



Town Council - Meeting Agenda

October 6th, 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:

ACCEPTANCE OF MINUTES:

Accept the minutes from the 9/15/2026 Town Council Meeting.

Chair: Shawn O'Neill

PUBLIC HEARING:

Public Hearing: 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: Schedule Public Hearing
DATE: TBD

On _____ 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.
 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 flacking 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.

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.

The town attorney reviewed the warranty deed and suggested a few changes. The suggestions were sent to the applicant. Updates are pending.

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.

PUBLIC ROAD/INFRASTRUCTURE ACCEPTENCE PROCEDURE (2025)

A. Applicant submits road acceptance application.

An applicant completes a letter of intent, road acceptance application, prepares other materials (e.g., warranty deed, as-built plans, inspection reports, etc.) and submits to the town planner or public works director.

B. Town prepare acceptance item checklist and submit to town departments, engineer and attorney.

The town planner or public works director prepares an acceptance item checklist and submits this along with all application materials submitted by the applicant to town departments, engineer and attorney. Departments may alter items identified in checklist.

C. Town department review.

Each town department will review, report their findings and make recommendations. If a department has no comment or is satisfied with the proposal, they will sign off on the proposal. This will be submitted to town planner or public works director.

D. Town engineer review.

The town requests the town engineer inspect the road, review the application and report their findings and recommendations. This will be submitted to town planner or public works director.

E. Town attorney review.

The town requests the town attorney review the deeds and any other documentation and report their findings. This will be submitted to town planner or public works director.

F. Town department, engineer, attorney comments submitted to applicant.

Once all comments are received and inspections complete, the town planner or public works director will forward all comments to the applicant. The applicant will have the opportunity to address comments and submit additional or revised materials if they choose.

G. Review applicant's response to comments and departments provide follow-up recommendations.

Once the town planner or public works director receives the applicants' response or if they chose not to respond, the response and revised submissions will be forwarded to departments, engineer and attorney for their review. If a department is satisfied with the revised submission, they will sign off on the proposal. If a department is not satisfied, they will state the reasons why.

H. Submission to town manager for Council review.

All information received from the applicant, departments, engineer, and attorney will be submitted to the town manager. The town manager will prepare materials for Council review.

I. Council review procedure.

- **Workshop.** The road acceptance proposal may be placed on the Council's agenda as a workshop item. The applicant will present their proposal. Departments will report their findings and recommendations. The Council should determine what they are willing to accept at this meeting. The Council may request additional information. The applicant and/or department will be responsible for any follow-up requests by the Council
- **Discussion.** If a workshop is held, after completion of the worksho the proposal will be placed on Council agenda as a discussion item. The applicant will provide an update. Departments will provide an update. The Council may request additional information before acting on acceptance. The Council may choose to schedule a public hearing.
- **Public Hearing (if held).** After "discussion" the Council may choose to schedule a "public hearing". Property owners abutting the roads proposed for acceptance will be notified and allowed to comment on the proposal. The applicant shall mail notice of the public hearing with 10 days of the public hearing being held.
- **Discussion with Action.** After the "public hearing" or after "discussion" (if public hearing not scheduled) the road acceptance proposal will be scheduled for Council consideration as a "discussion with action" agenda item. The Council will typically make a ruling on the road acceptance proposal at this time.

J. After acceptance.

- Within 30 days of acceptance, the applicant will file the appropriate documents in the York County Registry of Deeds and provide copies of the filing to the town clerk, public works director and town planner.
- If additional documentation is required (e.g. signed maintenance agreement) it shall be submitted to the town planner with 30 days of acceptance.

Additional Information:

In order to increase the chance of a favorable recommendation, the applicant should ensure the following is done:

- Submissions meet applicable standards in OOB Code of Ordinances, Chapter 50, Division 4 “Improvements”, Secs. 50-206 – 50-213.
- Final pavement surface installed on all roads.
- Sidewalks are complete.
- All onsite improvements required by the planning board are complete.
- All offsite improvements required by the planning board are complete.
- All stormwater systems are complete and properly functioning.
- All final grades and final vegetation within the right-of-way are complete and vegetation is established.
- All water systems and hydrants have been tested and are properly functioning. Provide documentation.
- All construction debris and equipment are removed from the right-of-way.
- Copies of construction material testing (e.g., soil compaction and strength tests; asphalt mix verifications, batch plant testing).
- Copies of analysis of sub base and base materials.
- If public sewer installed, copies of vacuum testing of manhole covers and pressure testing.
- Copies of town engineer inspections and sign offs.
- All signage installed and roads are striped.
- Full set of as-built plans.
- Copies of HOA or condo association rules.
- Copies of planning board, zoning board, department of environmental protection and any other local and state approvals.
- Copies of drainage, utility and/or other easements (ensure this is included with deed).
- No outstanding code or fire violations or enforcement matters.

TOWN OF OLD ORCHARD BEACH

Current Planning Services: ROADWAY ACCEPTANCE APPLICATION

Page 1 of 3

Application Fee is \$150.00

Date Received: May 28 2026

Application Fee PAID: \$ 5/28/2026

Application and Submittal Requirements

This application and all accompanying submittals shall conform to the minimum standards and provisions of the Old Orchard Beach Zoning Ordinance.

Street Name: NEPTUNE ROAD / DOLPHIN AVE

Type of Street: ☐ Arterial
☒ Collector
☐ Minor
☐ Industrial/Commercial

[See Subdivision Ordinance Section 74-308
for Street Classifications and Section 74-309
for Design Standards.]

The following items have been submitted for review:

- ☒ Abutter's List (lots adjacent to and bounded by the proposed street)
- ☒ Plat Map, if applicable, as recorded in York County Registry of Deeds after August 15, 1967
- ☒ Plan and Profile Sheets
- ☒ Plan Map, if applicable, as recorded in York County Registry of Deeds after August 15, 1967

It is proposed that the Street be **Accepted** upon dedication as follows:

- ☒ Owners of a majority of the abutting lots shall convey their interest to the Town without claim for damages.
- ☒ Owners of Fee Interests shall convey their interests by Warranty Deed to the Town
- ☐ Owners of less than Fee Interests shall convey their interests by Quitclaim Deed with Covenant.

OR, It is proposed that the Street be **Taken** as follows:

- ☐ Owners of a majority of the abutting lots shall Petition the Town Council in writing to lay out and take the Street and in said Petition shall waive any damages otherwise payable to them as a result of the Taking.

OOB Planning Department

One Portland Avenue, Old Orchard Beach, ME 04064 Phone 207-934-5714 Fax 207-934-5011

TOWN OF OLD ORCHARD BEACH

Current Planning Services: ROADWAY ACCEPTANCE APPLICATION

Page 2 of 3

Application and Submittal Requirements

Submit plans of the proposed street as it will be constructed after it has been Accepted or Taken.

Submit a Plot Plan that includes or meets the following criteria:

- | | |
|---|---|
| ☒ Drawing scale is 1" = 40' (max) | ☒ North Arrow |
| ☒ Plans sheets of 24" x 36" | ☒ Lot Areas |
| ☒ Ownership of adjoining subdivisions | ☒ Lot Dimensions at ROW lines |
| ☐ Ownership of Adjoining lots | ☒ Passageways |
| ☒ Buildings | ☒ Street Lights and Lines |
| ☐ Building Stationing | ☐ Topography (USGS Vertical Datum) |
| ☒ Water Ways | ☒ Contours (not to exceed 5' int'l intervals) |
| ☒ Natural Drainage Courses | ☒ Bearing, Distances & Angles of Street ROW |
| ☐ | ☒ Boundary Monuments |

Submit a Profile Plan that includes or meets the following criteria:

- | | |
|---|---|
| ☒ Drawing scale is 1" = 50' (max) with corresponding vertical scale of 1" = 10' (max) | |
| ☒ Profile shows street centerline | ☒ Plan shows abutting buildings |
| ☒ Street cross sections - Horiz. Scale: 1" = 5' (max); Vert. Scale: 1" = 1' (max) | |

Location of all existing and proposed:

- | | |
|---|---|
| ☒ Water Mains | ☒ Storm Drains |
| ☐ Sanitary Sewer Mains - SEPTIC | ☐ Gas Mains - TRANSIT |
| ☒ Culverts | ☒ Underdrains |
| ☒ Underground Utilities | ☒ All associated building connections |

COB Planning Department

One Foreland Avenue, Old Orchard Beach, ME 04064 Phone 207.934.5714 Fax 207.934.5911

TOWN OF OLD ORCHARD BEACH

Current Planning Services: ROADWAY ACCEPTANCE APPLICATION

Page 3 of 3

Application and Submittal Requirements

Prior to the Acceptance or Taking by the Town Council, a majority of the abutting Lot Owners shall petition the Town Council to construct or make required improvements to the Street. Said petition shall include:

- ☐ an Agreement to pay their (Owner's/Petitioner's) just portion of the cost to construct the Street
- ☐ a cost estimate (reviewed and approved by OOB Public Works Director) of cost to construct the Street

Owner's/Petitioners shall submit the following:

- ☒ An Agreement signed by the majority of the abutting property owners that appoints an "Owner/Petitioner Representative" to act as Agent for this Application

This Application shall comply with the most recent versions of:

1. The Town of Old Orchard Beach, Maine Subdivision Review Standards ARTICLE 5 - STREET DESIGN AND CONSTRUCTION STANDARDS
2. Ordinance Governing Acceptance of Proposed Streets and Assessment of Costs
3. Zoning Ordinance of the Town of Old Orchard Beach

Submit 18 copies of the Application and Documents to OOB Planning Department

Verify submittal deadlines with the OOB Planning Department

Attach a check payable to the Town of Old Orchard Beach for Application fees

ALL DOCUMENTS MUST BE DELIVERED TO THE PLANNING DEPARTMENT BY 4:00 PM ON THE DATE SPECIFIC TRAINING IS WILL BE PROVIDED

The Undersigned hereby makes application to the Town of Old Orchard Beach for Acceptance of the Street and declares the foregoing documents to be true and accurate to the best of his/her knowledge


Owner/Petitioner Representative

May 28th 2026
Date

OOB Planning Department

One Portland Avenue Old Orchard Beach, ME 04064 Phone: 207 934 5714 Fax: 207 934 5811

MISCELLANEOUS PAYMENT RECPT#: 692993
TOWN OF OLD ORCHARD BEACH
1 PORTLAND AVE.

OLD ORCHARD BEACH, ME 04064

DATE: 05/28/26 TIME: 10:46:32
CLERK: amcgee DEPT:
CUSTOMER#:

COMMENT: (ROAD ACCEPTANCE)

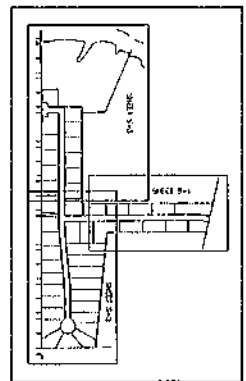
CHG: PLREV PLANNER FEES 150.00

AMOUNT PAID: 150.00

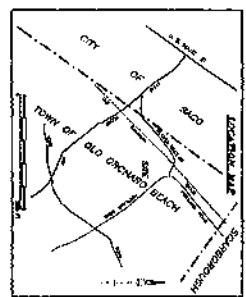
PAID BY: BRIAN HANNON
PAYMENT METH: CHECK
 225

REFERENCE: BRIAN HANNON

AMT TENDERED: 150.00
AMT APPLIED: 150.00
CHANGE: .00



GRAPHIC SCALE
(2x FEET)
1 inch = 60 ft.

[illegible][illegible]

SEE SHEET S-1

LEGEND

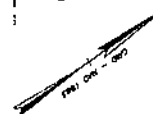
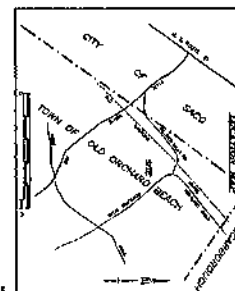
1. SEE SHEET 1 FOR ADDITIONAL NOTES AND LEGEND.

OLD

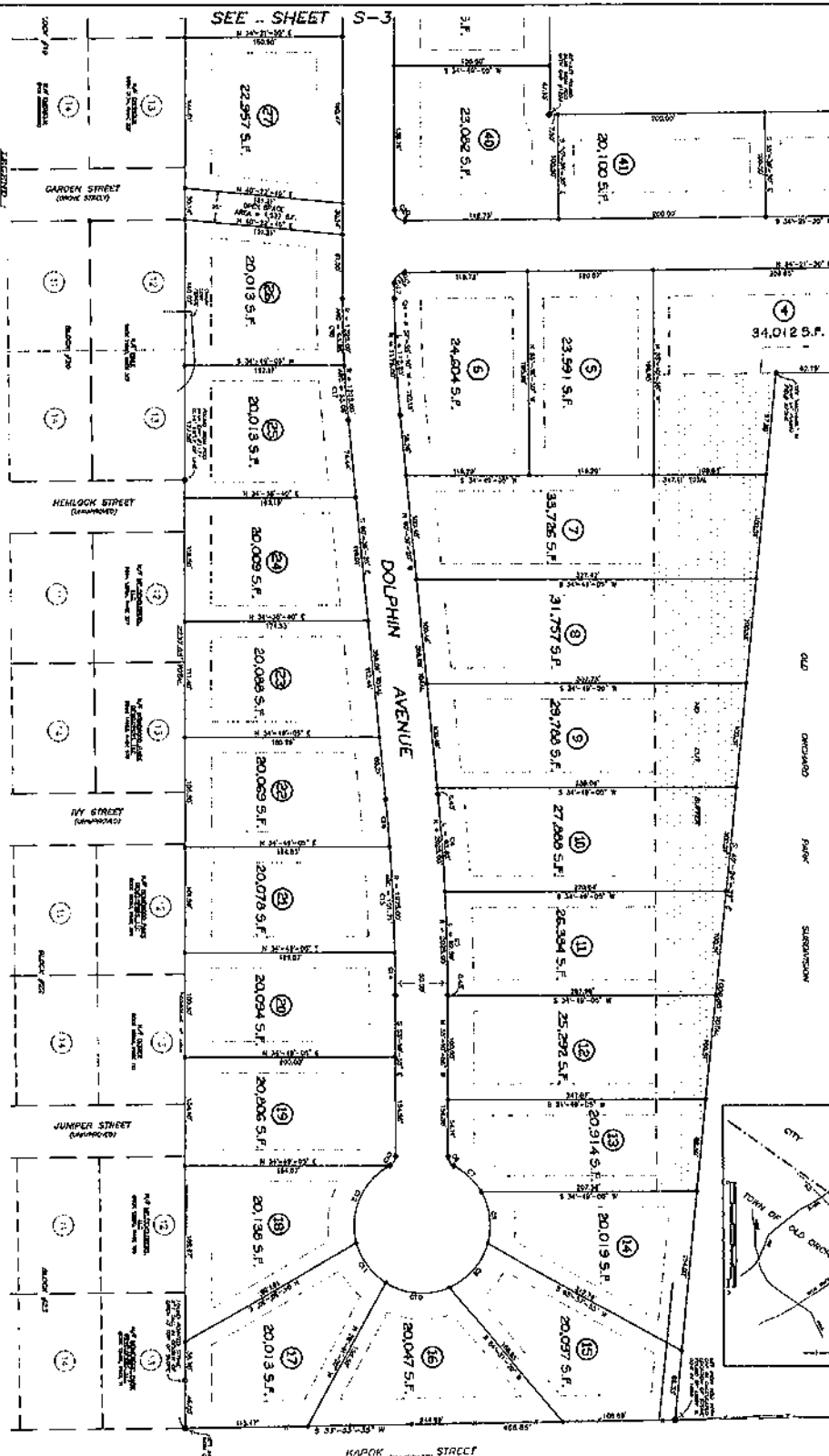
ORCHARD

PARCELS

SUBDIVISION

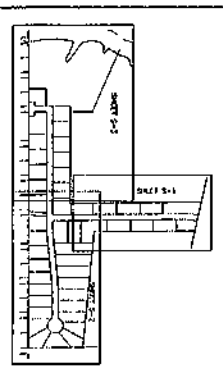


SEE SHEET S-3



GRAPHIC SCALE

Lot No.	Area (S.F.)	Area (Acres)
1	20,100	.46
2	23,591	.54
3	24,004	.55
4	34,012	.78
5	23,591	.54
6	24,004	.55
7	23,591	.54
8	24,004	.55
9	23,591	.54
10	24,004	.55
11	23,591	.54
12	24,004	.55
13	23,591	.54
14	24,004	.55
15	23,591	.54
16	24,004	.55
17	23,591	.54
18	24,004	.55
19	23,591	.54
20	24,004	.55
21	23,591	.54
22	24,004	.55
23	23,591	.54
24	24,004	.55
25	23,591	.54
26	24,004	.55
27	23,591	.54



Lot No.	Area (S.F.)	Area (Acres)
1	20,100	.46
2	23,591	.54
3	24,004	.55
4	34,012	.78
5	23,591	.54
6	24,004	.55
7	23,591	.54
8	24,004	.55
9	23,591	.54
10	24,004	.55
11	23,591	.54
12	24,004	.55
13	23,591	.54
14	24,004	.55
15	23,591	.54
16	24,004	.55
17	23,591	.54
18	24,004	.55
19	23,591	.54
20	24,004	.55
21	23,591	.54
22	24,004	.55
23	23,591	.54
24	24,004	.55
25	23,591	.54
26	24,004	.55
27	23,591	.54

APPROVED BY: *[Signature]*
 DATE: 11/12/12
 TOWN OF OLD ORCHARD BEACH PLANNING BOARD

Dow & Coulombe, Inc.
 Land Surveyors & Land Planners

19 Park Street, Suite 100, Old Orchard Beach, ME 04072
 Telephone: 207-284-4551 • Fax: 207-284-4552



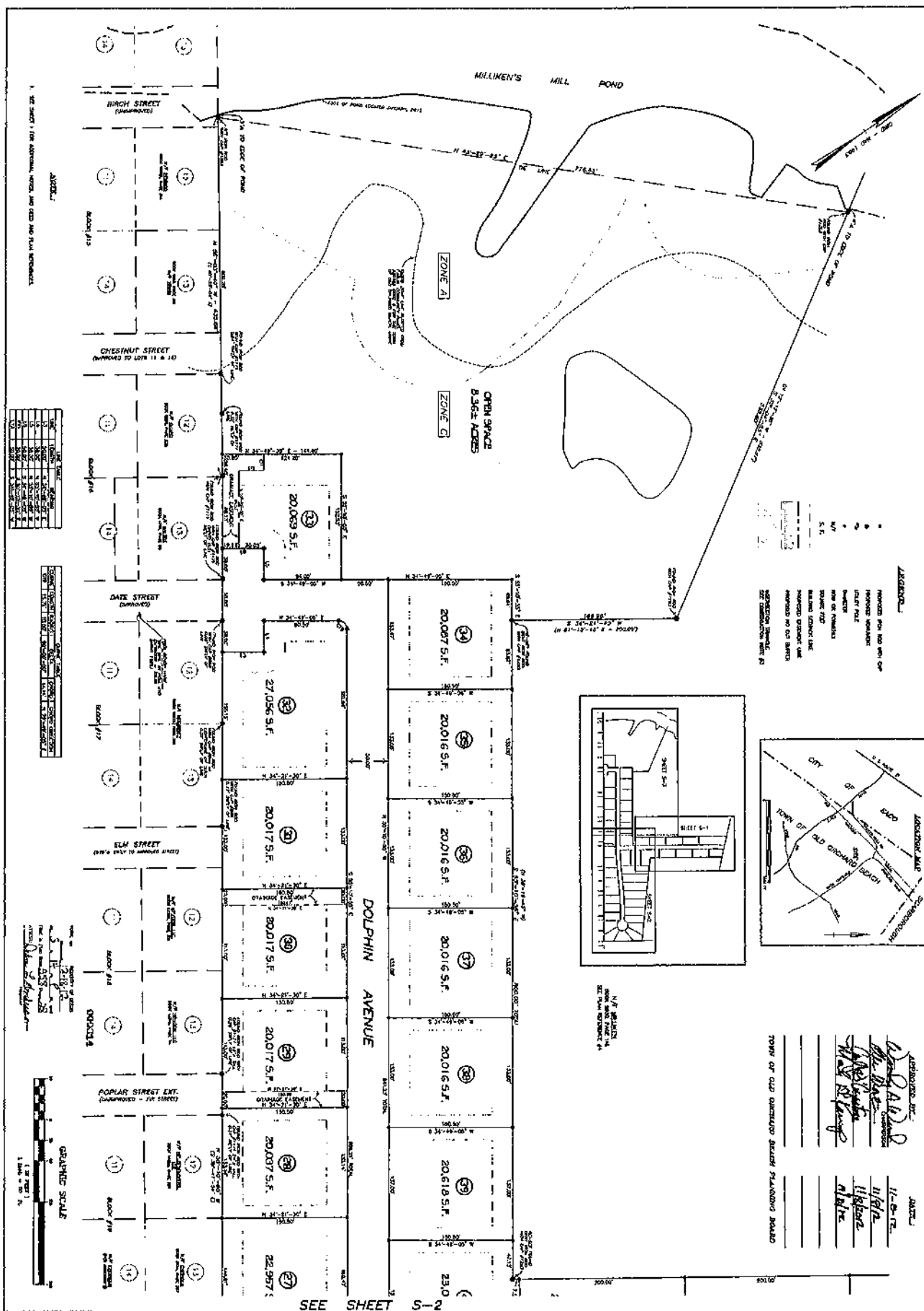
FINAL PLAN SHOWING
BEACHMONT SUBDIVISION
 A RESIDENTIAL SUBDIVISION BY BEACHMONT DEVELOPMENT, LLC
 (HARDY ADDRESS: P. O. BOX 712, WATERBURY, VT 05671)
 PARCEL LOCATED AT PORTLAND AVENUE (HARDY'S HILL ROAD)
OLD ORCHARD BEACH MAINE



No.	Revision	Date
1	1	11/12/12

SHEET S-2

ZONE-27



Dow & Coulombe, Inc.
Land Surveyors & Land Planners

13 Park Street, Baku, MC 04072
Telephones: 807-284-4621 • Fax: 807-284-6022



FINAL PLAN SHOWING
BEACHMONT SUBDIVISION
A RESIDENTIAL SUBDIVISION BY BEACHMONT DEVELOPMENT, LLC
(MAILING ADDRESS: P. O. BOX 772, WATERBURY, ME 05671)
PARCEL LOCATED AT PORTLAND AVENUE (HILBREN'S 1721 ROAD)
OLD ORCHARD BEACH MAINE



No.	Revision	Date
1.	REMOVE GRAPHIC ELEMENTS AND ADD REVISIONS AND REVISIONS FOR COMPLETION AND TYPING DATE: 11-11-11	11-11-11
2.	REMOVE GRAPHIC ELEMENTS AND ADD P.L. AND REVISIONS AND DATE: 11-11-11	11-11-11

Date: May 28 2024

Town of Old Orchard Beach
 Town Manager's Office
 1 Portland Avenue
 Old Orchard Beach, ME 04064

RE: Letter of Intent – Beachmont HOA Road Acceptance Application

Dear Town Manager and Members of the Town Council:

On behalf of the Beachmont Homeowners Association, I am writing to formally notify the Town of Old Orchard Beach of our intent to initiate a proposal for the acceptance of Neptune Road and Dolphin Ave. into the town's road maintenance system.

