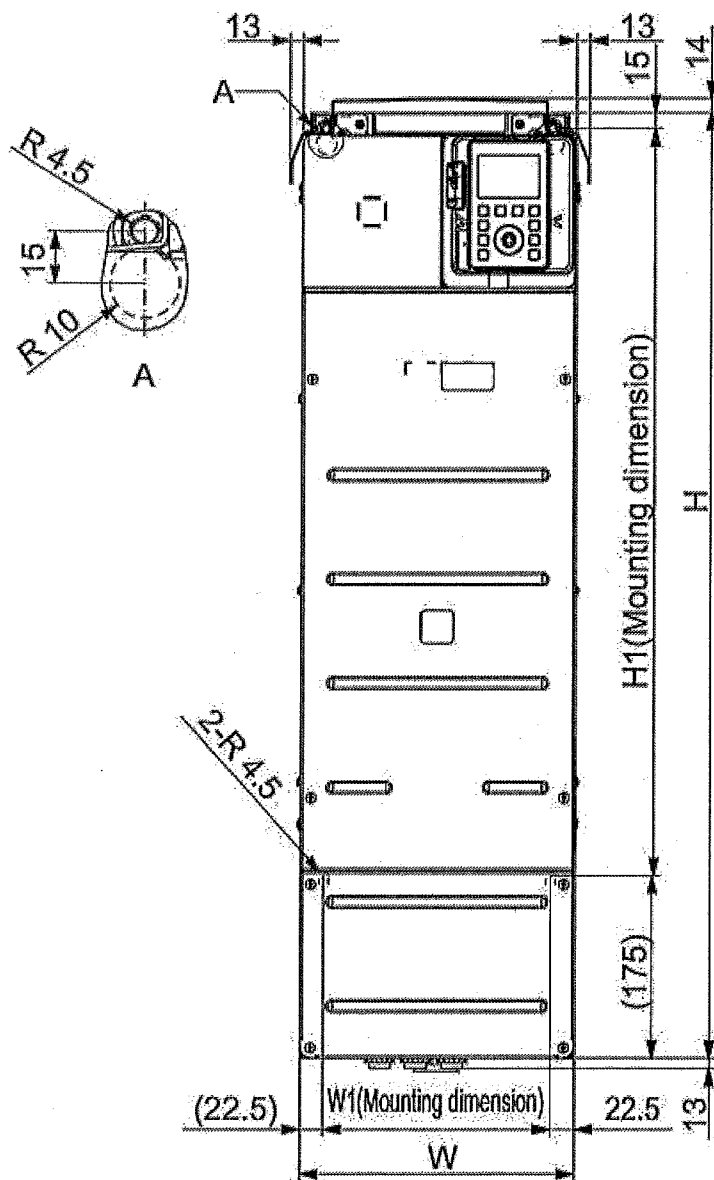
45 inches high

17 inches deep

51 inches wide

Toshiba: VFAS3-2300P

Input voltage Class	Applicable motor capacity (kW)	Inverter type		Dimension (mm)					Frame Size	Approx. mass (kg)
				W	H	D	W1 ¹⁾	H1 ¹⁾		
3-phase 240 V	0.4	VFAS3	2004P	130	326	202	102	283	A1	4.3
	0.75		2007P							4.3
	1.5		2015P							4.5
	2.2		2022P							4.6
	4.0		2037P	155	391.5	231	125	324	A2	7.7
	5.5		2055P	195	534.5	232	168	460	A3	13.8
	7.5		2075P							13.8
	11		2110P	210	660	268	174	570	A4	27.3
	15		2150P							27.3
	18.5		2185P							27.3
	22		2220P							57.6
	30		2300P	265	908	313	220	718	A5	57.6
	37		2370P	300	850	383	255	820	A6	57.6
	45		2450P							82
	55		2550P							82



QUOTATION



Eastern Industrial Automation
30 Thomas Drive
Westbrook, ME 04092
USA
207-780-6610

Order Number	
3812263	
Order Date	Page
10/13/2026 11:31:21	1 of 1

Quote Expires On: 11/12/2026

Bill To:

Town of Old Orchard Beach
One Portland Ave
Old Orchard, ME 04064
USA

207-934-5714

Ship To:

Town of Old Orchard Beach
Wastewater Treatment Plant
Manor Rd
Old Orchd Bch, ME 04064
USA

Requested By: David Jones

Customer ID: 110694

PO Number					Taker	Ship Via			
					KAPT	Best Way - Prepay and Add To Invoice			
Quantities					Item ID	Pricing	Unit	Extended	
Ordered	Allocated	Remaining	UOM	Unit Size	Item Description	UOM	Price	Price	
1.00	0.00	1.00	EA		TOS VFAS3-2300P	EA	5,268.2000	5,268.20	
				1.0	ASD.VFAS3	1.0	10/13/2026 00:00:00		

Total Lines: 1

SUB-TOTAL: 5,268.20

TAX: 0.00

Prices are subject to change and surcharges without noting, in the event of
unforeseen material cost increase, due to the temporary Tariff Trade Act

AMOUNT DUE: 5,268.20
U.S. Dollars

AGENDA ITEM #9128

Discussion with Action: Cancel the November 3rd, 2026 Town Council Meeting.

Chair: Shawn O'Neill

Executive Session: The Town Council will be holding an Executive Session for the discussion or consideration of the employment, appointment, assignment, duties, promotion, demotion, compensation, evaluation, disciplining, resignation or dismissal of an individual or group of public officials, appointees or employees of the body or agency under Title 1 M.R.S.A. Section 405 (6) (A), and the Council anticipates that the discussion will be held in executive session.

ADJOURNMENT

Chair: Shawn O'Neill