Background

The Beachmont HOA represents 44 property owners located on Neptune Road and Dolphin Ave. Our community's roads, totaling approximately .5 miles, have been privately maintained by the association since 2016. The road(s) serve as the primary access route for all residents within our development.

Purpose of Application

We are initiating this road acceptance application to request that the Town of Old Orchard Beach assume responsibility for the maintenance, repair, and winter plowing of the following road(s):

- Neptune Road, Dolphin Ave.

Next Steps

We understand that the road acceptance process requires compliance with the Town's road acceptance standards and ordinances. Our association is committed to working cooperatively with the Town throughout this process, including:

- Providing all required documentation and surveys
- Addressing any deficiencies identified during the town's assessment
- Completing any necessary improvements to bring the road(s) to town standards
- Meeting all requirements outlined in the Town's road acceptance policy

Contact Information

Please direct all correspondence regarding this matter to:

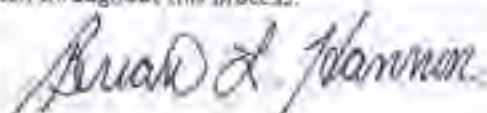
009

Brian L. Hannon & Donna Schlieper
President & Secretary, Beachmont HOA Board of Directors
PO Box # 40 Old Orchard Beach Maine 04064
781-922-3245

Beachmont Homeowners Association & Beachmont Condominium Association

We appreciate your consideration of this request and look forward to working with the Town of Old Orchard Beach throughout this process.

Sincerely,



Brian L. Hannon
President, HOA Board of Directors
Beachmont HOA

On Behalf of the Board:

Donna Schlieper - Secretary
Dan Bellemare - Treasurer
Rick Lyonn - Advisor
Sam Cushing - Advisor

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 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 and will maintain, except for snow removal 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 May 2026.

Beachmont Homeowners Association

Witness By: _____
Its President

STATE OF MAINE

COUNTY OF YORK, ss.

May_____, 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°-55'-10" East, a distance of 188.57 feet;

Thence, South 55°-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°-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°-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°-16'-25" West, a distance of 10.33 feet;

Thence, North 55°-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°-55'-10" West, a distance of 193.34 feet;

Thence, North 60°-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°-55'-10" West, a distance of 112.19 feet;

Thence, North 55°-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.

DLN: 1002040124144

QUITCLAIM DEED
With Covenant

KNOW ALL PERSONS BY THESE PRESENTS, THAT **Beachmont Land Development, LLC** (the "Grantor"), a Maine Limited Liability Company with a place of business in Saco, Maine, for consideration paid, hereby GRANTS unto **Beachmont Homeowners Association**, a Maine non-profit corporation with a mailing address of 840 Portland Avenue, Saco, Maine 04072 (the "Grantee"), its successors and assigns forever, with QUITCLAIM COVENANT, certain real property and any improvements thereon as more particularly described on the Exhibit A attached hereto and incorporated herewith.

IN WITNESS WHEREOF, the said **Beachmont Land Development, LLC** has caused this instrument to be executed in its corporate name by David Alves, its Manger, thereunto duly authorized, this 30th day of October 2020.

Signed, Sealed and Delivered
in the Presence of:

Beachmont Land Development, LLC

David Alves
By: David Alves
Its: Manager

STATE OF MAINE
YORK, ss.

October 30th, 2020

Then personally appeared the above named David Alves the Manager of **Beachmont Land Development, LLC**, and acknowledged the foregoing instrument to be his free act and deed in his said capacity, and the free act and deed of said limited liability company.

Before me,

Pauline F. Weiss
Attorney At Law/Notary Public
Printed Name Pauline F. Weiss
My Commission Expires: 03/12/2021



No Transfer Tax

Exhibit A
Beachmont Subdivision
Old Orchard Beach, Maine
COMMON AREAS & ROADS

Four certain lots or parcels of land, together with any improvements thereon, located near Neptune Road and Dolphin Avenue, in the Town of Old Orchard Beach, County of York and State of Maine, being: (i) the two Open Space lots shown on a plan entitled "Final Plan Showing Beachmont Subdivision Old Orchard Beach, Maine (Sheet S-1)" dated August 28, 2012, made by Dow & Coulombe, Inc. and recorded at the York County Registry of Deeds in Plan Book 358, Page 26 (the "Sheet 1 Subdivision Plan"); (ii) the one Open Space lot shown on a plan entitled "Final Plan Showing Beachmont Subdivision Old Orchard Beach, Maine (Sheet S-2)" dated August 23, 2012, made by Dow & Coulombe, Inc. and recorded at the York County Registry of Deeds in Plan Book 358, Page 27 (the "Sheet 2 Subdivision Plan"); and (iii) the Open Space lot shown on a plan entitled "Final Plan Showing Beachmont Subdivision Old Orchard Beach, Maine (Sheet S-3)" dated August 23, 2012, made by Dow & Coulombe, Inc. and recorded at said Registry in Plan Book 358, Page 28 (the "Sheet 3 Subdivision Plan" and together with the Sheet 1 Subdivision Plan and the Sheet 2 Subdivision Plan, the "Beachmont Subdivision Plans").

Also two certain private rights of way or private roads commonly known as Neptune Road and Dolphin Avenue and shown on the Beachmont Subdivision Plans as "Neptune Road" and "Dolphin Avenue".

Being a portion of land described in the deed from John C. Andrews Jr., Trustee of the Janice M. Andrews Trust to Beachmont Land Development, LLC dated December 16, 2011 and recorded at said Registry in Book 16226, Page 538.

The above property is conveyed subject to and together with: (a) all easements, restrictions, conditions, and other matters shown on the Subdivision Plan and contained in the Town Subdivision Approval evidenced by such Subdivision Plan (the "Subdivision Approval") and also the terms and conditions of any state or federal land use permits and approvals relating thereto; and (b) all easements, terms, and conditions relating to said property as set forth or referenced in the Declaration of Restrictive Covenants for Beachmont Homeowners Association, Old Orchard Beach, Maine, dated August 30, 2013 and recorded on September 5, 2013, in the York County Registry of Deeds in Book 16689, Page 307, as amended by instrument dated December 13, 2018 and recorded in the York County Registry of Deeds in Book 16750, Page 604, as same may be further amended (the "Declaration").

Without limiting the terms of the foregoing, the above property is also subject to the following:

- a) Plans. All terms, easements, rights, restrictions, drainage and other easements as depicted on the Subdivision Plan. Additionally, the Property is further subject to the terms and conditions of the Site Plan approval, regardless of whether such terms and conditions are expressly referenced herein or recorded in the Registry of Deeds.
- b) Environmental Permits, Septic Requirements. The property is subject to the terms and

conditions of a certain environmental permit No. L-25698-L3-A-N dated November 19, 2012, and granted by the State of Maine Department of Environmental Protection (the "DEP") pursuant to the Maine Site Location of Development Law and Stormwater Management Law, all as more particularly described in said permit (the "DEP Permit"), which DEP permit is recorded in the York County Registry of Deeds in Book 16476, Page 735. Without limiting the foregoing, and as more particularly provided in the DEP Permit, all of the Property and the individual Lots are SUBJECT to certain requirements, terms, and restrictions relating to septic facilities serving the Lots, as affected by the Department of Environmental Protection Minor Amendment Condition compliance, recorded in said Registry of Deeds in Book 16759, Page 298. Reference is also made to DEP Order recorded in Book 16641, Page 715

OLD ORCHARD BEACH PLANNING BOARD

Cluster Subdivision and Shoreland Zoning

FINDINGS OF FACT

Beachmont Land Development LLC – Beachmont Subdivision

Project Description:

This proposal is to create and develop a 44-lot cluster subdivision for single family detached homes. The cluster layout will provide a minimum lot size of 20,000 sq. ft. with 100 feet of frontage (except along the cul-de-sac). Homes will be served by public water and individual septic systems on each lot. Internal roadways will be constructed to town subdivision standards. Power, cable and telephone service will be underground. Stormwater will be collected in a curb and catch basin system and piped to infiltration ponds. The subdivision is located at Portland Avenue, MBL: 103-1-30, in the Rural District and Stream Protection Shoreland Zoning District. Beachmont Land Development, LLC.

Planning Board Review:

WHEREAS the applicants submitted sketch plans and a pre-application for a cluster subdivision and shoreland zoning proposal to the Planning Department on January 27, 2012 and February 27, 2012;

WHEREAS sketch plan and pre-application was reviewed by the Planning Board on February 9, 2012 and March 8, 2012;

WHEREAS the application was determined complete on May 10, 2012;

WHEREAS the Planning Board conducted preliminary plan review on May 10, 2012, July 12, 2012, August 9, 2012, September 13, 2012;

WHEREAS the Planning Board conducted a site walk on June 7, 2012;

WHEREAS the Planning Board held a public hearing on July 12, 2012;

WHEREAS the applicant submitted a final plan set and application material on September 28, 2012;

WHEREAS the Planning Board conducted final review and granted cluster subdivision and shoreland zoning approval with conditions on October 11, 2012.

Referenced Plans and Documents:

The Record Plans and Profiles and other documents considered to be part of the approval by the Planning Board in this ruling consist of the following:

Exhibit A: Sketch plan and written proposal description by Blais Civil Engineers (Blais) dated January 27, 2012.

Exhibit B: Revised sketch plan by Blais, preliminary soil testing by Tooth & Associates, LLC and Traffic Assessment Study by William Bray in packet dated February 27, 2012.

Exhibit C: Traffic Assessment Study by William Bray dated February 22, 2012.

Exhibit D: Formal Cluster Subdivision and Shoreland Zoning Application and associated materials by Blais, Tooth & Associates and William Bray dated April 23, 2012.

Exhibit E: Full plan set by Blais dated April 23, 2012.

Exhibit F: Soil narrative report by Tooth & Associates LLC dated May 22, 2012.

Exhibit G: Stormwater management report by Blais dated May 22, 2012.

Exhibit H: Document packet by Blais dated July 13, 2012 including the following: revised soil narrative report by Tooth & Associates LLC; Groundwater narrative by Tooth & Associates LLC dated May 16, 2012; Stormwater management plan by Blais; Declaration of Restrictive Covenants for Beachmont Home Owners Association by Blais.

Exhibit I: Revised plan set by Blais dated July 10, 2012.

Exhibit J: Document packet by Blais dated August 1, 2012 including the following: Feasibility Study for Individual Septic Systems by Tooth & Associates dated July 17, 2012; Memo by Blais regarding municipal department heads comments dated August 1, 2012; Draft Home Owners Association Documents and offers of cession by Blais; Revised stormwater management plan by Blais.

Exhibit K: Revised plans "C-101" and "C-304" by Blais dated August 1.

Exhibit L: Document packet by Blais dated August 31, 2012 including the following: HHE-200 septic system designs by Tooth & Associate; Revised stormwater management report by Blais dated 30 August.

Exhibit M: Revised plan set by Blais dated August 30, 2012.

Exhibit N: Document packet by Blais dated September 28, 2012 including the following: Anticipated impacts to town services report by Blais dated September 28, 2012; Letter concerning watertable elevation by Sweet Associates dated September 27, 2012; Revised offer of cession; Performance Guarantee Worksheet by Blais dated September 27.

Exhibit O: Revised plan set by Blais dated September 28, 2012.

Exhibit P: Revised Declaration of Easements, Restrictions and Covenants for Beachmont Subdivision by Blais dated October 9, 2012.

Exhibit Q: Mylars with last revision date of October 10, 2012 by Dow and Coulombe.

Subdivision

NOW THEREFORE, pursuant to the Old Orchard Beach Zoning Ordinance, the Planning Board, in due consideration of this application, has determined the following facts, per Sec. 74-2.:

To ensure the comfort, convenience, safety, health and welfare of the people; to protect the environment; and to promote the development of an economically sound and stable community. To this end, in approving subdivisions within the town, the planning board shall consider the following criteria and before granting approval shall determine the following:

- (1) The proposed subdivision will not result in undue water or air pollution. In making this determination it shall at least consider the following:
 - a. The elevation of the land above sea level and its relation to the floodplains;
 - The site is above sea level and a majority of the land area lies within Zone C of the FEMA flood maps, in areas having no shading on the map, indicating areas of minimal flooding. The northwesterly portion of the property is located within Zone A of the FEMA flood maps; although, there is no proposed development in this area.
 - b. The nature of soils and subsoils and their ability to adequately support waste disposal;
 - The applicant submitted a soils narrative report, soil test pit data, a feasibility study for individual septic systems, a letter concerning watertable elevation, and septic system designs to prove each lot has the ability to accept individual septic systems.

The Planning Board found the applicant acceptably demonstrated that individual septic systems can be placed on each lot and work as well as a common sewer system. Note: the subdivision is not required to connect to the public sewer system because it is further than 1,500 feet away.

- c. The slope of the land and its effect on effluents; and
 - The submitted reports, studies and plans show the slope of the land should not have an effect on effluents.
 - Stormwater management systems are design to treat all stormwater on-site; therefore, there should be no negative impacts to abutting properties or regulated waterbodies.
 - Grading associated with construction of roads, utilities, buildings, and driveways must consider the drainage system and prevent any negative impacts.
 - The stability of the soils and slopes presents no apparent determinant to surrounding water bodies.
- d. The applicable state and local health and water resources regulations;
 - The project requires a stormwater permit by rule through Maine Department of Environmental Protection. The applicant has applied for this permit. This permit must be secured before construction begins
 - The project is within the Stream Protection Shoreland Zoning District; although, no development associated with this project will take place in the District.

(2) The proposed subdivision has sufficient water available for the reasonably foreseeable needs of the subdivision;

- The project will be served by Biddeford-Saco Water Company and will have an adequate supply of potable water for the residents.

(3) The proposed subdivision will not cause an unreasonable burden on an existing water supply, if one is to be utilized;

- The project will not cause an unreasonable burden on existing water supplies as the Biddeford-Saco Water Company has indicated they have the ability to serve the project.

(4) The proposed subdivision will not cause unreasonable soil erosion or reduction in the capacity of the land to hold water so that a dangerous or unhealthy condition may result;

- Proposed Erosion Control Plan meets BMPs as long as they are properly implemented in the field.
- A stormwater management plan has been prepared and if properly implemented, the subdivision will not cause a reduction in the capacity of the land to hold water so that a dangerous or unhealthy condition comes into existence.
- Grading, including finished grades, associated with construction of roads, utilities, buildings, and driveways must consider the overall drainage system and prevent any negative impacts.

- (5) The proposed subdivision will not cause unreasonable highway or public road congestion or unsafe conditions with respect to use of the highways or public roads existing or proposed;
- One direct vehicular access is provided to Beachmont Subdivision via Portland Ave. A second access is provided via Date Street in Homewood Park Subdivision; although, this is limited for emergency access use only. Bollards will be placed at this location.
 - Sight line distances meet minimum standards at all intersections in accordance with applicable Old Orchard Beach Zoning Ordinance standards.
 - When fully built out, Beachmont will generate 44 peak hour trips, considerably less than MaineDOT's standard for a Traffic Movement Permit.
- (6) The proposed subdivision will provide for adequate solid and sewage waste disposal;
- The applicant submitted a soils narrative report, soil test pit data, a feasibility study for individual septic systems, a letter concerning watertable elevation, and septic system designs to prove each lot has the ability to accept individual septic systems. The Planning Board found the applicant acceptably demonstrated that individual septic systems can be placed on each lot and work as well as a common sewer system. All septic system will be designed to handle sewage waste disposal. Note: the subdivision is not required to connect to the public sewer system because it is further than 1,500 feet away.
 - Curb side pickup will be utilized for solid waste disposal.
- (7) The proposed subdivision will not cause an unreasonable burden on the ability of a municipality to dispose of solid waste and sewage if municipal services are to be utilized;
- The proposal will not utilize public sewer; therefore, there will be no additional burden on municipal sewage systems.
 - Curb side pick will be used for solid waste disposal and it should not create an unreasonable burden on the waste hauler.
- (8) The proposed subdivision will not place an unreasonable burden upon local, municipal or governmental services;
- The proposal has been reviewed by public works, waste water department, fire, police, schools, and the water company. The applicant adjusted portions of the proposal to meet department requests.
 - The applicant performed a study to review anticipated impacts to town services which found the town will see an increase on its tax revenue as opposed to a negative financial impact on town services.
 - The roads and sidewalks shall remain private until the Council formally accepts. All snow removal, repair and maintenance will be handled by the Homeowners Association.
- (9) The proposed subdivision will not have an undue adverse effect on the scenic or natural beauty of the area, aesthetics, historic sites or rare and irreplaceable natural areas;
- The applicant contacted the Department of Conservation and Department of Inland Fisheries and Wildlife. They determined the subdivision will not have an undue adverse impact to the scenic or natural beauty, aesthetics, historic sites or rare and

irreplaceable natural areas. The Maine Historic Preservation Commission requested a Phase I archaeological survey which was acceptably performed.

- There are no known historical sites on this property.
- The single-family detached dwellings are compatible with adjacent land uses. The subdivision is designed to be a neighborhood to fit harmoniously within its surroundings.

(10) The proposed subdivision is in conformance with a duly adopted subdivision regulation or ordinance, comprehensive plan, development plan, or land use plan, if any;

- The proposed plan demonstrates consistency with the Rural District and Stream Protection District, the Subdivision Ordinance, and the 1993 Comprehensive Plan.
- Lot sizes can be adjusted because this proposal is a cluster subdivision.
- The Planning Board granted two waivers/modifications:
 - A. Modification to 74-309 (L) allowing one of the two street connections (Date Street) for subdivision ingress/egress to have controlled access via collapsible bollards.
 - B. Waiver of 74-278 (b) (7) allowing the use of individual subsurface wastewater disposal systems rather than a central collection system.

(11) The subdivider has adequate financial and technical capacity to meet the standards stated in subsections (1) through (10) of this section;

- Before development, the applicant shall provide performance assurances based on approved cost estimates.

(12) Whenever situated, in whole or in part, within 250 feet of any pond, lake, river or tidal waters, the proposed subdivision will not adversely affect the quality of such body of water or unreasonably affect the shoreline of such body of water;

- A portion of the projects land is within the Stream Protection Shoreland Zoning District; although, no development or soil disturbance will take place within this area. This area is identified to remain as open space.
- Proposed Erosion Control Plan meets BMPs as long as they are properly implemented in the field.
- A portion of the projects land is within the Zone A of the FEMA flood maps; although, no development or soil disturbance will take place within this area. This area is identified to remain as open space. Development is located in Zone C of the FEMA flood maps indicating areas of minimal flooding
- A stormwater management plan has been completed and proper implementation of the plan should not result in adverse affects to water quality of any pond, lake, river or tidal waters. Grading, including finished grades, associated with construction of roads, utilities, buildings, and driveways must consider the overall drainage system and prevent any negative impacts.

(13) The proposed subdivision will not, alone or in conjunction with existing activities, adversely affect the quality or quantity of groundwater; and

- The proposed stormwater management plan provides Best Management Practices (BMPs) and should not affect the quality or quantity of groundwater as long as it is

properly implemented and the infrastructure is maintained. Grading, including finished grades, associated with construction of roads, utilities, buildings, and driveways must consider the overall drainage system and prevent any negative impacts.

- Both stormwater and subsurface sanitary waste disposal systems will be constructed to meet current state and local environmental and engineering standards.

(14) The proposed subdivision will not unreasonably interfere with access to direct sunlight for solar energy systems.

- There are no existing solar energy systems on the abutting properties. The development location will not unreasonably interfere with solar gain to adjacent parcels. The height of the proposed structures will not interfere with their ability to access direct sunlight.

Subdivision Requirements Waivers (Granted)

- A. Section 74-278 (b) (7): The Planning Board granted a waiver to allow individual septic systems for the following reasons:
- Public sewer is more than 1,500 feet away.
 - The applicant submitted a soils narrative report, soil test pit data, a feasibility study for individual septic systems, a letter concerning watertable elevation, and septic system designs to prove each lot has the ability to accept individual septic systems. The Planning Board found the applicant acceptably demonstrated that individual septic systems can be placed on each lot and work as well as a common sewer system.
 - The soils data show there is adequate soils capacity.
 - The individual subsurface waste water systems will be designed in conformance with the town's and state's subsurface waste water rules.
 - Because the proposed lots will be serviced by public water, there will be no issues meeting the minimum separation distance between septic systems and wells.
- B. Section 74-309 (1): The Planning Board granted a modification to allow the second egress/ingress be used for emergency purpose only for the following reasons:
- To address neighbors' concerns associated with the potential dangers of increased traffic on what is currently a dead end street.
 - Engineering concerns regarding if Date Street is designed to handle the additional traffic.
 - Traffic Engineer's recommendation to ensure pedestrian and vehicle safety for both residential neighborhoods.
 - Public safety will still have the ability to access Beachmont via Date Street.

Shoreland Zoning

NOW THEREFORE, pursuant to the Old Orchard Beach Zoning Ordinance, Sec.78-1202 – 1217 **Shoreland Zoning Performance Standards**, the Planning Board, in due consideration of this application, has determined the following facts:

78-1202: Principle and Accessory buildings and structures.

All structures are required to be setback at least 100 feet of the normal high water mark (HWM). All principle and accessory structures will be set back beyond 100 feet from the HWM. The area of the subdivision within the Stream Protection District will be open space; therefore, there will be no construction or development within the district. All construction, development and site work is located in the Rural District.

78-1203: Structures and uses extending over or beyond normal high water mark of a waterbody or within a wetland.

The structure and use do not extend over or beyond the HWM or within a wetland.

78-1204: Campgrounds.

This project is not a campground.

78-1205: Parking.

There will be no parking lots or parking of any kind within the Stream Protection District.

78-1206: Roads and driveways

- 1. No new roads or driveways will be constructed within the shoreland district. All new roads and driveways will be located in the Rural District.**
- 2. Items 2 – 9 are not applicable to this project as these items are specific standards that apply to roadway construction.**

78-1207: Signs

There will be no signs located in the Stream Protection District; therefore, this section is not applicable.

78-1208: Stormwater runoff

- 1. There will be no new construction or development located within the Stream Protection District.**
- 2. All stormwater systems are designed to meet Department of Environmental Protection specifications.**

78-1209: Essential services

Essential services will not be installed or located within the stream Protection District.

78-1210: Subsurface Waste Water Disposal

- 1. There will be no subsurface waste water disposal systems located within the Stream Protection District. All subsurface waste water disposal systems will be located within the Rural District.**
- 2. All subsurface waste water disposal systems will be designed to meet the most recent Maine Subsurface Waste Water Disposal Rules.**

78-1211: Agriculture

This project does not involve agriculture activities; therefore, this section is not applicable.

78-1212: Timber Harvesting

This project does not involve timber harvesting activities; therefore, this section is not applicable.

78-1213: Clearing of vegetation for development

There will be no disturbance of soils or clearing of vegetation within the Stream Protection District. All construction, development and site work is located in the Rural District.

78-1214: Water quality

- 1. The subdivision includes a stormwater management plan and soils report that have been found to adequately meet water quality standards.**
- 2. As long that subsurface waste water disposal systems and stormwater drainage systems are installed according to applicable rules and approved plans, no development within the subdivision should introduce contaminants sufficient to affect groundwater resources.**
- 3. This subdivision is required to meet applicable Maine DEP water quality standards.**

78-1215: Erosion and sedimentation control

- 1. No construction, development or site work will take place within the Stream Protection District.**
- 2. Work adjacent to waterbodies, adjacent to the Stream Protection District and throughout the site is required to implement an erosion control plan that meets applicable Best Management Practices. Proposed erosion control plan meets BMPs as long as they are properly implemented in the field.**

78-1216: Soils

- 1. There will be no site work, development or construction within the Stream Protection District.**
- 2. All land uses and structures adjacent to the Stream Protection District have been designed so they will not create adverse impacts to the environment. The applicant submitted a stormwater management report, soils narrative report, soil test pit data, a feasibility study for individual septic systems, a letter concerning watertable elevation, and septic system designs to show the soils are acceptable for both stormwater and waste water disposal systems.**

78-1217: Archaeological sites

The applicant contacted the Maine Historic Preservation Commission and they requested a Phase I archaeological survey which was acceptably performed.

NOW THEREFORE the Old Orchard Beach Planning Board has in its Findings of Fact determined that the proposed project will HAVE NO SIGNIFICANT IMPACT, the Old Orchard Beach Planning Board HEREBY RESOLVES to grant Cluster Subdivision and Shoreland Zoning Approval to *Beachmont Land Development LLC* for the development of a 44 lot residential subdivision including infrastructure, roads, and associated site improvements at the above referenced property contingent upon the following conditions:

- 1. Construction shall not begin until all applicable Maine Department of Environmental Protection permit application approvals are secured by the applicant and/or property owner. If these MDEP approvals change the plans and written documentation that were**

submitted and part of the Planning Board approval, those changes shall be presented to the Planning Board.

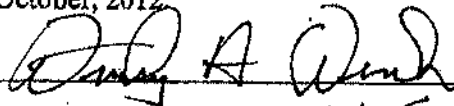
2. The traffic exclusion device at Date Street connection to remain for 25 years. This time frame may be extended.

3. Date Street shall not be used as a construction entrance.

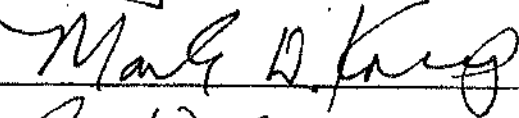
4. Lots 27 - 32 shall be graded such that surface drainage is directed towards the drainage system. Lots 28 and 30 shall be graded to direct all surface drainage from the rear of the property to the field inlets located along the down gradient side lot line.

5. Any substantive changes to the Declaration of Easements, Restrictions and Covenants for Beachmont Subdivision as presented in its final form (10-9-12) shall be presented to the Planning Board for their consideration.

SO APPROVED BY THE OLD ORCHARD BEACH PLANNING BOARD this 11th day of
October, 2012



Date: 11 October 2012









March 20, 2026

Brian Hannon
Beachmont HQA
27 Dolphin Avenue
Old Orchard Beach, ME 04064
bha1064044@aol.com

Re: Water Infrastructure Acceptance – Neptune Road & Dolphin Avenue, Old Orchard Beach

Greetings,

The Maine Water Company (MWC) has received your request for documentation that the water infrastructure in Neptune Road and Dolphin Avenue have been accepted by MWC for ownership and maintenance. The water infrastructure was installed by David Alves of Beachmont Land Development, LLC as part of the Beachmont Subdivision and subsequently accepted as public water infrastructure by MWC.

MWC owns and maintains $\approx 1,300$ feet of 8-inch ductile iron pipe, (11) 1-inch service laterals, and 2 public fire hydrants in the Neptune Road right-of-way, and $\approx 1,940$ feet of 8-inch ductile iron pipe, (32) 1-inch service laterals, and two public fire hydrants in the Dolphin Avenue right-of-way.

If you have any additional questions, please do not hesitate to contact our office at 1-800-287-1643 or by email at MWCmaine@mainewater.com.

Sincerely,
The Maine Water Company

A handwritten signature in black ink, appearing to read "P. Gaff".

Patrick Gaff, PE
Project Engineer

Date: **12/4/2025**

Project No.: **11606P**

To: **Mike Foster, Associate Town Planner**

From: **Jaime Wallace, PE**

Subject: **Beachmont Subdivision – Drawdown Request No. 2 – December 2025**

Wright-Pierce has processed the final drawdown at the request of the Owner, for the Beachmont Subdivision located off Portland Avenue in Old Orchard Beach. Our review of the drawdown is based on site inspections completed on April 27, 2021, for a substantial completion walkthrough, October 2, 2024, for surface paving, January 14, 2025, and November 24, 2025, for a final completion walkthrough. Wright-Pierce conducted several other infrastructure inspections for previous drawdown requests. These inspections can be found in the most recent field report dated November 24, 2025. Based on our review and the project achieving final completion, we offer the following comment:

- Contingency: The Owner has completed all punchlist items which was verified during the November 24, 2025, site walk. We understand the Owner will be offering the road for acceptance to the Town. Therefore, we recommend the Town release the remaining retainage on the project.

Based on the above, we recommend a drawdown in the amount of **\$14,219.92**.

Drawdown Summary – Beachmont Subdivision

Drawdown Number/Date	Drawdown Approved
Drawdown No. 1 (November 2024)	\$94,799.44
Drawdown No. 2 (December 2025)	\$14,219.92

Michael Foster

From: Jaime Wallace <jaime.wallace@wright-pierce.com>
Sent: Tuesday, December 2, 2025 8:17 AM
To: Michael Foster; David Pinkham; Jeffrey Hinderliter; Rickey Haskell
Cc: Brooke Springer; Christine Rinehart; 'c.seamans@yahoo.com'
Subject: Beachmont Final Walkthrough DFR
Attachments: 2025-11-24_Beachmont_DFR_FinalWalkthrough.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Good Morning,

Please see attached field report from last week's final walkthrough at Beachmont. No outstanding punchlist items remain.

Please let me know if you have any questions. Mike, if you need a memo to close this out just let me know and I can draft one up quickly.

Thanks,
Jaime

Jaime Wallace, PE
Wright-Pierce | Project Manager
direct 207.798.3744 | office 207.726.8721

3rd PARTY INSPECTION FIELD REPORT

Project OOB – Beachmont Development

Contract No. 11606P/U Date: November 24, 2025

Job Location Portland Avenue

Owner Cary Seamans and Dave Alves

Design Engineer Blais Civil Engineers

Contractor: Shaw Brothers

Weather: Cloudy Temperature 45°F

Time On-Site 1:00 P.M. Time Leaving Site 2:00 P.M.

Requested Inspection Final Walkthrough

Area of Work No active construction

ESC Inspection Completed: Project substantially complete

Inspection Visitors/Personnel On-site:

- Jalme Wallace, Wright-Pierce
- Mike Foster, Town of Old Orchard Beach Associate Planner
- Cary Seamans, Developer

Summary of Construction Activities/Comments/Observations:

- Wright-Pierce was contacted by the Town to conduct a Final Walkthrough to review items which were previously noted as incomplete during previous walkthroughs in anticipation of the road being offered for acceptance by the developer.
- No active earthwork. Project reached substantial completion on April 27, 2021.
- The following items were noted on previous site inspections and remain outstanding. These items will be confirmed during a final walkthrough prior to project closeout:
 - The following inspections were reviewed and remain outstanding:
 - All required inspections for Phase III except surface paving. However, the developer has submitted all required documentation for subsurface gravel and pavement mix designs.

Documents Submitted/Reviewed On-Site/Discussed:

- None at this time.

Actions Required:

- See missing documentation/inspections/incomplete items above.

Action Follow-Up (Actions Noted during Previous Inspections):

Action/Deficiency Summary (Observed during previous inspection)	Date Observed	Resolved (Yes/No)	Re- inspection Date(s)	Comments/Corrective Actions taken and/or Additional Observations
Additional ESCs required at stockpile adjacent to treatment pond at end of Dolphin Avenue	5/18/17	Yes	4/18/18, 5/18/2020	
Access road to the Dolphin Ave treatment pond should be stabilized and construction entrance	5/18/17	Yes	4/18/18	

maintained				
Neptune Road Treatment Pond should be re-vegetated.	4/18/18	Yes		
ESCs should be removed from stabilized areas.	4/18/18	Yes		

Document Tracking:

Date Documents Submitted	Reference Documents	Notes/Revisions
Pre-Construction Documents		
4/30/2013	Primary Contact for Project Communication	Provided during pre-con meeting
4/30/2013	Contact Information for Construction Team	Provided during pre-con meeting
4/30/2013	Construction Schedule	Provided during pre-con meeting
5/1/13	PDF of Site/Subdivision Plans and Details -- <i>Issued for Construction</i>	Provided during pre-con meeting
Project substantially complete	Performance Guarantee and Escrow	Project substantially complete
Project substantially complete	Copy of Erosion and Sedimentation Control Plan <i>(A copy should be on-site at all times along with contractor logs)</i>	Project substantially complete
Project substantially complete	Copy of Approved Permits and Order of Conditions	Project substantially complete
Project substantially complete	Copy of the Post-Construction Management Plan, Signed Maintenance Agreement and List of Post-Construction BMPs in accordance with Ch 71 Requirements	Project substantially complete
Construction Documents		
	Erosion and Sedimentation Control Logs	
8/9/13 9/15/15	ESC, Site Inspections and Field Reports by Engineer-of-Record or Developers Inspection Engineer	8/9/13: Neptune Road Infiltration Pond – report by Blais Civil Engineers. 9/15/15: Maine DEP letter, Dolphin Ave Infiltration Basin. Letter report by Blais Civil Engineers.
7/11/2013 7/30/2013 10/17/2017 10/23/2017	Roadway: Aggregate Gradation Results	7/11/2013 & 7/30/2013 Phase I: Type D COMPLETE 10/17/2017 & 10/23/2017 Phase III: Type A COMPLETE
7/26/2013 7/30/2013 10/21/2014 10/17/2017	Roadway: Compaction Testing Results	7/26/2013 & 7/30/2013 Phase I: Type D COMPLETE 10/21/2014 & 10/17/2017 Phase III: Type D COMPLETE 11/21/2014: Type D COMPLETE
10/19/2017	Roadway: Pavement Mix Design	Completed
10/24/2017 10/10/2024 11/18/2024	Roadway: Weight-slips	Phase III binder pavement weight slips provided. 10/10/2024: Surface pavement weight slips provided 11/18/2024: Phase I & II binder pavement weight slips provided.
Water main In service	Water Main Acceptance Letter from MaineWater	Water main in service.

Inspections Completed		
5/6/2013	Cleaning and Grubbing	Completed
5/6/2013	Erosion and Sedimentation Control	Completed
Not Applicable	Wastewater Collection System (Sewer) Installation	Not applicable, no public sewer
Not Applicable	Wastewater Collection System (Sewer) Testing	Not applicable, no public sewer
Not Applicable	CCTV Inspection of Sewer Infrastructure	Not applicable, no public sewer
5/30/2013	Storm Drain Installation (Infrastructure)	Completed
5/30/2013	Storm Drain Installation (graded)	Completed
8/9/2013, 9/15/2015	Stormwater BMPs (inspection by EOR Anticipated)	8/9/13: Neptune Road Infiltration Road - report by Blais Civil Engineers 9/15/15: Maine DEP letter, Dolomite Ave Infiltration Basin Letter report by Blais Civil Engineers
5/24/2013 10/2/2014	Site Subgrade	Phase I & Phase II completed
7/18/2013 10/22/2014	Aggregate Base Material	Phase I & Phase II completed: 9/19/2014, 6/26/2017, and 11/17/2025, Material test results submitted.
8/19/2013 11/13/2014	Aggregate Subbase Material	Phase I & Phase II Completed 9/19/2014, 6/26/2017, and 11/17/2025, Material test results submitted.
8/20/2013 11/13/2014	Pavement: Binder	Phase I & Phase II inspections completed by OPW.
10/2/2024	Pavement: Surface	10/2/2024: COMPLETE
1/14/2025	Loam and Seed/Landscaping	1/14/2025: Final walkthrough completed
4/27/2021	Substantial Completion	Walkthrough completed. See punchlist items and missing documentation above
1/14/2025	Final Completion	1/14/2025: Walkthrough completed. See punchlist items and missing documentation above. 11/24/2025: Walkthrough completed. No punchlist items remain.

Signed By Jaime Wallace

Name Jaime Wallace, PE Title Project Manager

Copy To:

Jeffrey Hinterster, Town Planner, jhinterster@woodmaine.com

Michael Foster, Associate Planner, mfooster@woodmaine.com

David Pinkham, Director of Public Works, dpinkham@woodmaine.com

Rick Haskell, Code Enforcement Officer, rhaskell@woodmaine.com

Jaime Wallace, Wright-Pierce, jaime.wallace@wright-pierce.com

Brooke Springer, Wright-Pierce, b.springsen@wright-pierce.com

Christine Rinehart, Wright-Pierce, Cristine.Rinehart@wright-pierce.com

Photos: None collected

Date: **12/4/2025**

Project No.: **11606P**

To: **Mike Foster, Associate Town Planner**

From: **Jaime Wallace, PE**

Subject: **Beachmont Subdivision – Drawdown Request No. 2 – December 2025**

Wright-Pierce has processed the final drawdown at the request of the Owner, for the Beachmont Subdivision located off Portland Avenue in Old Orchard Beach. Our review of the drawdown is based on site inspections completed on April 27, 2021, for a substantial completion walkthrough, October 2, 2024, for surface paving, January 14, 2025, and November 24, 2025, for a final completion walkthrough. Wright-Pierce conducted several other infrastructure inspections for previous drawdown requests. These inspections can be found in the most recent field report dated November 24, 2025. Based on our review and the project achieving final completion, we offer the following comment:

- Contingency: The Owner has completed all punchlist items which was verified during the November 24, 2025, site walk. We understand the Owner will be offering the road for acceptance to the Town. Therefore, we recommend the Town release the remaining retainage on the project.

Based on the above, we recommend a drawdown in the amount of **\$14,219.92**.

Drawdown Summary – Beachmont Subdivision

Drawdown Number/Date	Drawdown Approved
Drawdown No. 1 (November 2024)	\$94,799.44
Drawdown No. 2 (December 2025)	\$14,219.92

3rd PARTY INSPECTION FIELD REPORT

Project	OOB – Beachmont Development		
Contract No.	11606P/U	Date:	January 14, 2025
Job Location	Portland Avenue		
Owner	Cary Seamans and Dave Alves		
Design Engineer	Blais Civil Engineers		
Contractor:	Shaw Brothers		
Weather:	Cloudy	Temperature	35°F
Time On-Site	1:00 P.M.	Time Leaving Site	3:00 P.M.
Requested Inspection	Final Completion Walkthrough		
Area of Work	No active construction		
ESC Inspection Completed:	Project substantially complete		

Inspection Visitors/Personnel On-site:

- Jaime Wallace, Wright-Pierce
- Mike Foster, Town of Old Orchard Beach Associate Planner
- David Pinkham, Town of Old Orchard Beach Public Works Director
- Cary Seamans, Developer

Summary of Construction Activities/Comments/Observations:

- Wright-Pierce was contacted by the Town to conduct a Final Completion Walkthrough to review items which were previously noted as incomplete during April 27, 2021, Substantial Completion Walkthrough.
- No active earthwork. Project reached substantial completion on April 27, 2021.
- The following items were noted on previous site inspections and remain outstanding. These items will be confirmed during a final walkthrough prior to project closeout:
 - The following documentation was reviewed and remains outstanding:
 - Compaction test results for Type A all phases
 - Gradation test results for Type A Phase I & II.
 - Compaction test results for Type D Phase II.
 - Gradation test results for Type D Phase II & III.
 - The following inspections were reviewed and remain outstanding:
 - All required inspections for Phase III except surface paving.
 - The following items were reviewed as incomplete/needing maintenance:
 - Missing stop bars.
 - Missing street signage.
 - As-built documentation required.
 - Monumentation required.
 - Extend stop signs to comply with FHWA.

Documents Submitted/Reviewed On-Site/Discussed:

- None at this time.

Actions Required:

- See missing documentation/inspections/incomplete items above.

Action Follow-Up (Actions Noted during Previous Inspections):

Action/Deficiency Summary (Observed during previous inspection)	Date Observed	Resolved (Yes/No)	Re- inspection Date(s)	Comments/Corrective Actions taken and/or Additional Observations
Additional ESCs required at stockpile adjacent to treatment pond at end of Dolphin Avenue	5/18/17	Yes	4/18/18, 5/18/2020	
Access road to the Dolphin Ave treatment pond should be stabilized and construction entrance maintained	5/18/17	Yes	4/18/18	
Neptune Road Treatment Pond should be re-vegetated.	4/18/18	Yes		
ESCs should be removed from stabilized areas.	4/18/18	Yes		

Document Tracking:

Date Documents Submitted	Reference Documents	Notes/Revisions
Pre-Construction Documents		
4/30/2013	Primary Contact for Project Communication	Provided during pre-con meeting
4/30/2013	Contact Information for Construction Team	Provided during pre-con meeting
4/30/2013	Construction Schedule	Provided during pre-con meeting
5/1/13	PDF of Site/Subdivision Plans and Details – <i>Issued for Construction</i>	
	Performance Guarantee and Escrow	
	Copy of Erosion and Sedimentation Control Plan <i>(A copy should be on-site at all times along with contractor logs)</i>	
	Copy of Approved Permits and Order of Conditions	
	Copy of the Post-Construction Management Plan, Signed Maintenance Agreement and List of Post- Construction BMPs in accordance with Ch 71 Requirements	
Construction Documents		
	Erosion and Sedimentation Control Logs	
8/9/13 9/15/15	ESC, Site Inspections and Field Reports by Engineer-of-Record or Developers Inspection Engineer	8/9/13: Neptune Road Infiltration Pond – report by Blais Civil Engineers. 9/15/15: Maine DEP letter, Dolphin Ave Infiltration Basin. Letter report by Blais Civil Engineers.
7/11/2013 7/30/2013 10/17/2017 10/23/2017	Roadway: Aggregate Gradation Results	7/11/2013 & 7/30/2013 Phase I: Type D COMPLETE 10/17/2017 & 10/23/2017 Phase III: Type A COMPLETE
7/26/2013 7/30/2013 10/21/2014 10/17/2017	Roadway: Compaction Testing Results	7/26/2013 & 7/30/2013 Phase I: Type D COMPLETE 10/21/2014 & 10/17/2017 Phase III: Type D COMPLETE
10/19/2017	Roadway: Pavement Mix Design	Completed

10/24/2017 10/10/2024 11/18/2024	Roadway: Weight slips	Phase III: binder pavement weight slips provided. 10/10/2024: Surface pavement weight slips provided. 11/18/2024: Phase I & II binder pavement weight slips provided.
Water main in service	Water Main Acceptance Letter from MaineWater	Water main in service
Inspections Completed		
5/6/2013	Clearing and Grubbing	Completed
5/6/2013	Erosion and Sedimentation Control	Completed
Not Applicable	Wastewater Collection System (Sewer) Installation	Not applicable, no public sewer
Not Applicable	Wastewater Collection System (Sewer) Testing	Not applicable, no public sewer
	CCTV Inspection of Sewer Infrastructure	
5/30/2013	Storm Drain Installation (Infrastructure)	Completed
5/30/2013	Storm Drain Installation (graded)	Completed
8/9/2013, 9/15/2015	Stormwater BMPs (Inspection by LOR Anticipated)	8/9/13: Neptune Road Infiltration Pond – report by Blais Civil Engineers. 9/15/15: Maine DEP letter, Dolphin Ave Infiltration Basin. Letter report by Blais Civil Engineers.
5/24/2013 10/2/2014	Site Subgrade	Phase I & Phase II completed
7/18/2013 10/22/2014	Aggregate Base Material	Phase I & Phase II completed
8/19/2013 11/13/2014	Aggregate Subgrade Material	Phase I & Phase II Completed
8/20/2013 11/13/2014	Pavement: Binder	Phase I & Phase II inspections completed by DPW.
10/2/2024	Pavement: Surface	10/2/2024: COMPLETE
1/14/2025	Loam and Seed/Landscaping	1/14/2025: Final walkthrough completed
4/27/2021	Substantial Completion	Walkthrough completed. See punchlist items and missing documentation above.
1/14/2025	Final Completion	1/14/2025: Walkthrough completed. See punchlist items and missing documentation above.

Signed By:

Jaime Wallace

Name:

Jaime Wallace, PE

Title:

Project Manager

Copy To:

Jeffrey Hinderliter, Town Planner, jhinderliter@robmaine.com

Michael Foster, Associate Planner, m.foster@robmaine.com

David Pinkham, Director of Public Works, dpinkham@robmaine.com

Rick Hawkell, Code Enforcement Officer, rhawkell@robmaine.com

Jaime Wallace, Wright-Pierce, jwallace@wright-pierce.com

Brooke Spigner, Wright-Pierce, brooke.spigner@wright-pierce.com

Christine Sinehat, Wright-Pierce, Christine.Sinehat@wright-pierce.com

Photos: None collected

3rd PARTY INSPECTION FIELD REPORT

Project OOB – Beachmont Development

Contract No. 11606P/U

Date: October 2, 2024

Job Location Portland Avenue

Owner Cary Seamans and Dave Alves

Design Engineer Blais Civil Engineers

Contractor: Shaw Brothers

Weather: Cloudy Temperature 62°F

Time On-Site 7:00 A.M. Time Leaving Site 4:30 P.M.

Requested Inspection Road and Sidewalk Surface Paving

Area of Work Road and Sidewalk Surface Paving

ESC Inspection Completed: Yes – MS4 Inspection (See separate field report)

Inspection Visitors/Personnel On-site:

- Ron May, Wright-Pierce

Summary of Construction Activities/Comments/Observations:

- Wright-Pierce was contacted to complete a surface paving inspection at Beachmont.
- The active construction onsite consisted of paving for the road and sidewalks.
- Wright-Pierce arrived onsite around 7:00 A.M. and stayed until around noon and returned from 3:30 pm to 4:30 pm.
- Please see attached pavement observation report for detailed information on the pavement placement.
- The following items were noted on previous site inspections and remain outstanding. These items will be confirmed during a final walkthrough prior to project closeout:
 - The following documentation was reviewed and remains outstanding:
 - Binder pavement mix design and batch tickets.
 - Compaction test results for Phase III.
 - Gradation test results for Phase III.
 - The following inspections were reviewed and remain outstanding:
 - All required inspections for Phase III except surface paving.
 - The following items were reviewed as incomplete/needing maintenance:
 - Lighting not installed at the end of Neptune Road.
 - Issues with curbing being damaged particularly at driveway curb cuts that should be addressed.
 - Issues with alignment of handicap warning device at intersection of Dolphin Ave. and Neptune Road.
 - Missing stop signs and stop bars.
 - Missing street signage.
 - As-built documentation required.
 - Monumentation required.
 - Material stockpiles should be removed from wet pond area.
 - Reinforced grass driveway required down to wet pond area.
 - Follow up with gate vs. bollards at intersection with Date Street.

Documents Submitted/Reviewed On-Site/Discussed:

- None at this time.

Actions Required:

- See missing documentation/inspections/incomplete items above.

Action Follow-Up (Actions Noted during Previous Inspections):

Action/Deficiency Summary (Observed during previous inspection)	Date Observed	Resolved (Yes/No)	Re- inspection Date(s)	Comments/Corrective Actions taken and/or Additional Observations
Additional ESCs required at stockpile adjacent to treatment pond at end of Dolphin Avenue	5/18/17	Yes	4/18/18, 5/18/2020	
Access road to the Dolphin Ave treatment pond should be stabilized and construction entrance maintained	5/18/17	Yes	4/18/18	
Neptune Road Treatment Pond should be re-vegetated.	4/18/18	Yes		
ESCs should be removed from stabilized areas.	4/18/18	Yes		

Document Tracking:

Date Documents Submitted	Reference Documents	Notes/Revisions
Pre-Construction Documents		
4/30/2013	Primary Contact for Project Communication	Provided during pre-con meeting
4/30/2013	Contact Information for Construction Team	Provided during pre-con meeting
4/30/2013	Construction Schedule	Provided during pre-con meeting
5/1/13	PDF of Site/Subdivision Plans and Details – <i>Issued for Construction</i>	
	Performance Guarantee and Escrow	
	Copy of Erosion and Sedimentation Control Plan <i>(A copy should be on-site at all times along with contractor logs)</i>	
	Copy of Approved Permits and Order of Conditions	
	Copy of the Post-Construction Management Plan, Signed Maintenance Agreement and List of Post- Construction BMPs in accordance with Ch 71 Requirements	
Construction Documents		
	Erosion and Sedimentation Control Logs	
8/9/13 9/15/15	ESC, Site Inspections and Field Reports by Engineer-of-Record or Developers Inspection Engineer	8/9/13: Neptune Road Infiltration Pond – report by Blais Civil Engineers. 9/15/15: Maine DEP letter, Dolphin Ave Infiltration Basin. Letter report by Blais Civil Engineers.
7/11/13 & 7/30/13 Neptune Road Only	Roadway: Aggregate Gradation Results	Gradation results completed on Neptune Road by RW Gillespie, sieve analysis dated 7/30/13 and 7/11/13.

7/15/13 7/29/13 10/14/2014	Roadway: Compaction Testing Results	In-place density testing completed on Neptune Road & Dolphin Rd. by RW Gillette, reports dated 7/15/13, 7/29/13, & 10/21/14.
10/19/2017	Roadway: Pavement Mix Design	Completed
10/24/2017 10/10/2024	Roadway: Weight-slips	Phase III: binder pavement weight slips provided. 10/10/2024: Surface pavement weight slips provided
Water main in service	Water Main Acceptance Letter from MaineWater	Water main in service
Inspections Completed		
5/6/2013	Clearing and Grubbing	Completed
5/6/2013	Erosion and Sedimentation Control	Completed
Not Applicable	Wastewater Collection System (Sewer) Installation	Not applicable, no public sewer
Not Applicable	Wastewater Collection System (Sewer) Testing	Not applicable, no public sewer
	CCTV Inspection of Sewer Infrastructure	
5/30/2013	Storm Drain Installation (Infrastructure)	Completed
5/30/2013	Storm Drain Installation (graded)	Completed
8/9/2013, 9/15/2015	Stormwater BMPs (Inspection by EGR Anticipated)	8/9/13: Neptune Road Infiltration Pond – report by Blais Civil Engineers. 9/15/15: Maine DEP letter, Dolphin Ave Infiltration Basin. Letter report by Blais Civil Engineers.
5/24/2013 10/2/2014	Site Subgrade	Phase I & Phase II completed
7/18/2013 10/22/2014	Aggregate Base Material	Phase I & Phase II completed
8/19/2013 11/13/2014	Aggregate Subbase Material	Phase I & Phase II Completed
8/20/2013 11/13/2014	Pavement: Binder	Phase I & Phase II Inspections, completed by DPW.
10/2/2024	Pavement: Surface	10/2/2024: COMPLETE
	Loam and Seed/Landscaping	
4/27/2021	Substantial Completion	Walkthrough completed. See punchlist items and missing documentation above.
	Final Completion	

Signed By: Jaimé Wallace

Name: Jaimé Wallace, PE Title: Project Manager

Copy To:

Jeffrey Hindexter, Town Planner, jhindexter@poobinano.com

Michael Foster, Associate Planner, mfoster@poobinano.com

Ive Cooper, Director of Public Works, ivcooper@poobinano.com

Rick Haskell, Code Enforcement Officer, rhaskell@poobinano.com

Jaimé Wallace, Wright-Pierce, jaimé.wallace@wright-pierce.com

Christina Blinwart, Wright-Pierce, christina.blinwart@wright-pierce.com

Ann May, Wright-Pierce, ann.may@wright-pierce.com

Photos: See attached pavement inspection form for photos

Bituminous Pavement Observation Report

Project Name:	Old Orchard Beach Development Review Beachmont Subdivision Surface Paving	Project #:	116000
Client:	Old Orchard Beach, ME	Date:	10/02/2024
Location:	Neptune Rd and Dolphin Ave	Observer:	Ron May
Time:	7:00 AM prep, 8:45 AM paving	Weather:	62°F - Cloudy
Course:	☐ Base ☒ Surface ☐ Shim	Mix Type (Size & No.):	9.5 MM

Pre-Placement Observations

N/O

Comments

Compacted Surface (if gravel)	Yes ☐ No ☐	☒	Site had been previously binder paved
Clean & Dry Surface (if pavement)	Yes ☒ No ☐	☐	
Structures Secure (i.e. Manholes, CB's, etc.)	Yes ☒ No ☐	☐	

Placement Observations

N/O

Comments

Required Mix Used	Yes ☒ No ☐	☐	9.5 MM
Required Thickness	Yes ☒ No ☐	☐	Uncompacted: _____ 3/4" or >3/4" (Road)
Ambient Temp. Above Specification*	Yes ☒ No ☐	☐	62
Mix Temp. between 275°F – 325°F**	Yes ☒ No ☐	☐	See below
Proper Joint Construction	Yes ☒ No ☐	☐	
Trucks Dumping Material in Front of Paver	Yes ☒ No ☐	☐	

*See Table 1 below for MDT seasonal and temperature limitations.

**Temperature in delivery truck or paver.

Temperature Reading

Location
(Truck, Paver, etc.)

Time

285	Truck	9:00 AM
284	Truck	9:25 AM
279	Truck	9:40 AM
278	Truck	9:55 AM
277	Truck	10:10 AM
276	Truck	10:50 AM
299	Truck	11:10 AM
298	Truck	11:30 AM

297	Truck	11:50 AM
LEFT SITE 12:00 PM		
RETURNED AT 3:30 PM		
304	Truck	4:15 PM
302	Truck	4:30 PM
LEFT SITE AT 4:35 PM		

Equipment	On-Site and Used?	Additional Comments
Paver	Yes ☒ No ☐	1
Smooth Drum Roller	Yes ☒ No ☐	2 large, 2 small
Rubber Tire Roller	Yes ☒ No ☐	1
Plate Compactor	Yes ☒ No ☐	2
Tack Truck	Yes ☒ No ☐	1
Other:	Yes ☒ No ☐	skid steer, 6 Asphalt delivery trucks

Non-Conformance Items Observed Yes ☐ No ☒ ☐

Non-Conformance Item Description:

Action taken by W-P

N/O = Not Observed

Table 1: Maine DOT Seasonal and Temperature Limitations

Use	Minimum Ambient Air Temperature	Zone 1 Allowable Placement Dates	Zone 2 Allowable Placement Dates
Surface course (including 40 micron equivalent) less than 1 in. thick placed during conditions defined as "night work"	50°F	June 1 to Saturday following September 5	
Surface course (including 40 micron equivalent) less than 1 in. thick	40°F	May 15 to Saturday following September 15	
Travelway surface course greater than or equal to 1 in. thick	40°F	May 2 to Sunday following October 1	April 15 to Sunday following October 15
HMA for surface course for bridge decks	40°F	May 2 to Sunday following October 1	April 15 to Sunday following October 15
HMA for base or finish course on bridge decks	40°F	April 15 to November 15	
HMA for secondary plan or wearing surface course	40°F	April 15 to November 15	
HMA for curb, driveway, shoulder, median or other structures	40°F	July	July
HMA predominant within approved WMA technology for the entire course	11°F	April 14 to November 15	

Photos:



Photo 1: Start of paving on the SE end of Dolphin Avenue in the cul-de-sac (Photo taken by Ron May Dated 10/2/2024)



Photo 2: Paving headed NW on Dolphin Avenue toward its intersection with Neptune Road (Photo taken by Ron May Dated 10/2/2024)



Photo 3: Roller compacting pavement near the intersection of Dolphin Avenue and Neptune Road, facing SE (Photo taken by Ron May Dated 10/2/2024)



Photo 4: SE side of Dolphin Avenue paved, facing NW (Photo taken by Ron May Dated 10/2/2024)



Photo 5: NW side of Dolphin Avenue paved, facing NW (Photo taken by Ron May Dated 10/2/2024)



Photo 6: Tack coat on Neptune Road, facing SW (Photo taken by Ron May Dated 10/2/2024)



Photo 7: Paving and compacting Neptune Road, headed NE to its intersection with Portland Avenue (Photo taken by Ron May Dated 10/2/2024)

3rd PARTY INSPECTION FIELD REPORT

Project	OOB – Beachmont Development		
Contract No.	11606P/U	Date:	April 27, 2021
Job Location	Portland Avenue		
Owner	Cary Seamans and Dave Alves		
Design Engineer	Blais Civil Engineers		
Contractor:			
Weather:	Sunny	Temperature	55°F
Time On-Site	1:00 P.M.	Time Leaving Site	2:00 P.M.
Requested Inspection	Substantial Completion Walkthrough		
Area of Work	Construction of Individual Houses and House Lots		
ESC Inspection Completed:	Yes – MS4 Inspection (See separate field report)		

Inspection Visitors/Personnel On-site:

- Jaime Wallace, Wright-Pierce
- Michael Foster, Town of Old Orchard Beach

Summary of Construction Activities/Comments/Observations:

- Wright-Pierce conducted a substantial completion walkthrough on April 27, 2021 with Michael Foster of the Town of Old Orchard.
- Construction onsite primarily consisted of individual house construction and individual house lot construction.
- A separate MS4 inspection was conducted during the walkthrough as well which can be found in a separate field report.
- The following documentation was reviewed and remains outstanding:
 - Binder pavement mix design and batch tickets.
 - Compaction test results for Phase III.
 - Gradation test results for Phase III.
- The following inspections were reviewed and remain outstanding:
 - All required inspections for Phase III.
- The following items were reviewed as incomplete/needing maintenance:
 - Final paving
 - Lighting not installed at end of Neptune Road.
 - Unfinished sidewalk along Neptune Road.
 - Issues with curbing being damaged particularly at driveway curb cuts that should be addressed.
 - Issues with alignment of handicap warning device at intersection of Dolphin Ave. and Neptune Road.
 - Missing stop signs and stop bars.
 - Missing street signage.
 - As-built documentation required.
 - Monumentation required.
 - Material stockpiles should be removed from wet pond area.
 - Reinforced grass driveway required down to wet pond area.
 - Follow up with gate vs. bollards at intersection with Date Street.

Documents Submitted/Reviewed On-Site/Discussed:

- None at this time.

Actions Required:

- See missing documentation/inspections/incomplete items above.

Action Follow-Up (Actions Noted during Previous Inspections):

Action/Deficiency Summary (Observed during previous inspection)	Date Observed	Resolved (Yes/No)	Re- inspection Date(s)	Comments/Corrective Actions taken and/or Additional Observations
Additional ESCs required at stockpile adjacent to treatment pond at end of Dolphin Avenue	5/18/17	Yes	4/18/18, 5/18/2020	
Access road to the Dolphin Ave treatment pond should be stabilized and construction entrance maintained	5/18/17	Yes	4/18/18	
Neptune Road Treatment Pond should be re-vegetated.	4/18/18	Yes		
ESC's should be removed from stabilized areas.	4/18/18	Yes		

Document Tracking:

Date Documents Submitted	Reference Documents	Notes/Revisions
Pre-Construction Documents		
4/30/2013	Primary Contact for Project Communication	Provided during pre-con meeting
4/30/2013	Contact Information for Construction Team	Provided during pre-con meeting
4/30/2013	Construction Schedule	Provided during pre-con meeting
5/1/13	PDF of Site/Subdivision Plans and Details – <i>Issued for Construction</i>	
	Performance Guarantee and Escrow	
	Copy of Erosion and Sedimentation Control Plan <i>(A copy should be on-site at all times along with contractor logs)</i>	
	Copy of Approved Permits and Order of Conditions	
	Copy of the Post-Construction Management Plan, Signed Maintenance Agreement and List of Post- Construction BMPs in accordance with Ch 71 Requirements	
Construction Documents		
	Erosion and Sedimentation Control Logs	
8/9/13 9/15/15	ESC, Site Inspections and Field Reports by Engineer-of-Record or Developers Inspection Engineer	8/9/13: Neptune Road Infiltration Pond – report by Blais Civil Engineers. 9/15/15: Maine DEP letter, Dolphin Ave infiltration Basin. Letter report by Blais Civil Engineers.
7/11/13 & 7/30/13 Neptune Road Only	Roadway: Aggregate Gradation Results	Gradation results completed on Neptune Road by RW Gilliespie, sieve analysis dated 7/30/13 and 7/11/13.

7/15/13 7/29/13 10/14/2014	Roadway: Compaction Testing Results	In-place density testing completed on Neptune Road & Dolphin Rd. by RW Gillespie, reports dated 7/15/13, 7/29/13, & 10/21/14.
10/19/2017	Roadway: Pavement Mix Design	Completed
10/24/2017	Roadway: Weight-slips	Phase III binder pavement weight slips provided.
Water main In service	Water Main Acceptance Letter from MaineWater	Water main in service.
Inspections Completed		
5/6/2013	Clearing and Grubbing	Completed
5/6/2013	Erosion and Sedimentation Control	Completed
Not Applicable	Wastewater Collection System (Sewer) Installation	Not applicable, no public sewer
Not Applicable	Wastewater Collection System (Sewer) Testing	Not applicable, no public sewer
	CCTV Inspection of Sewer Infrastructure	
5/30/2013	Storm Drain Installation (Infrastructure)	Completed
5/30/2013	Storm Drain Installation (graded)	Completed
8/9/2013, 9/15/2015	Stormwater BMPs (Inspection by EOR Anticipated)	8/9/13: Neptune Road Infiltration Pond -- report by Blais Civil Engineers. 9/15/15: Maine DEP letter, Dolphin Ave Infiltration Basin. Letter report by Blais Civil Engineers.
5/24/2013 10/2/2014	Site Subgrade	Phase I & Phase II completed.
7/18/2013 10/22/2014	Aggregate Base Material	Phase I & Phase II completed.
8/19/2013 11/13/2014	Aggregate Subbase Material	Phase I & Phase II Completed
8/20/2013 11/13/2014	Pavement: Binder	Phase I & Phase II inspections completed by DPW.
	Pavement: Surface	
	Loam and Seed/Landscaping	
4/27/2021	Substantial Completion	Walkthrough completed. See punchlist items and missing documentation above.
	Final Completion	

Signed By: Jaime Wallace

Name Jaime Wallace, PE Title Lead Project Engineer

Copy To:

Jeffrey Hinderliter, Town Planner;
Michael Foster, Associate Planner
Joe Cooper, Director of Public Works
Jim Butler, Code Enforcement Officer

Photos:



Photo 1: Alignment Issue with Detectable Warning Device Along Neptune Road (Photo Taken by Jaime Wallace, PE Dated 4/27/2021)



Photo 2: Sidewalk Incomplete Along Neptune Road (Photo Taken by Jaime Wallace, PE Dated 4/27/2021)



Photo 3: Damaged Curbing Along Dolphin Ave. (Photo Taken by Jaime Wallace, PE Dated 4/27/2021)

3rd PARTY INSPECTION FIELD REPORT

Project	OOB – Beachmont Development		
Contract No.	11606P/U	Date:	October 3, 2017
Job Location	Portland Avenue		
Owner	Cary Seamans and Dave Alves (603-930-8244)		
Design Engineer	Blais Civil Engineers		
Contractor:	DMA Contractors		
Weather:	Sunny	Temperature	65°F
Time On-Site	10 AM	Time Leaving Site	
Requested Inspection	Monthly Inspection		
Area of Work	Phase 3		
ESC Inspection Completed:	At site entrance		

Inspection Visitors/Personnel On-site:

- Stephanie Hubbard, Wright-Pierce
- Megan McLaughlin, Assistant Town Planner

Summary of Construction Activities/Comments/Observations:

- Contractor on-site installing electrical conduit along the norther side of the roadway. ON-going construction discussed with on-site representative, who indicated roadway aggregate installation would be moving forward shortly.
- Erosion and Sedimentation Controls: Inspection generally focused to the start of Phase 3.
 - No construction entrance was visible. On-site rep indicated it was recently removed for installation of conduit across the roadway. Considerable track-out was observed on the roadway at the entrance to Phase 3. It was recommended the construction entrance be re-installed and roadway swept.
 - CB-12 and CB-13 (existing) are located at the entrance to Phase 3. CB-13 basin is generally buried (only a small portion of the grate visible, could not confirm whether fabric installed completely over grate for ESC protection. CB-12 did not have any ESC protections. ESC protections are recommended in all catch basins downgradient of the Phase 3 work zone.
 - The ESC plan and logs could not be located on site. It is recommended that the plan is available on-site and logs (weekly and following rain event) are maintained.
 - It is recommended that storm drain infrastructure downgradient of the Phase 3 work zone be cleaned following construction.
- Updated construction schedule is requested.

Documents Submitted/Reviewed On-Site/Discussed:

- Email forwarded to Cary and Dave regarding roadway aggregate base material submission, scheduling inspections and ESC concerns.

Actions Required:

- D. Alves to review project files to gather road construction information (aggregate base materials, compaction test results for Phase 2) and pavement
- Town requested they be notified when storm drainage system was completed. They would

complete a CCTV inspection of the entire system. CCTV camera would be available for Town use for 2 weeks in July and 2 weeks in September.

- Aggregate materials submittals are requested for Town review and files.

Action Follow-Up (Actions Noted during Previous Inspections):

Action/Deficiency Summary (Observed during previous inspection)	Date Observed	Resolved (Yes/No)	Re- inspectio n Date(s)	Comments/Corrective Actions taken and/or Additional Observations
Additional ESCs required at stockpile adjacent to treatment pond at end of Dolphin Avenue	5/18/17	No		D. Alves indicated Cary had addressed the stockpile area and reinstalled ESCs. Area not re-inspected at the time of the pre-construction meeting. 10/3/17 – Not reinspected.
Access road to the Dolphin Ave treatment pond should be stabilized and construction entrance maintained	5/18/17	Yes		
Neptune Road Treatment Pond should be re-vegetated.	5/18/17	Yes		D. Alves reported this was an issue with turkeys and grubs. The area was treated and re-seeded and this had been scheduled.
ESCs should be removed from stabilized areas.	5/18/17	Yes		D. Alves reported this was addressed.
Install stabilized construction entrance to Phase 3 and sweep adjacent roadway.	10/3/17			
Catch basins downgradient of Phase 3 work zone recommended to be inspected and cleaned out.	10/3/17			
ESCs (silt sack) are recommended for installation at all catch basins downgradient of Phase 3 work-zone.	10/3/17			
It is recommended that storm drain infrastructure downgradient of the Phase 3 work zone be cleaned following construction	10/3/17			

Document Tracking:

Date Documents Submitted	Reference Documents	Notes/Revisions
Pre-Construction Documents		
6/26/17	Primary Contact for Project Communication	Dave Alves – Phone Dave Alves and Cary Seaman - Email
	Contact Information for Construction Team	
	Construction Schedule	6/26/17 – provided verbally, included in pre-construction meeting minutes.
5/1/13	PDF of Site/Subdivision Plans and Details – <i>Issued for Construction</i>	
	Performance Guarantee and Escrow	Town indicated this has been completed.

	Copy of Erosion and Sedimentation Control Plan (A copy should be on-site at all times along with contractor logs)	
	Copy of Approved Permits and Order of Conditions	
	Copy of the Post-Construction Management Plan, Signed Maintenance Agreement and List of Post-Construction BMPs in accordance with Ch 71 Requirements	
Construction Documents		
	Erosion and Sedimentation Control Logs	10/3/17: Not available during inspection.
8/9/13 9/15/15	ESC, Site Inspections and Field Reports by Engineer-of-Record or Developers Inspection Engineer	8/9/13: Neptune Road Infiltration Pond – report by Blais Civil Engineers. 9/15/15: Maine DEP letter, Dolphin Ave Infiltration Basin. Letter report by Blais Civil Engineers.
7/11/13 & 7/30/13 Neptune Road Only	Roadway: Aggregate Gradation Results	Phase 1: Gradation results completed on Neptune Road by RW Gillespie, sieve analysis dated 7/30/13 and 7/11/13. Phase 2: Not provided Phase 3: Not provided
7/15/13 & 7/29/13 Neptune Road Only	Roadway: Compaction Testing Results	Phase 1: In-place density testing completed on Neptune Road by RW Gillespie, reports dated 7/15/13 and 7/29/13. Phase 2: Not provided Phase 3: Not provided
	Roadway: Pavement Mix Design	
	Roadway: Weight-slips	
	Water Main Acceptance Letter from MaineWater	

Signed By: **Stephanie Hubbard, PE**

Name Stephanie Hubbard, PE Title Project Manager

Copy To:

Jeffrey Hinderliter, Town Planner;
Megan McLaughlin, Assistant Town Planner
Dan Feeney, Code Enforcement Office;
Joe Cooper, Director of Public Works

Photos:







CUES, Inc.
3600 Rio Vista Avenue
Orlando, FL 32805
Phone: 407-849-0180
Fax: 407-425-1565

Main Inspections and Scoring

Manhole ID:	Job:	Location:	Inspector:
4860	OOB	Neptune rd.	Neptune rd.
Manhole Code:	Survey Date:	Survey Time:	Survey Date:
CB-1160	CB-1172	3/5/2024 1:49 PM	3/5/2024 2:00 PM
Pipe Material:	Pipe Material:	Pipe Size (in):	Pipe Size (in):
Circular	Polyethylene	12.0 in.	
Pipe Length:	Survey Method:	Inspector:	Inspector:
204.5 ft.	204.5 ft.	Pre-Acceptance	4860
Operator:	Weather:	Notes:	
Rob	Dry	Completed	
Comments:			

Setup #18, Neptune rd. storm water collector. Pre acceptance assessment.

Scores

Calculated at: 3/5/2024 2:00:06 PM

Maximum Score	Mean Score	Sum of Defects	Sum of the Scores	CUES Total Pipe Score
	0.00	0	0	

Observations

Distance	Dir.	Length	From/To	Code	Modifier/Severity	Rating
204.5 ft.	D		/	End of Pipe		

Note: This mainline is across the street from the General area where water is seeping up from the pavement and has no laterals. CB-1173 is also near the same area ~~to~~ and has no under drain laterals tied into it. There does appear to be under drain lines on both sides of Neptune, however there is no access to them other than the out fall and no way to tell if they run past the area with the water seepage problem.



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Main Inspections and Scoring

Inspector:	CUE:	Location:	Project Name:
4857	OOB	Neptune rd.	Neptune rd.
Collection Point:	Discharge Point:	Start Date/Time:	End Date/Time:
CB-1173	CB-1172	3/5/2024 1:13 PM	3/5/2024 1:16 PM
Pipe Class:	Pipe Material:	Pipe Diameter:	Pipe Width:
Circular	Polyethylene	12.0 in.	
Water Temp:	Observed Velocity:	Flow:	Flow Velocity:
23.2 ft.	23.2 ft.		
Operator:	Weather:	Status:	
Rob	Dry	Completed	
Comments:			

Setup #17, Neptune rd. storm water collector. pre acceptance assessment

Scores

Calculated at: 3/5/2024 1:16:35 PM

Maximum Score	Mean Score	Sum of Defects	Sum of the Score	CUES Total Pipe Score
10	30.00	1	30	35/40

Observations

Distance	Din	Length	From/To	Code	Modifier/Severity	Rating
17.1 ft.	D	5.2 ft.	/	Sag	Light	0
23.2 ft.	D		/	End of Pipe		



Inspection Notes:

1/20/2023 2:58/2023

Location: Neptune rd

Community: D.O.B.

Work: Pre-Acceptance

Video ID (s) N/A

Notes: To whom it concerns, while inspecting the drainage on Neptune rd. for pre-acceptance I noticed a steady flow of clean water coming up through the pavement in front of Neptune rd. the road has lightly heaved within this location and silt is also coming up through the crack. The slope behind the curb line in this same location is very saturated and water is leaching out from under the curb. Due to the road currently having only a base coat of pavement, the nearby catch basins are above grade. Because of this, the leeching water flows 450' down the eastern side of the road towards Portland ave. bypassing two catch basins along the way. The water crosses Neptune rd. roughly 20' from Portland ave, then runs off the pavement, eroding a portion of the shoulder on Portland ave. instead of going into the ditch flow.



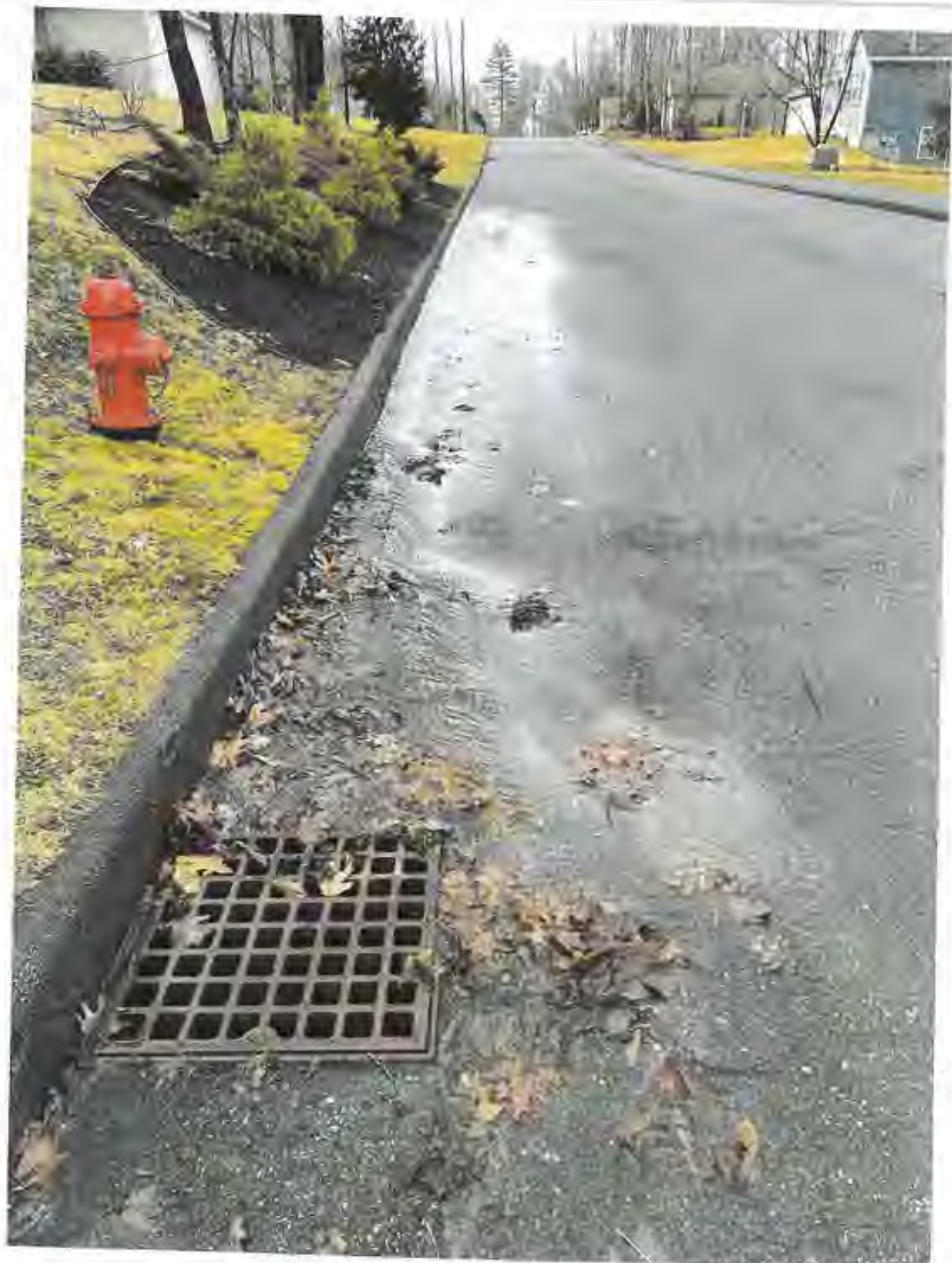
Under
drain
outfall

There does appear to be an under drain on both sides of Neptune rd. That flows down to the ditch line on Portland ave. However with limited access for inspection of these lines, there is no way to confirm how far up Neptune rd. the under drain lines run, and if they even exist near the area of the water seepage problem.

In this area, there appears to be an underground spring, and water is saturating the slope off side of the road and water is seeping and silt is boiling up through cracks in the pavement.

There are no laterals in mainlines CB-1160_CB-1172 & CB-1173_CB-1172. There also are no under drain laterals connected to CB-1173 & CB-1172.





















Inspection Notes:

Date: 1/16/2023

Location: Neptune rd. (outlet) DPO-104 (US) crossing September rd. then turning towards LINK-142 and Dolphin ave. (drainage)

Work: Pre-Acceptance

Issue 1: Obstacles

Issue 2: Under Water

Video ID (#): Neptune rd. DPO-104 (US) towards LINK-142

Duration (Min.): 90

Length: 180'

Material: PVC

Size: 8"

Condition: Good

Clean: Yes

Notes: Setup #20, (mainline GIS ID #357) Pre-acceptance assessment with the push camera to locate the origin of a previously unknown and moderately active drain line. The line is perforated PVC that crosses Neptune rd. then turns right towards Dolphin ave. at 57' (US) from there the line runs behind curb line then crosses a paved area by the road's mailbox. The pipe is less than 3' deep and due to the camera being under water the inspection was recorded during retrieval for a still poor, but better view of the pipe. No issues were found and the line was traced for accuracy. Note: the location of the 90-degree turn is located very close to a project sign post as well as a stop sign. It's also worth noting that this under drain system appears to run on both sides of Neptune rd. given a lateral that is located roughly 2' (US) from DPO-104. This line also discharges into the ditch line on Portland ave. next to culvert C1-700 C13-724.



At 2' (US) from the outlet the under drain line has a second active 6" line T-ing in.

Under drain discharge location

At 57' (US) from the outlet, the under drain line 90's right and is very close to two separate sign posts.

6" perforated PVC under drain runs behind curb line (possibly on both sides) flowing towards Portland ave. The line(s) are less than 3' deep and cross Neptune rd. by the beginning of the road. The line(s) drain into the ditch line on Portland ave. A portion of the line was traced, however its length and origin is still unknown.

ARNDT JAMES II
6 JUNE 19 - 3 NEPTUNE RD

PORTLAND AVE



Location of DPO-104
which is the outfall for the
under drain system.



Inspection Notes:

Date: 3/16/2024

Location: Neptune rd. (Inlet) CI-700 (DS) to (outlet) CO-724 (drainage)

Work: Pre-Acceptance

Issue 1 Sag(s)

Issue 2 Under Water

Video ID (s) 4862

Duration (Min.) 45

Length: 69'

Material: ADS

Size: 15"

Condition: fair

Clean: Yes

Notes: Setup #19, (mainline GIS ID 4862) Pre acceptance assessment was fair due to a light sag between 13' and 25' (DS) The water level gradually rises to roughly 2/3's of the diameter of the pipe due to a **high discharge environment (DS)** from this culvert. No other issues or laterals were found. It's worth noting that during the time of the inspection the line has light (for the size of pipe) but steady flow. And in my opinion, addressing the high discharge/ditch environment would resolve the water level issue and the sag might also be a lot less noticeable.













Poor due to a major break in the line and one light sag.

Each have one very light sag, but are otherwise good.

Both have very light sags, but are otherwise good.









One very light and short sag just outside of CB-1165

At 134' (DS) from CB-1421 there is a roughly 1' long, moderate collapse/ break, also with moderate running infiltration and visible stone outside of the pipe. The location was marked and is roughly 2'6" deep.

Dolphin Avenue

1
33 Dolphin Ave

1
33 Dolphin Ave

CB-1179

CB-1165









Inspection Notes:

Date: 3/8/2024

Location: Dolphin ave. CB-1421 (DS) to CB-1467 (drainage)

Work: Pre-Acceptance

Issue 1: Structural

Issue 2: Infiltration

Video ID (s) 8367

Duration (Min.) 47

Length: 134'

Material: ADS

Size: 12"

Condition: Poor

Clean: Yes

Notes: Setup #31, (mainline GIS ID 8367) Pre-acceptance assessment failed and the survey was abandoned due to a moderate collapse/break in the line which also has moderate steady running infiltration coming from it, however no soils can be seen from this direction. No other issues or laterals were found.



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Main Inspections and Scoring

Manhole ID	City	Address	Traverse name
8367	OOB	Dolphin ave.	Dolphin ave.
Access point	Drawing point name	Start date/time	End date/time
CB-1421	CB-1165	3/8/2024 10:18 AM	3/8/2024 10:31 AM
Pipe shape	Pipe material	Pipe diameter	Pipe width
Circular	Polyethylene	12.0 in.	
Inside length	Surveyed distance	Flow rate	Flow rate (cfs)
234.0 ft.	133.7 ft.	Pre-Acceptance	8367
Direction	Flow direction	Status	
Rob	Dry	Completed	
Comments			

Setup #31, Dolphin ave. storm water collector. Pre-acceptance assessment.

Scores

Calculated at: 3/8/2024 10:31:43 AM

Maximum Score	Mean Score	Sum of Defects	Sum-of-the Score	CUES Total Pipe Score
90	75.00	2	150	95.00

Observations

Distance	Dir.	Length	From/To	Code	Modifier/Severity	Rating
133.7 ft.	D	0.0 ft.	8 / 1	Collapsed	Medium	90
133.7 ft.	D		11 / 1	Infiltration	Medium	60
133.7 ft.	D		/	Abandoned Survey		



CUES, Inc.
3600 Rio Vista Avenue
Orlando, FL 32805
Phone: 407-848-0190
Fax: 407-425-1569

Main Inspections Small Photos

Inspection ID	City	Address	Project Name
8367	OOB	Dolphin ave.	Dolphin ave.
Open Date/Time	Asset Length	Weather	Inspector
3/8/2024 10:18 AM	234.0 ft.	Dry	Rob
Upstream Node	Downstream Node	Downstream Node	Inspection
CB-1421	CB-1165	CB-1165	
Pipe Shape	Pipe Material	Pipe Diameter	
Circular	Polyethylene	12.0 in.	

Comments:

Setup #31, Dolphin ave. storm water collector. Pre-acceptance assessment.

Observations

Distance	Dir.	Length	From/To	Code	Modifier/Severity	Rating	Comments
133.7 ft.	D	0.0 ft.	9 / 1	Collapsed	Medium	M	There is a moderate collapse/break in the pipe that also has moderate running infiltration coming from it however no soils can be seen from this direction.



Observations

Distance	Dir. Length	From/To	Code	Modifier/Severity	Rating	Comments
133.7 ft.	D	11 / 1	Infiltration	Medium	3/3	Moderate running infiltration is coming from a collapse/break in the pipe.



133.7 ft.	D	I	Abandoned Survey			Due to a collapse in the pipe that the camera can't bypass (the line is poor due to the collapse/break)
-----------	---	---	------------------	--	--	---



Inspection's photos



Inspection Notes:

Date: 1/8/2024

Location: Dolphin Ave, CB-1165 (US) towards CB-1421 (drainage)

Work: Pre-Acceptance

Issue 1: Structural

Issue 2: Infiltration

Video ID (s) 8367

Duration (Min.) 60

Length: 100'

Material: A10%

Size: 12"

Condition: Poor

Clean: Yes

Notes: Setup #12, (mainline GIS ID 8367) Reverse from the last setup, pre-acceptance assessment which also failed and was abandoned due to reaching the same moderate collapse/break in the line which also has moderate steady running infiltration coming from it. from this direction some can also be seen outside of the pipe. The line also has a very light and short sag just outside of CB-1165. No laterals were found. Note: the location of the break was traced and marked which is also roughly 2'6" to the top of the pipe and is roughly 1' long.



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Main Inspections and Scoring

Inspection ID:	DOB	Address:	Project Name:
8367	DOB	Dolphin ave.	Dolphin ave.
Customer Code:	DOB/12/24/2024/10/20/2024	From Date/Time:	To Date/Time:
CB-1421	CB-1165	3/8/2024 11:10 AM	3/8/2024 11:24 AM
Pipe Shape:	Pipe Material:	Pipe Size:	Pipe Material:
Circular	Polyethylene	12.0 in.	12.0 in.
Pipe Length:	Survey Length:	Score:	Quality Assessment:
234.0 ft.	100.8 ft.	Pre-Acceptance	9367
Inspector:	Inspector:	Status:	
Rob	Dry	Completed	

Setup #32, Dolphin ave. storm water collector. Pre-acceptance assessment. Reverse from the last setup.

Scores

Calculated at: 3/8/2024 11:24:12 AM

Maximum Score	Mean Score	Sum of Defects	Sum of the Score	GUES Total Pipe Score
90	60.00	3	180	90.00

Observations

Distance	Dir.	Length	From/To	Code	Modifier/Severity	Rating
0.0 ft.	U	5.0 ft.	5 / 7	Sag	Light	90
99.8 ft.	U		11 / 1	Infiltration	Medium	60
99.6 ft.	U	1.0 ft.	10 / 3	Collapsed	Medium	90
99.8 ft.	U		/	Abandoned Survey		



CUES, Inc.
3600 Rio Vista Avenue
Orlando, FL 32805
Phone: 407-849-0190
Fax: 407-425-1559

Main Inspections Small Photos

Inspection ID:	City:	Address:	Inspected Name:
8367	OGB	Dolphin ave.	Dolphin ave:
Start Date/Time:	Asset Details:	Weather:	Inspector:
3/8/2024 11:10 AM	234.0 ft.	Dry	Rob
Upstream Meter:	Supply Size:	Supply Measurement:	Supply Size:
CB-1421		CB-1165	
Pre-Inspection:	Pre-Inspection:	Task Assigned:	Pre-Inspection:
Circular	Polyethylene	12.0 in.	

Setup #32, Dolphin ave. storm water collector. Pre-acceptance assessment. Reverse from the last setup.

Observations

Distance	Dir.	Length	From/To Code	Modifier/Severity	Rating	Comments
0.0 ft.	U	5.0 ft.	5 / 7 Sag	Light		Very light sag just outside of CB-1165



99.8 ft.	U		11 / 1 Infiltration	Medium		Medium running infiltration coming from a collapse/break in the pipe.
----------	---	--	---------------------	--------	--	---



Observations

Distance	Dir	Length	From/To	Code	Modifier/Severity	Rating	Comments
99.8 ft.	U	1.0 ft.	10 / 3	Collapsed	Medium	3	This is the same moderate collapse/break that was found during the last setup that can't be bypassed. From this direction the moderate running infiltration is more visible as well as stone outside of the pipe.



99.8 ft. U / Abandoned Survey

Due to reaching that same collapse/ break in the line that forced the last survey to be abandoned as well, (the line is poor due to this break as well as a very light sag just outside of CB-1165. Note: The location of the break was found and marked. It's depth is roughly 2'8" to the top of the pipe.



Inspection's photos



CUES, Inc
3600 Rio Vista Avenue
Orlando, FL 32805
Phone: 407-849-0190
Fax: 407-425-1569

Main Inspections Small Photos

Measure ID	City	Address	Inspector Name
8367	OOR	Dolphin ave.	Dolphin ave.
Start Date/Time	Node Length	Material	Operator
3/8/2024 11:10 AM	234.0 ft.	Dry	Rob
Upstream Node	UBO/LC	Downstream Node	Open To
CB-1421		CB-1165	
Pipe Material	Pipe Material	Pipe Diameter	Inspector
Circular	Polyethylene	12.0 in.	
Observations			

Setup #32, Dolphin ave. storm water collector. Pre-acceptance assessment. Reverse from the last setup.

Observations

Distance	Dir.	Length	From/To	Code	Modifier/Severity	Rating	Comments
0.0 ft.	U	5.0 ft.	5 / 7	Sag	Light		Very light sag just outside of CB-1165



99.0 ft.	U		11 / 1	Infiltration	Medium		Medium running infiltration coming from a collapse/break in the pipe.
----------	---	--	--------	--------------	--------	--	---



Observations

Distance	Dir.	Length	From/To	Code	Modifier/Severity	Rating	Comments
133.7 ft.	D		11 / 1	Infiltration	Medium	4.0	Moderate running infiltration is coming from a collapse/break in the pipe.



133.7 ft.	D			Abandoned Survey			Due to a collapse in the pipe that the camera can't bypass (the line is poor due to the collapse/break)
-----------	---	--	--	------------------	--	--	---



Inspection's photos

[illegible]

5/7/2024	Dolphin Ave. CB-1170 (US) to CB-1169 (drainage)	Pre Acceptance	None	4383	30	59	AD5	10	Setup 450, (mainline GIS ID 4854) Pre-acceptance assessment was good and no issues or lateral were found.
5/7/2024	Dolphin Ave. DME-153 (DS) to CB-1169 (drainage)	Pre Acceptance	None	4346	45	114	AD5	28	Setup 455, (mainline GIS ID 4846) Pre-acceptance assessment was good and no issues or lateral were found.
6/6/2024	Dolphin Ave. (Sheet) CB-12 (DS) to CB-1169 (drainage)	Pre Acceptance	None	4347	45	20	AD5	13	Setup 456, (mainline GIS ID 4847) Pre-acceptance assessment was good and other than one short light sag, no issues or lateral were found. Note: due to CB-1169's to a moderately offset top, this line can only be inspected from the inlet end which has a 12" PVC man that shoves into it with a flanged steel grate at the inlet.
6/6/2024	Dolphin Ave. CB-1167 (DS) to DME-851 (drainage)	Pre Acceptance	None	4345	60	100	AD5	24	Setup 457, (mainline GIS ID 4845) Pre-acceptance assessment was good and no issues or lateral were found.
6/6/2024	Dolphin Ave. CB-1165 (US) to CB-1164 (drainage)	Pre Acceptance	None	4355	45	70	AD5	12	Setup 455, (mainline GIS ID 4835) Pre-acceptance assessment was good and no issues found, other than the first 10' (DS) having light settled debris.
6/6/2024	Dolphin Ave. CB-1167 (US) to CB-1164 (drainage)	Pre Acceptance	None	4343	30	27	AD5	12	Setup 455, (mainline GIS ID 4843) Pre-acceptance assessment was good and no issues or lateral were found.
6/6/2024	Dolphin Ave. CB-1166 (US) to CB-1165 (drainage)	Pre Acceptance	None	4344	30	245	AD5	14	Setup 453, (mainline GIS ID 4844) Pre-acceptance assessment was good and no issues or lateral were found.
6/6/2024	Dolphin Ave. CB-1169 (DS) to CB-1166 (drainage)	Pre Acceptance	None	4348	45	128	AD5	13	Setup 453, (mainline GIS ID 4833) Pre-acceptance assessment was good and no issues or lateral were found.
6/6/2024	Dolphin Ave. CB-1169 (DS) to CB-1166 (drainage)	Pre Acceptance	None	4342	45	125	AD5	19	Setup 452, (mainline GIS ID 4842) Pre-acceptance assessment was good and no issues or lateral were found.
6/6/2024	Dolphin Ave. CB-1160 (US) to CB-1161 (drainage)	Pre Acceptance	None	4347	30	36	AD5	13	Setup 451, (mainline GIS ID 4841) Pre-acceptance assessment was good and other than a light sag for the majority of the line, no issues or lateral were found.
6/6/2024	Dolphin Ave. CB-1162 (DS) to CB-1161 (drainage)	Pre Acceptance	None	4340	45	188	AD5	14	Setup 450, (mainline GIS ID 4840) Pre-acceptance assessment was good and no issues or lateral were found.
6/6/2024	Dolphin Ave. CB-1162 (US) to CB-1174 (drainage)	Pre Acceptance	None	4335	30	17	AD5	12	Setup 449, (mainline GIS ID 4839) Pre-acceptance assessment was good and no issues or lateral were found.
6/6/2024	Dolphin Ave. CB-1167 (US) to CB-1163 (drainage)	Pre Acceptance	None	4338	45	57	AD5	13	Setup 448, (mainline GIS ID 4838) Pre-acceptance assessment was good and no issues or lateral were found.

[illegible]

1/16/2024	Drill down: CB-1423 (US) towards CB-1423 (drainage) Pre Acceptance			8367	80	100	AD5	12	Setup #12, (mainline GIS ID 8367) Reverse from the last setup, pre-acceptance assessment which also failed and was abandoned due to reaching the same moderate collapse/break in the line when also has moderate steady running infiltration coming from it. From this direction some can also be seen outside of the pipe. The line also has a very tight and short sag just outside of CB-1140. No laterals were found. Notice the location of the break was traced and marked which is also roughly 2' to the top of the pipe and is roughly 3' long.
3/6/2024	Drill down: CB-1423 (US) to CB-1165 (drainage) Pre Acceptance			8368	40	134	AD5	12	Setup #32, (mainline GIS ID 8367) Pre-acceptance assessment failed and the survey was abandoned due to a moderate collapse/break in the line which also has moderate steady running infiltration coming from it. However no soils can be seen from this direction. No other issues or laterals were found.
3/6/2024	Drill down: CB-1421 (US) to CB-1420 (drainage) Pre Acceptance			8366	80	27	AD5	12	Setup #30, (mainline GIS ID 8366) Pre-acceptance assessment was good other than a very tight sag for the full length of the line that had some tight debris settled within it. No other issues or laterals were found.
3/6/2024	Drill down: CB-1418 (US) to CB-1421 (drainage) Pre Acceptance			8365	45	110	AD5	12	Setup #25, (mainline GIS ID 8365) Pre-acceptance assessment was good other than a very tight sag just before CB-1421. No other issues or laterals were found.
3/6/2024	Drill down: CB-1408 (US) to CB-1419 (drainage) Pre Acceptance			8364	45	27	AD5	12	Setup #28, (mainline GIS ID 8364) Pre-acceptance assessment was good other than a very tight sag for the full length of the line. No other issues or laterals were found.
3/7/2024	Drill down: CB-1176 (US) to CB-1177 (drainage) Pre Acceptance			8354	80	23	AD5	12	Setup #27, (mainline GIS ID 8354) Pre-acceptance assessment was good and no issues or laterals were found.
3/7/2024	Drill down: CB-1174 (US) to CB-1177 (drainage) Pre Acceptance			8354	80	107	AD5	12	Setup #26, (mainline GIS ID 8354) Pre-acceptance assessment was good and no issues or laterals were found.
3/7/2024	Drill down: CB-1174 (US) to CB-1168 (drainage) Pre Acceptance			8350	45	208	AD5	12	Setup #25, (mainline GIS ID 8350) Pre-acceptance assessment was good and no issues or laterals were found.

3/7/2024	Neptune rd CB-1175 (US) to CB-1176 (drainage)	Pre Acceptance	None	None	30	23	406	11
3/7/2024	Neptune rd CB-1175 (US) to CB-1425 (drainage)	Pre Acceptance	None	None	50	45	406	11
3/7/2024	Neptune rd CB-1161 (US) to CB-2168 (drainage)	Pre Acceptance	None	None	45	33	406	11
3/7/2024	Neptune rd CB-1161 (US) to CB-1425 (drainage)	Pre Acceptance	None	None	50	45	406	11

Setup #24, (mainline GIS ID 4855) Pre-acceptance assessment was good and no issues or lateral were found.

Setup #23, (mainline GIS ID 8300) Pre-acceptance assessment was good and no issues or lateral were found. This line was previously unmapped.

Setup #22, (mainline GIS ID 4856) Pre-acceptance assessment was good and no issues or lateral were found.

Setup #21, (mainline GIS ID 8128) Pre-acceptance assessment was good and no issues or lateral were found. This line was previously unmapped.

To whom it concerns, while inspecting the drainage on Neptune rd, for pre-acceptance, noticed a steady flow of ocean water coming up through the pavement in front of Neptune rd, the road has likely heaved within the location and as it is coming up through the crack. The slope behind the curb line in this time location is very low and water is seeping out from under the curb. Due to the road currently having only a base coat of pavement, the nearby catch basins are above grade. Because of this, the heaving water flows down the eastern side of the road towards frontland area bypassing two catch basins along the way. The water crosses Neptune rd roughly 80' from frontland area then runs off the pavement, ending a portion of the shoulder on the front end, instead of going into the ditch line.

Date	Location	Activity	Time	Depth (ft)	Temperature (°F)	Salinity (ppt)	Turbidity (NTU)	Color (PCU)	pH	Notes	Status
1/16/2018	Neptune rd. (between 1000 and 1005) to 1005 (US) crossing Neptune rd. then turning towards 1005 and 1006 (US) (downside)	Pre Acceptance	10:00	10	60	1.05	1.0	1.0	7.5	Setup #10. (mainline 1005 to 1006) Pre acceptance assessment with the push camera to locate the origin of a previously unknown and reportedly active drain line. The line is perforated PVC that crosses Neptune rd. then turns right, towards Dolphin ave. at 50' (US) from where the line runs behind cul-de-sac then crosses a paved area by the roads maintenance. The pipe is less than 3' deep and due to the camera being under water the inspection was restricted during retrieval for a full pipe, but better view of the pipe. No issues were found and the line was traced for accuracy. Note: the location of the 90 degree turn is located very close to a project sign post as well as a stop sign. Its also worth noting that this under drain system appears to run on both sides of Neptune rd. Given a lateral that is located roughly 2' (US) from DFO-100. This line also discharges into the ditch line on Portland Ave. next to culvert C1-1003, C0-1002.	Pre Acceptance
1/16/2018	Neptune rd. (between C1-1003 (US) to 1005 (US) (downside))	Pre Acceptance	10:00	10	60	1.05	1.0	1.0	7.5	Setup #11. (mainline 1005 to 1006) Pre acceptance assessment was run due to a light sag between 10' and 25' (US). The water level gradually rose to roughly 2/3 of the diameter of the pipe due to a high discharge environment (US) from the culvert. No other issues or materials were found. Its worth noting that during the time of the inspection the line was light (for the size of pipe) but cloudy flow. And in my opinion, addressing the high discharge/ditch environment would resolve the water level issue and the sag might also be a lot less noticeable.	Pre Acceptance
1/16/2018	Neptune rd. (C1-1003 (US) to C1-1005 (US) (downside))	Pre Acceptance	10:00	10	60	1.05	1.0	1.0	7.5	Setup #12. (mainline 1005 to 1006) Pre acceptance assessment was good and no issues or materials were found.	Pre Acceptance
1/16/2018	Neptune rd. (C1-1003 (US) to C1-1005 (US) (downside))	Pre Acceptance	10:00	10	60	1.05	1.0	1.0	7.5	Setup #13. (mainline 1005 to 1006) Pre acceptance assessment was good and no issues or materials were found.	Pre Acceptance

[illegible]



Dayton Sand & Gravel Co., Inc.
928 Goodwins Mills Road, Dayton, Maine 04005-7352
1-800-339-2700 or 1-207-499-2306 Fax: 1-207-499-7102

Project: Beachmont - Old Orchard Beach
Mix Design #: DSG-DA11-75B-19-V4-64

Date: Thursday, October 19, 2017
Plant Type: H&B 4 Ton Batch Plant

12 Desert Rd, Freeport MaineDOT TESTING LABORATORIES 219 Hogan Rd, Bangor



ASPHALT MIX DESIGN

75 GYRATIONS

SUBMITTAL DATA

DOT Reference No.	Specification Date	Mix Grading		
11130	01/15/16	HMA MIX-19.0MM (FINE-GRADED)		
Plant	Submitted	Submitted By		
DAYTON SAND & GRAVEL		TREVOR KRAUS		
Plant No.	Make	Size	Type	Location
1	H&B	4 TON	BATCH	DAYTON

Approved MaineDOT Job Mix No. &	Binder	Item No.	2nd Item No.	3rd Item No.	4th Item No.
DSG-DA11-75B-19-V4-64	PG64-28	403.207			
ASBO = Asphalt Rubber Oil Graded C = Colored BB = Hot Rolled Asphalt Base L = Cold Layer Modified MTA = Maine Turnpike Authority P = Polymer Modified RB = Rich Base WMA = Warm Mix Asphalt					

Binder	Refiner	Supplier	Start Date
PG64-28	BITUMAR (MONTREAL, CANADA)	BITUMAR USA, INC - 8 PORTLAND	7/24/2015

Superpave Design Data							
Verif. Ref No.	ESAL's	Nominal Size	Gmm	Gmb Weight %	Gab	% Binder	New % Binder
247259	0.3 to <3	19.0mm	2.480	4600	2.85	5.2	

Warm Mix Criteria		Date Modified		Anti-Sump Agent	
Additive	% Used	SBH Solids %	min	Additive	% Used
Temperature Range, °F				Supplier	

Comments
Contractor Gab was adjusted from 2.64 to 2.85 based upon their sp gravity results.

Authorized by: ROLLAN WALKER Initial Approved Date: 6/10/2016 Reissued Date: 6/10/2016
Paper Copy: Lab File Electronic: Area Supervisor, Resident, Contractor



Dayton Sand & Gravel Co., Inc.
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Project: Beachmont - Old Orchard Beach
Mix Design #: DSG-DA11-75B-19-V4-64

Date: Thursday, October 19, 2017
Plant Type: H&B 4 Ton Batch Plant

12 Desert Rd. Freeport MaineDOT TESTING LABORATORIES 219 Hogan Rd, Bangor



Base JMN	Consensus Ref No	Specification Date
DSG-DA11-75B-19-V4	11130	01/15/16

Aggregate Data		RAP Mix Replaced
Size	Original Source/Owner	
19.0	DAYTON S & G PIT - DAYTON - DAYTON SAND & GRAVEL	
12.5	DAYTON S & G PIT - DAYTON - DAYTON SAND & GRAVEL	
9.5	DAYTON S & G PIT - DAYTON - DAYTON SAND & GRAVEL	
MANUFACTURED SAND	DAYTON S & G PIT - DAYTON - DAYTON SAND & GRAVEL	
NATURAL SAND	DAYTON S & G PIT - DAYTON - DAYTON SAND & GRAVEL	

Stockpile Gradation (Percentages Passing Sieve Sizes)												
% Based	1 in. 25.0 mm	2 in. 50.0 mm	2.5 in. 63.5 mm	3 in. 76.2 mm	1/4 in. 6.3 mm	No. 4 4.75 mm	No. 10 2.0 mm	No. 20 0.85 mm	No. 40 0.425 mm	No. 60 0.250 mm	No. 100 0.150 mm	No. 200 0.075 mm
20	100	91	29	8		4	3	2	2	2	1	0.3
18		100	91	29		3	3	2	2	2	1	0.8
18			100	93		38	9	4	2	1	1	0.3
26						100	93	74	53	29	14	7
18						100	97	75	44	16	5	2.4

Aim	100	85	83	71		53	46	36	24	12	6	4
Lower	100	90	78	64		46	42	32	21	10	4	2.0
Upper	100	100	90	78		60	49	40	27	14	8	6.0
Spec.	100	90 - 100	- 90				23 - 49					2 - 6

Aggregate Quality Tests				Original	Retest 1	Retest 2	Results to Use	Specification	Meets?
Fractured, 1 Face (ASTM D 5821), %				90			90	75%, min.	
Fractured, 2 Faces (ASTM D 5821), %				82			82	60%, min.	YES
P.A. Angularity (T 304 Method A), %				47			47	40, min.	YES
Flat & Elongated Part (ASTM D 4791), %				1			1	10%, max.	YES
Sand Equivalent (T 175)				78			78	45, min.	YES
* Coarse Micro-Deval (T 327.05), %				10			10	16%, max.	YES
Method: ☐ A ☐ B Machine Used: MD2				MD2				Passing No. 16, %	
Control Agg. Current Result, %				21.2				Weighted Avg. Loss, %	
Control Agg. Avg. of Last 20 Results, %				20.6				Area Below Curves, %-mm	
* Fine Micro-Deval (ASTM D 7428.05), %									
Machine Used:								Passing No. 200, %	
Control Agg. Current Result, %								Weighted Avg. Loss, %	
Control Agg. Avg. of Last 20 Results, %								Area Below Curves, %-mm	
Los Angeles Wear (T 96), %									
Machine Used:								Passing No. 12, %	
Control Agg. Current Result, %								Weighted Avg. Loss, %	
Control Agg. Avg. of Last 20 Results, %								Area Below Curves, %-mm	
Washington Degradation (MainDOT)								30, min.	
Combined Aggregate, Gab (P 28)								2.65±0.02	
Non Aggregate Specific Gravity (T 84)				2.63			2.63		
Fine Aggregate Absorption (T 84), %				0.9			0.9		YES
Coarse Aggregate Specific Gravity (T 85)									
Coarse Aggregate Absorption (T 85), %									
Avg. Draindown at "F", % (Anticipated Plant Production)									
Avg. Draindown at "F", %									



R. W. Gillespie & Associates, Inc.
86 Industrial Park Road, Suite 4, Saco, ME 04072 207-286-8008
177 Shattuck Way, Suite 1 West, Newington NH 03801 603-427-0244
44 Wood Avenue, Suite 1, Mansfield, MA 508-623-0101

LETTER OF TRANSMITTAL

Seamans Construction

2 Fiero Drive

Old Orchard Beach, Maine 04064

Date:	October 23, 2017	Project No.:	1429-003
Attention:			
info@dmabuildingcorp.com			
Re:			
In-Place Density Testing Beachmont Subdivision Old Orchard Beach, Maine			

Date(s) Performed:

Tuesday, October 10, 2017

Test (s) Performed

In-Place Density Testing - Nuclear Method ASTM D6938

☒ Meets Specification

☐ Selected Tests Do Not Meet Specification - Noted with an "

Note: Materials descriptions and maximum laboratory dry density values were transmitted under separate cover and are referenced in the attached summaries by the material number.

Remarks: Revised report for Beachmont Subdivision

011 Tests were on sample 14716 Type D gravel and require 95% of ASTM D1557 maximum density.

Copy to:

Carey Seamans (c.seamans@yahoo.com)

If enclosures are not noted, kindly notify us at once.

SUMMARY OF IN-PLACE DENSITIES - ASTM D6938

Page 1 of 1



BEACHMONT SUBDIVISION
OLD ORCHARD BEACH, MAINE
DMA BUILDING CORPORATION
RWG&A PROJECT NO. 1429-003

Report Issue Date: Monday, October 23, 2017

Checked By: Joshua Faury, Project Manager, 10/17/2017

Test No.	Test Location	Elevation	ASTM D6938 Dry Density (pcf)	ASTM D6938 Water Content (%)	Sample Lab No.	Max Dry Density (pcf)	Opt Moisture (%)	Percent of Max (%)	Date	Technician	Gauge #
01	Beachmont: 60' from start, 14' LT, SGSB;		134.1	7.0	14716	138.7	8.1	97	10/10/2017	Tony Stohlberg	21019
02	Beachmont: 120' from start, 10' LT, SGSB;		131.6	8.0	14716	138.7	8.1	95	10/10/2017	Tony Stohlberg	21019
03	Beachmont: Between manholes, 6' LT, SGSB;		135.1	7.2	14716	138.7	8.1	97	10/10/2017	Tony Stohlberg	21019
04	Beachmont: 158' from start, 4' RT, SGSB;		134.8	6.7	14716	138.7	8.1	97	10/10/2017	Tony Stohlberg	21019
05	Beachmont: Sta 57+25, 6' RT, SGSB;		135.1	7.8	14716	138.7	8.1	97	10/10/2017	Tony Stohlberg	21019
06	Beachmont: Start of Cul-de-sac Center, FGSB;		131.9	7.3	14716	138.7	8.1	95	10/10/2017	Tony Stohlberg	21019
07	Beachmont: Sta 58+50, Center, SGSB;		131.8	7.6	14716	138.7	8.1	95	10/10/2017	Tony Stohlberg	21019

Remarks:

01: Tests were on sample 14716 Type D gravel and require 95% of ASTM D1557 maximum density

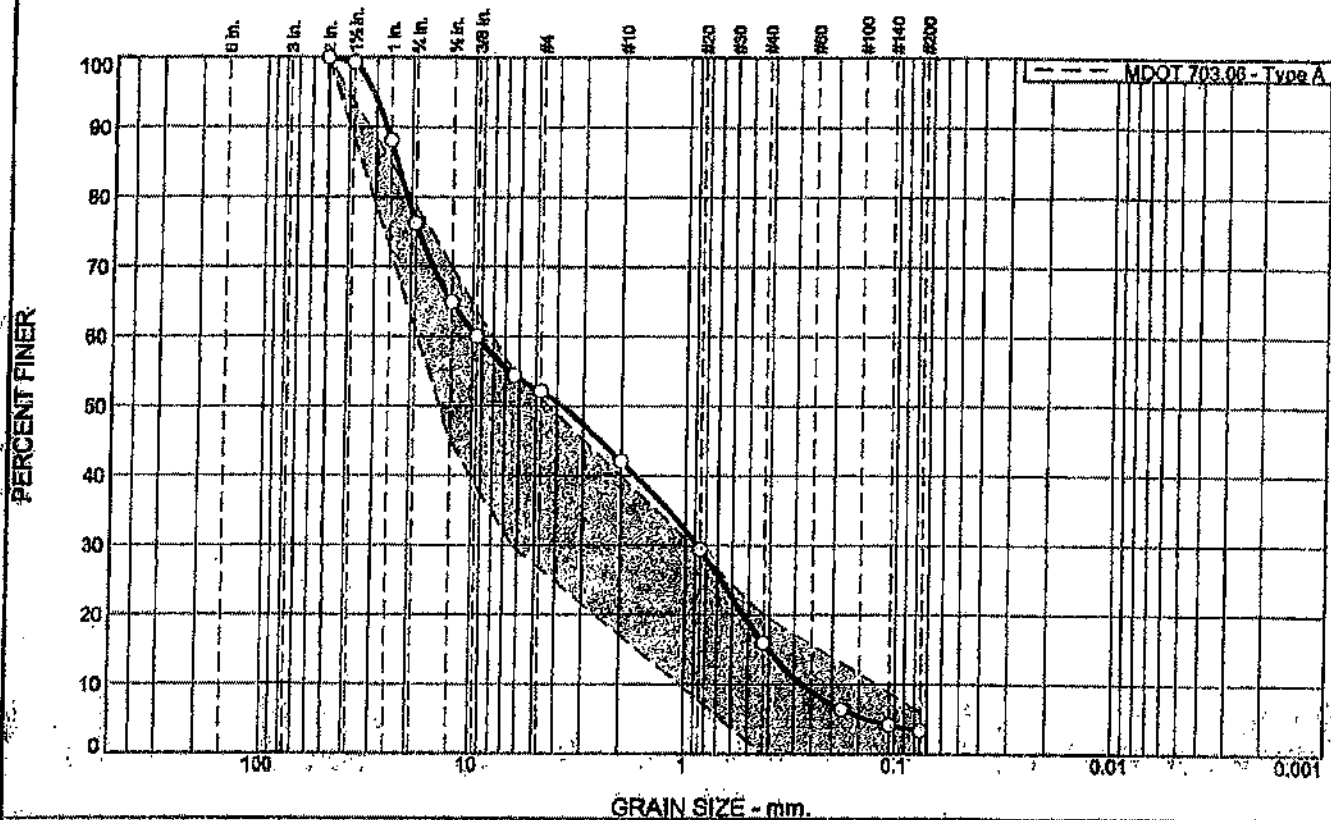
FG = Finish Grade
FF = Finish Floor
FGB = Finish Grade of Base
FGSB = Finish Grade of Subbase
FGSG = Finish Grade of Subgrade

TOW = Top of Foundation Wall
BOF = Bottom of Footing
TOC = Top Carb

Filter Criteria: Project ID = 1429-003; Start Date = 10/10/2017; End Date = 10/10/2017 11:59:59 PM;

R.W. Gillespie & Associates, Inc.
Corporate Office: 85 Industrial Park Road, Ste 4, Saco, ME 04072
Branch Office: 200 International Drive, Ste 170, Portsmouth, NH 03801

Particle Size Distribution Report



% +3"	% Gravel		% Sand			% Fines	
	Coarse	Fine	Coarse	Medium	Fine	Silt	Clay
0.0	23.8	24.0	10.0	26.2	12.6	3.4	

SIEVE SIZE	PERCENT FINER	SPEC. ^a PERCENT	PASS? (X=NO)
2"	100.0	100.0	
1 1/2"	99.3		
1"	88.1		
3/4"	76.2		
1/2"	65.0	45.0 - 70.0	
3/8"	60.1		
1/4"	54.4	30.0 - 55.0	
#4	52.2		
#10	42.2		
#20	29.5		
#40	16.0	0.0 - 20.0	
#80	6.4		
#140	4.1		
#200	3.4	0.0 - 6.0	

Soil Description

Type A gravel - poorly graded sand with gravel

Atterberg Limits

PL= LL= PI=

Coefficients

D₉₀= 26.6589 D₈₅= 23.5505 D₆₀= 9.4933
D₅₀= 3.7316 D₃₀= 0.8753 D₁₅= 0.4013
D₁₀= 0.2764 C_u= 34.34 C_c= 0.29

Classification

USCS= SP AASHTO= A-1-a

Remarks

Moisture Content: 2.3%

MDOT 703.06 - Type A

Location: Stock Pile - Dayton, ME
Sample Number: 14743

Date: 10/17/17

**R.W. Gillespie
& Associates, Inc.
Saco, Maine**

Client: DMA Building Corporation
Project: Beachmount Subdivision

Project No: 1429-003

Lab No. 14743

Tested By: JJB/CDN

Checked By: MTG

**R. W. Gillespie & Associates, Inc.**

86 Industrial Park Road, Suite 4, Saco, ME 04072 207-286-8008
177 Shattuck Way, Suite 1 West, Newington NH 03801 603-427-0244
44 Wood Avenue, Suite 1, Mansfield, MA 508-623-0101

LETTER OF TRANSMITTAL

Seamans Construction

2 Fiero Drive

Old Orchard Beach, Maine 04064

Date:	October 17, 2017	Project No.:	1429-003
Attention:	info@dmabuildingcorp.com		
Re:	In-Place Density Testing Beachmont Subdivision and Flag Rd. Dayton, ME		

Date(s) Performed:

October 10 & 13, 2017

Test (s) Performed

In-Place Density Testing - Nuclear Method ASTM D6938

☒ Meets Specification

☐ Selected Tests Do Not Meet Specification - Noted with an *

Note: Materials descriptions and maximum laboratory dry density values were transmitted under separate cover and are referenced in the attached summaries by the material number.

Remarks:

01: Tests were on sample 14716 Type D gravel and require 95% of ASTM D1557 maximum density.

Copy to: Carey Seamans (c.seamans@yahoo.com)

If enclosures are not noted, kindly notify us at once.

SUMMARY OF IN-PLACE DENSITIES - ASTM D6938

Page 1 of 1



BEACHMONT SUBDIVISION AND FLAG RD.
OLD ORCHARD BEACH, MAINE
DMA BUILDING CORPORATION
RWG&A PROJECT NO: 1429-003

Report Issue Date: Tuesday, October 17, 2017

Checked By: Joshua Fanny, Project Manager, 10/17/2017

Test No.	Test Location	Elevation	ASTM D6938 Dry Density (pcf)	ASTM D6938 Water Content (%)	Sample Dist No.	Max Dry Density (pcf)	Opt Moisture (%)	Percent of Max (%)	Date	Technician	Gauge #
01	Beachmont: 60' from start, 14' LT, SGSB;		134.1	7.0	14716	138.7	8.1	97	10/10/2017	Tony Stohlberg	21019
02	Beachmont: 120' from start, 10' LT, SGSB;		131.6	8.0	14716	138.7	8.1	95	10/10/2017	Tony Stohlberg	21019
03	Beachmont: Between manholes, 6' LT, SGSB;		135.1	7.2	14716	138.7	8.1	97	10/10/2017	Tony Stohlberg	21019
04	Beachmont: 158' from start, 4' RT, SGSB;		134.8	6.7	14716	138.7	8.1	97	10/10/2017	Tony Stohlberg	21019
05	Beachmont: Sta. 57+25, 6' RT, SGSB;		135.1	7.8	14716	138.7	8.1	97	10/10/2017	Tony Stohlberg	21019
06	Beachmont: Start of Cal-de-sec Center, FGSB;		131.9	7.3	14716	138.7	8.1	95	10/10/2017	Tony Stohlberg	21019
07	Beachmont: Sta. 58+50, Center, SGSB;		131.8	7.6	14716	138.7	8.1	95	10/10/2017	Tony Stohlberg	21019

Remarks:

01: Tests were on sample 14716 Type-D gravel and require 95% of ASTM D1557 maximum density

FG = Finish Grade
EF = Finish Floor
FGB = Finish Grade of Base
FGSB = Finish Grade of Subbase
FGSG = Finish Grade of Subgrade

TOW = Top of Foundation Wall
BOF = Bottom of Footing
TOC = Top Curb

Filter Criteria: Project ID = 1429-003; Start Date = 10/10/2017; End Date = 10/10/2017 11:59:59 PM;

R. W. Gillespie Associates, Inc.
Corporate Office 86 Industrial Park Road, Ste 4, Saco, ME 04072
Branch Office 200 International Drive, Ste 170, Portsmouth, NH 03801

SUMMARY OF IN-PLACE DENSITIES - ASTM D6938



BEACHMONT SUBDIVISION AND FLAG RD.
OLD ORCHARD BEACH, MAINE
DMA BUILDING CORPORATION
RWG&A PROJECT NO. 1429-003

Report Issue Date: Tuesday, October 17, 2017

Checked By: Joshua Farcy, Project Manager, 10/17/2017

Test No.	Test Location	Elevation	ASTM D6938 Dry Density (pcf)	ASTM D6938 Water Content (%)	Sample Lab No.	Max Dry Density (pcf)	Opt Moisture (%)	Percent of Max (%)	Date	Technician	Gauge #
01	Off Flag Pond Rd. Sta 0+81, 3' RT, SGSR;		132.0	4.7	14716	138.7	8.1	95	10/13/2017	Tony Stohlberg	21019
02	Off Flag Pond Rd. Sta 1+88, 5' LT, SGSR;		132.6	4.9	14716	138.7	8.1	96	10/13/2017	Tony Stohlberg	21019
03	Off Flag Pond Rd. Sta 2+61, 10' RT, SGSR;		133.3	5.8	14716	138.7	8.1	96	10/13/2017	Tony Stohlberg	21019
04	Off Flag Pond Rd. Sta 3+50, 5' LT, SGSR;		133.6	5.2	14716	138.7	8.1	96	10/13/2017	Tony Stohlberg	21019
05	Off Flag Pond Rd. Sta 4+22, 7' RT, SGSR;		131.9	4.9	14716	138.7	8.1	95	10/13/2017	Tony Stohlberg	21019

Remarks

01: Tests were on sample 14716 Type D gravel and require 99% of ASTM D1557 maximum density

FG = Finish Grade
FF = Finish Floor
FGB = Finish Grade of Base
FGSB = Finish Grade of Subbase
FGSG = Finish Grade of Subgrade

TOF = Top of Foundation Wall
BOF = Bottom of Footing
TOC = Top Curb

Filter Collector Project ID = 1429-003; Start Date = 10/13/2017; End Date = 10/13/2017 11:59:59 PM;

R. W. Gillespie Associates, Inc.
Corporate Office: 86 Industrial Park Road, Ste. 4, Saco, ME 04072
Branch Office: 200 International Drive, Ste. 170, Portsmouth, NH 03801

**R. W. Gillespie & Associates, Inc.**

86 Industrial Park Road, Suite 4, Saco, ME 04072 207-286-8008
177 Shattuck Way, Suite 1 West, Newington NH 03801 603-427-0244
44 Wood Avenue, Suite I, Mansfield, MA 508-623-0101

*Phase 3***LETTER OF TRANSMITTAL**Seamans Construction2 Fiero DriveOld Orchard Beach, Maine 04064

Date:	October 17, 2017	Project No.:	1429-003
Attention:	info@dmabulldingcorp.com		
Re:	Laboratory Testing Beachmont Subdivision and Flag Rd. Dayton, ME		

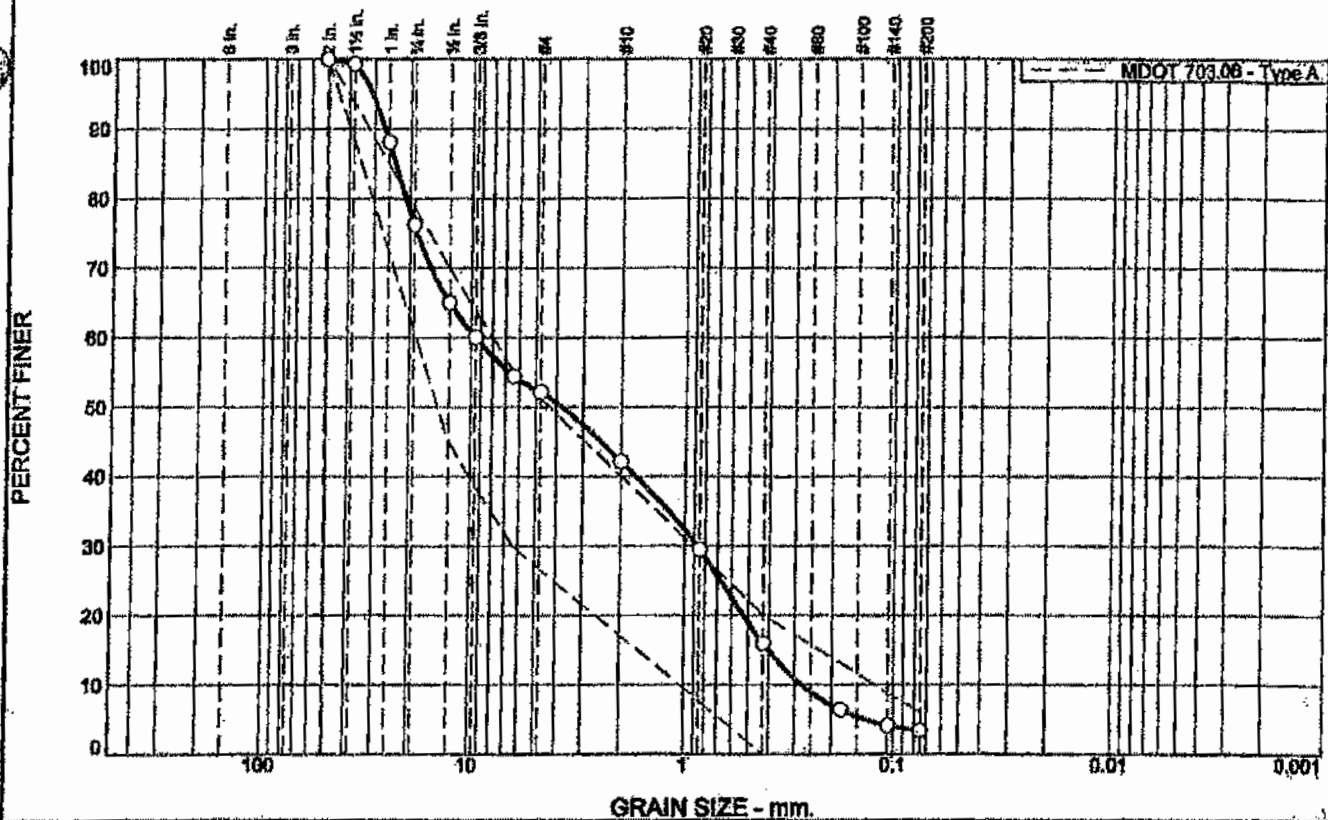
Laboratory No. (s)	Test (s) Performed
14743: Type A Gravel Retest, Inplace, Old Orchard Beach, ME	Gradation

Remarks:

Copy to:Carey Seamans (c.seamans@yahoo.com)

If enclosures are not noted, kindly notify us at once.

Particle Size Distribution Report



% +3"	% Gravel		% Sand			% Fines	
	Coarse	Fine	Coarse	Medium	Fine	Silt	Clay
0.0	23.8	24.0	10.0	26.2	12.6	3.4	

SIEVE SIZE	PERCENT FINER	SPEC. PERCENT	PASS? (X=NO)
2"	100.0	100.0	
1 1/2"	99.3		
1"	88.1		
3/4"	76.2		
1/2"	65.0	45.0 - 70.0	
3/8"	60.1		
1/4"	54.4	30.0 - 55.0	
#4	52.2		
#10	42.2		
#20	29.5		
#40	16.0	0.0 - 20.0	
#80	6.4		
#140	4.1		
#200	3.4	0.0 - 6.0	

Soil Description

Type A gravel - poorly graded sand with gravel

Atterberg Limits

PL= LL= PI=

Coefficients

D₉₀= 26.6589 D₈₅= 23.5505 D₆₀= 9.4933
D₅₀= 3.7316 D₃₀= 0.8753 D₁₅= 0.4013
D₁₀= 0.2764 C_u= 34.34 C_c= 0.29

Classification

USCS= SP AASHTO= A-1-a

Remarks

Moisture Content: 2.3%

MDOT 703.06 - Type A

Location: Inplace, Old Orchard Beach, ME
Sample Number: 14743

Date: 10/17/17

**R.W. Gillespie
& Associates, Inc.
Saco, Maine**

Client: DMA Building Corporation
Project: Beachmont Subdivision and Flag Rd.

Project No: 1429-003

Lab No. 14743

Tested By: JJB/CDN

Checked By: MTG



R. W. Gillespie & Associates, Inc.

86 Industrial Park Road, Suite 4, Saco, ME 04072 207-286-8008
200 Int'l Drive, Suite 170, Portsmouth, NH 03801 603-427-0244

LETTER OF TRANSMITTAL

DMA Building Corporation

840 Portland Road

Saco, Maine 04072

Date:	11/21/2014	Project No.:	1429-001
Attention:			
info@dmabuildingcorp.com			
Re:			
In-Place Density Testing 200 Portland Road Beachmont Properties Old Orchard Beach, Maine			

Date(s) Performed:

Wednesday, November 05, 2014

Test (s) Performed

In-Place Density Testing - Nuclear Method ASTM D6938

☒ Meets Specification

☐ Selected Tests Do Not Meet Specification - Noted with an *

Note: Materials descriptions and maximum laboratory dry density values were transmitted under separate cover and are referenced in the attached summaries by the material number.

Remarks:

Copy to: Cary Seamans (c.seamans@yahoo.com)

If enclosures are not noted, kindly notify us as once.

SUMMARY OF IN-PLACE DENSITIES - ASTM D6938

Page 1 of 1



200 PORTLAND ROAD BEACHMONT PROPERTIES
OLD ORCHARD BEACH, MAINE
DMA BUILDING CORPORATION
RWG&A PROJECT NO. 1429-001

Report Issue Date: Friday, November 21, 2014

Checked By: Matthew T. Grady, 11/21/2014

Test No.	Test Location	Elevation	ASTM D6938 Dry Density (pcf)	ASTM D6938 Water Content (%)	Sample Lab No.	Max Dry Density (pcf)	Opt Moisture (%)	Percent of Max (%)	Date	Technician	Gauge #
01	Dolphin Ave. 48+36, Rt. 8 ft, FGSB;		132.4	7.2	12806	136.5	5	97	11/05/2014	Joe Barth	5697
02	Dolphin Ave. 47+50, Lt. 9, FGSB;		135.0	9.2	12806	136.5	5	99	11/05/2014	Joe Barth	5697
03	Dolphin Ave. 46+50, Rt. 10, FGSB;		132.6	7.0	12806	136.5	5	97	11/05/2014	Joe Barth	5697
04	Dolphin Ave. 45+57, CTR. FGSB;		133.8	8.3	12806	136.5	5	98	11/05/2014	Joe Barth	5697
05	Dolphin Ave. 44+50, Rt. 5, FGSB;		132.2	7.4	12806	136.5	5	97	11/05/2014	Joe Barth	5697
06	Dolphin Ave. 43+50, Lt. 1, FGSB;		129.9	8.2	12806	136.5	5	95	11/05/2014	Joe Barth	5697
07	Dolphin Ave. 42+50, Lt. 9, FGSB;		135.0	7.2	12806	136.5	5	99	11/05/2014	Joe Barth	5697
08	Dolphin Ave. 41+50, Rt. 5, FGSB;		134.9	7.9	12806	136.5	5	99	11/05/2014	Joe Barth	5697
09	Dolphin Ave. 40+75, Rt. 11, FGSB;		132.9	7.6	12806	136.5	5	97	11/05/2014	Joe Barth	5697
10	Dolphin Ave. 40+00, CTR. FGSB;		132.6	7.6	12806	136.5	5	97	11/05/2014	Joe Barth	5697
11	Dolphin Ave. 39+00, Lt. 5, FGSB;		136.7	6.9	12806	136.5	5	100	11/05/2014	Joe Barth	5697

Remarks:

01: Density tests on material 12806 Subbase Gravel require 95% of ASTM D1557 maximum density. Rt = Right, FT = Feet

FG = Finish Grade
FF = Finish Floor
FGB = Finish Grade of Base
FGSB = Finish Grade of Subbase
FGSG = Finish Grade of Subgrade

TOW = Top of Foundation Wall
BOF = Bottom of Footing
TOC = Top Curb

Filter Criteria: Project ID = 1429-001; Start Date = 11/5/2014; End Date = 11/5/2014 11:59:59 PM;

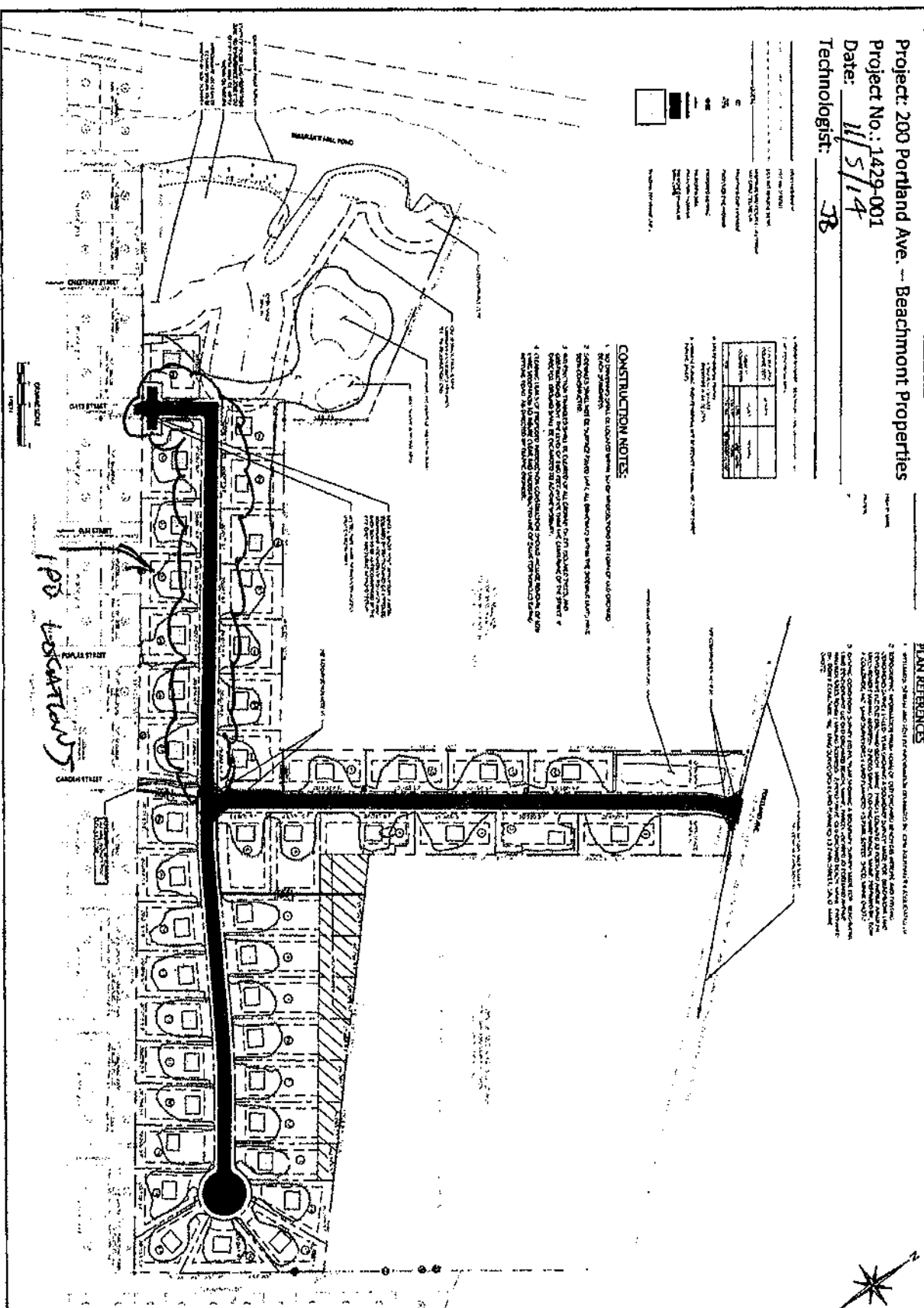
R. W. Gillespie Associates, Inc.
Corporate Office 86 Industrial Park Road, Ste 4, Saco, ME 04072
Branch Office 200 International Drive, Ste 170, Portsmouth, NH 03801

Project: 200 Portland Ave. - Beachmont Properties

Project No.: 1429-001

Date: 11/5/14

Technologist: JB



ISSUED FOR FINAL REVIEW-09/28/2012

C-101 LATEST EDITION: 09/28/2012 DESIGNED BY: JB CHECKED BY: JB NOT PROJECT NO. 1429-001	OVERALL SITE PLAN BEACHMONT SUBDIVISION OLD ORCHARD BEACH, MAINE OWNER: BEACHMONT LAND DEVELOPMENT, LLC P.O. BOX 772 WATERBURY, MAINE 04487	Blais civil engineers 744 BEACHMONT, 200 PORTLAND AVE. #1104 (207) 767-7740 SUITE 100, 1000 MAIN ST. (207) 767-7740	REVISIONS <table border="1"> <thead> <tr> <th>NO.</th> <th>DATE</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>09/28/2012</td> <td>ISSUED FOR FINAL REVIEW</td> </tr> <tr> <td>2</td> <td>09/28/2012</td> <td>ISSUED FOR FINAL REVIEW</td> </tr> <tr> <td>3</td> <td>09/28/2012</td> <td>ISSUED FOR FINAL REVIEW</td> </tr> <tr> <td>4</td> <td>09/28/2012</td> <td>ISSUED FOR FINAL REVIEW</td> </tr> <tr> <td>5</td> <td>09/28/2012</td> <td>ISSUED FOR FINAL REVIEW</td> </tr> <tr> <td>6</td> <td>09/28/2012</td> <td>ISSUED FOR FINAL REVIEW</td> </tr> <tr> <td>7</td> <td>09/28/2012</td> <td>ISSUED FOR FINAL REVIEW</td> </tr> <tr> <td>8</td> <td>09/28/2012</td> <td>ISSUED FOR FINAL REVIEW</td> </tr> <tr> <td>9</td> <td>09/28/2012</td> <td>ISSUED FOR FINAL REVIEW</td> </tr> <tr> <td>10</td> <td>09/28/2012</td> <td>ISSUED FOR FINAL REVIEW</td> </tr> </tbody> </table>	NO.	DATE	DESCRIPTION	1	09/28/2012	ISSUED FOR FINAL REVIEW	2	09/28/2012	ISSUED FOR FINAL REVIEW	3	09/28/2012	ISSUED FOR FINAL REVIEW	4	09/28/2012	ISSUED FOR FINAL REVIEW	5	09/28/2012	ISSUED FOR FINAL REVIEW	6	09/28/2012	ISSUED FOR FINAL REVIEW	7	09/28/2012	ISSUED FOR FINAL REVIEW	8	09/28/2012	ISSUED FOR FINAL REVIEW	9	09/28/2012	ISSUED FOR FINAL REVIEW	10	09/28/2012	ISSUED FOR FINAL REVIEW
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R. W. Gillespie & Associates, Inc.

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200 Int'l Drive, Suite 170, Portsmouth, NH 03801 603-427-0244

LETTER OF TRANSMITTAL

DMA Building Corporation

840 Portland Road

Saco, Maine 04072

Date:	OCT 21 2014	Project No.:	1429-001
Attention:	info@dmabuildingcorp.com		
Re:	In-Place Density Testing 200 Portland Road Beachmont Properties Old Orchard Beach, Maine		

Date(s) Performed:

Tuesday, October 14, 2014

Test (s) Performed

In-Place Density Testing - Nuclear Method ASTM D6938

☒ Meets Specification

☐ Selected Tests Do Not Meet Specification - Noted with an *

Note: Materials descriptions and maximum laboratory dry density values were transmitted under separate cover and are referenced in the attached summaries by the material number.

Remarks:

Copy to: Cary Seamans (c.seamans@yahoo.com)

If enclosures are not noted, kindly notify us as once.

SUMMARY OF IN-PLACE DENSITIES - ASTM D6938

Page 1 of 1



200 PORTLAND ROAD BEACHMONT PROPERTIES
OLD ORCHARD BEACH, MAINE
DMA BUILDING CORPORATION
RWG&A PROJECT NO. 1429-001

Report Issue Date: Tuesday, October 21, 2014

Checked By: Matthew T. Grady, 10/21/2014

Test No.	Test Location	Elevation	ASTM D6938 Dry Density (pcf)	ASTM D6938 Water Content (%)	Sample Lab No.	Max Dry Density (pcf)	Opt Moisture (%)	Percent of Max (%)	Date	Technician	Gauge #
1	Dolphin Rd. - Sta 50+35, 4' Left of Center, About 8" below FG.;		130.1	5.6	12806	136.5	5	95	10/15/2014	Josh Boynton	21019
2	Dolphin Rd. - Sta 51+30, 6' Right of Center, About 8" below FG.;		129.9	4.9	12806	136.5	5	95	10/15/2014	Josh Boynton	21019
3	Dolphin Rd. - Sta 52+45, 5' Left of Center, About 8" below FG.;		129.9	4.5	12806	136.5	5	95	10/15/2014	Josh Boynton	21019

Remarks:

1: Tests were on sample 12806 Subbase Gravel. Tests require 95% of ASTM D1557 maximum density.

FG = Finish Grade
FF = Finish Floor
FGB = Finish Grade of Base
FGSB = Finish Grade of Subbase
FGSG = Finish Grade of Subgrade

TOW=Top of Foundation Wall
BOF=Bottom of Footing
TOC = Top Curb

Filter Criteria: Project ID = 1429-001; Start Date = 10/15/2014; End Date = 10/15/2014 11:59:59 PM;

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Branch Office 200 International Drive, Ste 170, Portsmouth, NH 03801



R. W. Gillespie & Associates, Inc.
86 Industrial Park Road, Suite 4, Saco, ME 04072 207-286-8008
200 Int'l Drive, Suite 170, Portsmouth, NH 03801 603-427-0244

LETTER OF TRANSMITTAL

DMA Building Corporation

840 Portland Road

Saco, Maine 04072

Date: JUL 30 2013	Project No.: 1429-001
Attention: info@dmabuildingcorp.com	
Re: Laboratory Testing 200 Portland Road Beachmont Properties Old Orchard Beach, Maine	

We are sending you attached Laboratory Test Results

Laboratory No. (s)

Test (s) Performed

12806

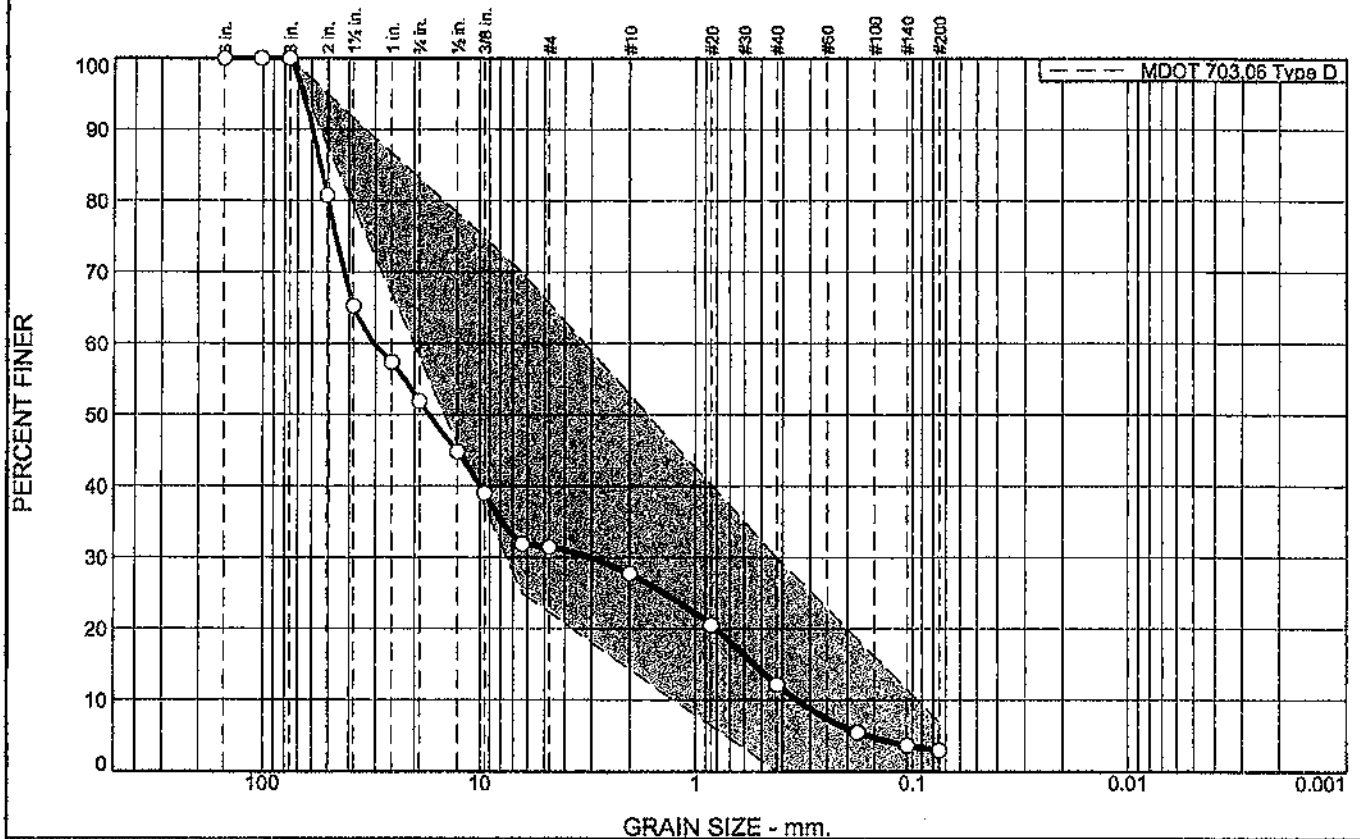
Washed Gradation & MD

Remarks:

Copy to: Cary Seamans (c.seamans@yahoo.com)

If enclosures are not noted, kindly notify us as once.

Particle Size Distribution Report



% +3"	% Gravel		% Sand			% Fines	
	Coarse	Fine	Coarse	Medium	Fine	Silt	Clay
0.0	48.1	20.4	3.8	15.6	9.1	3.0	

SIEVE SIZE	PERCENT FINER	SPEC.* PERCENT	PASS? (X=NO)
6"	100.0	100.0 - 100.0	
4"	100.0		
3"	100.0		
2"	80.8		
1 1/2"	65.2	25.0 - 70.0	
1"	57.4		
3/4"	51.9		
1/2"	44.8		
3/8"	39.0	0.0 - 30.0	
1/4"	31.9		
#4	31.5		
#10	27.7		
#20	20.5	0.0 - 7.0	
#40	12.1		
#80	5.5		
#140	3.7		
#200	3.0		

Soil Description
Type D Gravel - poorly graded gravel with sand

Atterberg Limits
PL= LL= PI=

Coefficients
D₈₅= 54.3805 D₆₀= 30.8267 D₅₀= 17.2077
D₃₀= 3.0402 D₁₅= 0.5403 D₁₀= 0.3448
C_u= 89.41 C_c= 0.87

Classification
USCS= GP AASHTO= A-1-a

Remarks
Moisture Content: 5.8%. 100% passing the 6" and 90.4% passing the 3" sieve. Formerly Sent as Project #1088-005

* MDOT 703.06 Type D

Sample No.: 12806

Location: Stockpile

Source of Sample: Dayton Sand and Gravel

Date: 7/30/2013

Elev./Depth:

**R.W. Gillespie
& Associates, Inc.
Saco, Maine**

Client: DMA Building Corporation
Project: 200 Portland Road Beachmont Properties

Project No: 1429-001

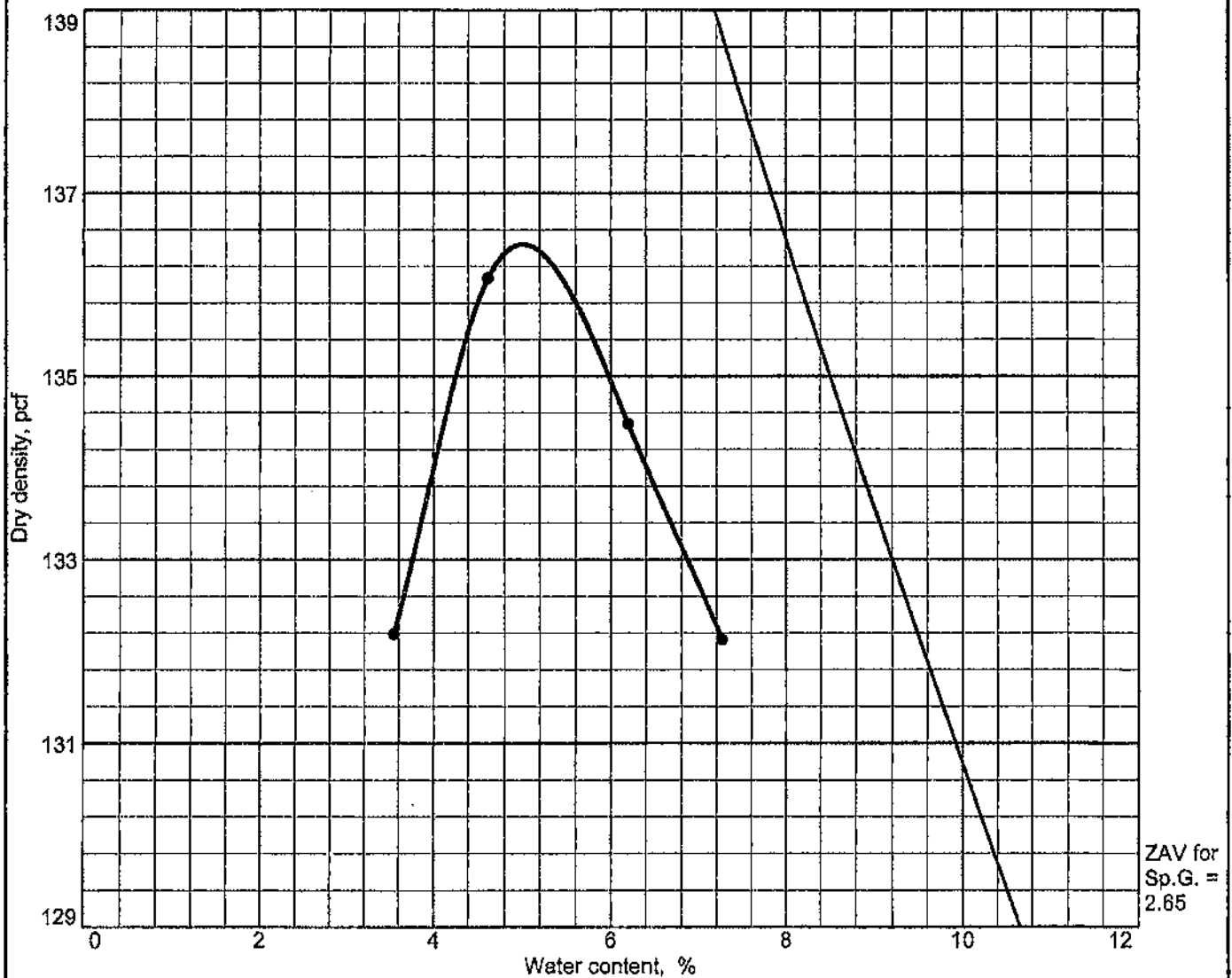
Lab No. 12806

Tested By: TJL

Checked By: MTG

MTG

Moisture-Density Test Report



Test specification:
Oversize correction applied to each point

Elev/ Depth	Classification		Nat. Moist.	Sp.G.	LL	PI	% > 3/4 In.	% < No.200
	USCS	AASHTO						
	GP	A-1-a	5.8%				40.9	3.9

ROCK CORRECTED TEST RESULTS

Maximum dry density = 136.4 pcf

Optimum moisture = 5.0 %

MATERIAL DESCRIPTION

Type D Gravel - poorly graded gravel with sand

Project No. 1429-001 Client: DMA Building Corporation
Project: 200 Portland Road Beachmont Properties

• Location: Stockpile

R.W. Gillespie & Associates, Inc.
Saco, Maine

Remarks:

Tested by: AWS
Formerly Sent under Project Number 1088-005

Lab No. 12806



R. W. Gillespie & Associates, Inc.

86 Industrial Park Road, Suite 4, Saco, ME 04072 207-286-8008
200 Int'l Drive, Suite 170, Portsmouth, NH 03801 603-427-0244

LETTER OF TRANSMITTAL

DMA Building Corporation

840 Portland Road

Saco, Maine 04072

Date:	JUL 30 2013	Project No.:	1429-001
Attention:	info@dmabuildingcorp.com		
Re:	In-Place Density Testing 200 Portland Road Beachmont Properties Old Orchard Beach, Maine		

We are sending you attached In-Place Density Test Results.

Date(s) Performed:

Monday, July 29, 2013

Test (s) Performed

In-Place Density Testing - Nuclear Method ASTM D6938

☒ Meets Specification

☐ Selected Tests Do Not Meet Specification - Noted with an *

Note: Materials descriptions and maximum laboratory dry density values were transmitted under separate cover and are referenced in the attached summaries by the material number.

Remarks:

Copy to: Cary Seamans (c.seamans@yahoo.com)

If enclosures are not noted, kindly notify us as once.

SUMMARY OF IN-PLACE DENSITIES - ASTM D6938

Page 1 of 1



200 PORTLAND ROAD BEACHMONT PROPERTIES
OLD ORCHARD BEACH, MAINE
DMA BUILDING CORPORATION
RWG&A PROJECT NO. 1429-001

Report Issue Date: Tuesday, July 30, 2013

Checked By: Matthew T. Grady, 07/30/2013

Test No.	Test Location	Elevation	ASTM D6938 Dry Density (pcf)	ASTM D6938 Water Content (%)	Sample Lab No.	Max Dry Density (pcf)	Opt Moisture (%)	Percent of Max (%)	Date	Technician	Gauge #
01	Sta 20+00, Lt 5', EL=FSB;		130.6	6.9	12806	136.5	5	96	07/29/2013	Travis Thurber	21059
02	Sta 19+00, Rt 10', EL=FSB;		131.7	8.6	12806	136.5	5	96	07/29/2013	Travis Thurber	21059
03	Sta 18+00, Lt 4', EL=FSB;		130.0	9.2	12806	136.5	5	95	07/29/2013	Travis Thurber	21059
04	Sta 17+00, Rt 5', EL=FSB;		129.0	9.4	12806	136.5	5	95	07/29/2013	Travis Thurber	21059
05	Sta 16+00, Lt 12', EL=FSB;		132.2	7.3	12806	136.5	5	97	07/29/2013	Travis Thurber	21059
06	Sta 15+00, Rt 4', EL=FSB;		131.6	8.1	12806	136.5	5	96	07/29/2013	Travis Thurber	21059
07	Sta 14+00, Lt 10', EL=FSB;		135.6	8.4	12806	136.5	5	99	07/29/2013	Travis Thurber	21059
08	Sta 13+00, Rt 7', EL=FSB;		130.6	9.6	12806	136.5	5	96	07/29/2013	Travis Thurber	21059
09	Sta 12+00, Lt 11', EL=FSB;		135.0	7.9	12806	136.5	5	99	07/29/2013	Travis Thurber	21059
10	Sta 11+00, Rt 5', EL=FSB;		129.8	9.0	12806	136.5	5	95	07/29/2013	Travis Thurber	21059
11	Sta 10+00, Lt 13', EL=FSB;		135.1	7.9	12806	136.5	5	99	07/29/2013	Travis Thurber	21059

Remarks:

01: Tests were on sample 12806 Subbase Gravel. Tests require 95% of maximum density.

FG = Finish Grade
FF = Finish Floor
FGB = Finish Grade of Base
FGSB = Finish Grade of Subbase
FGSG = Finish Grade of Subgrade

TOW=Top of Foundation Wall
BOF=Bottom of Footing
TOC = Top Curb

Filter Criteria: Project ID = 1429-001; Start Date = 7/29/2013; End Date = 7/29/2013 11:59:59 PM;

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200 Int'l Drive, Suite 170, Portsmouth, NH 03801 603-427-0244

LETTER OF TRANSMITTAL

DMA Building Corporation

840 Portland Road

Saco, Maine 04072

Date:	JUL 26 2013	Project No.:	1429-001
Attention:	info@dmabuildingcorp.com		
Re:	In-Place Density Testing 200 Portland Road Beachmont Properties Old Orchard Beach, Maine		

Date(s) Performed:

Monday, July 15, 2013

Test (s) Performed

In-Place Density Testing - Nuclear Method ASTM D6938

☒ Meets Specification

☐ Selected Tests Do Not Meet Specification - Noted with an *

Note: Materials descriptions and maximum laboratory dry density values were transmitted under separate cover and are referenced in the attached summaries by the material number.

Remarks:

Copy to: Cary Seamans (c.seamans@yahoo.com)

If enclosures are not noted, kindly notify us as once.

SUMMARY OF IN-PLACE DENSITIES - ASTM D6938

Page 1 of 1



200 PORTLAND ROAD BEACHMONT PROPERTIES
OLD ORCHARD BEACH, MAINE
DMA BUILDING CORPORATION
RWG&A PROJECT NO. 1429-001

Report Issue Date: Friday, July 26, 2013

Checked By: Matthew T. Grady, 07/25/2013

Test No.	Test Location	Elevation	ASTM D6938 Dry Density (pcf)	ASTM D6938 Water Content (%)	Sample Lab No.	Max Dry Density (pcf)	Opt Moisture (%)	Percent of Max (%)	Date	Technician	Gauge #
1	Sta 22+00, Lt 7', EL=FSB;		132.5	6.7	12806	136.5	5	97	07/15/2013	Aidan Sullivan	L-244
2	Sta 22+50, Rt 6', EL=FSB;		131.9	7.6	12806	136.5	5	97	07/15/2013	Aidan Sullivan	L-244
3	Sta 21+00, Rt 8', EL=FSB;		130.8	6.2	12806	136.5	5	96	07/15/2013	Aidan Sullivan	L-244
4	Sta 20+00, Lt 5', EL=FSB;		130.0	6.7	12806	136.5	5	95	07/15/2013	Aidan Sullivan	L-244

Remarks:

1: Tests were on sample 12806 Subbase Gravel. Tests require 95% of maximum density.

FG = Finish Grade
FF = Finish Floor
FGB = Finish Grade of Base
FGSB = Finish Grade of Subbase
FGSG = Finish Grade of Subgrade

TOW = Top of Foundation Wall
BOF = Bottom of Footing
TOC = Top Curb

Filter Criteria: Project ID = 1429-001; Start Date = 7/15/2013; End Date = 7/15/2013 11:59:59 PM;

R. W. Gillespie Associates, Inc.
Corporate Office 86 Industrial Park Road, Ste 4, Saco, ME 04072
Branch Office 200 International Drive, Ste 170, Portsmouth, NH 03801

Annual Post-Construction BMP Certification

(to be completed by a Qualified Post-Construction Stormwater Inspector and sent to Municipal Enforcement Authority)

I, Austin Fagan, P.E. (print or type name), certify the following:

1. I am making this Annual Post-Construction BMP Certification for the following property: Beachmont Subdivision (print or type name of subdivision, condominium or other development) located at Neptune Road and Dolphin Ave (print or type address), (the "Property").

2. The owner, operator, tenant, lessee or homeowners' association of the Property is Beachmont Subdivision Homeowners Association (name(s) of owner, operator, tenant, lessee, homeowners' association or other party having control over the Property).

3. I am a Qualified Post-Construction Stormwater Inspector (as defined by Old Orchard Beach, Maine Code of Ordinances, Part II – Code of Ordinances, Chapter 71 – Post-Construction Stormwater Management) hired by the owner, operator, tenant, lessee or homeowner's association of the Property (circle one):

4. I have reviewed the approved Post-Construction Stormwater Management Plan for the Property;

5. On October 29, 2025, I inspected the Post-Construction BMPs on the Property, including but not limited to parking areas, catch basins, drainage swales, detention basins and ponds, pipes and related structures required by the approved Post-Construction Stormwater Management Plan for the Property. The following BMPs were inspected (list Post-Construction BMPs that were inspected):
Infiltration basins, Catch Basins, Field Inlets, Stormdrain Culverts, Swales, Roadways

6. At the time of my inspection of the Post-Construction BMPs on the Property, the following need(s) for routine maintenance or deficiencies in the Post-Construction BMPs were identified (if none, please state):

The representatives of the HOA are currently working to maintain the onsite BMP's and plan to improve all areas that were noted during the time of inspection. See attached report for additional info.

7. On _____, 20____, the owner, operator, tenant, lessee, or homeowners' association of the Property (circle one) took or had taken the following routine maintenance or corrective action(s) to address the deficiencies in the Post-Construction BMPs stated in 6. above:

8. On _____, 20____, I reinspected the Post-Construction BMPs and determined that they are performing as intended.

9. As of the date of this certification, the Post-Construction BMPs are (check one) ☒ functioning as intended by the approved Post-Construction Stormwater Management Plan for the Property or ☐ are not functioning as intended by the approved Post-Construction Stormwater Management Plan and require routine maintenance or corrective action(s) to address deficiencies in the Post-Construction BMPs.

I, as the Qualified Post-Construction Stormwater Inspector, understand that I am to furnish a copy of all of my inspection report(s) to the Municipal Enforcement Authority.

Date: November 3 _____, 2025.

By: Austin g. Fagan
Signature

Austin Fagan, P.E

Print Name

Professional Engineer # 16523

Title/Qualification

Mail or hand deliver this certification to the Municipal Enforcement Authority at the following address:

Code Enforcement Officer
Town of Old Orchard Beach
1 Portland Avenue
Old Orchard Beach, ME 04064

BERRY HUFF MCDONALD MILLIGAN, INC.
380B MAIN STREET
GORHAM, MAINE 04038
207-839-2771

**Town of Old Orchard Beach
Annual Stormwater Certification Inspection**

PROJECT: Beachmont Subdivision
OWNER: Beachmont Subdivision Homeowners Association
INSPECTION DATE: 10/29/2024
TO: Town of OOB, Brian Hannon
ON-SITE ATTENDEES: Austin Fagan PE, Brian Hannon, Sam Cushing

The following was noted:

- The intent of this inspection was to perform an annual Post Construction BMP Certification of the stormwater infrastructure for Beachmont Subdivision.
- Representatives of the Beachmont Subdivision, Brian Hannon and Sam Cushing, met me onsite to discuss the existing conditions of the stormwater BMP's and showed the inspection and maintenance documents that they have compiled since taking over the role of maintaining the development.
- Infiltration Basin #1 is in fair condition and appears to be functioning as intended. Members of the HIOA have installed a rain gage and water level indicator and have found that the basin drains approximately 0.5" per day after a storm event. They plan to explore the subsurface conditions of the basin to determine limiting factors for drainage.
- The basin and its embankments should be mowed at least once, but not more than twice annually to prevent growth of trees and other woody vegetation. The HIOA should continue to pull woody vegetation growing in the basin or on its embankments, and the root holes should be loamed and seeded to allow revegetation.
- Minor erosion was noted in the swale leading to Infiltration Basin #1. Additional riprap (appears to be 6") should be placed in the bottom of the swale to ensure stabilization along the inlet flow path.
- An accumulation of silt was noted in the 30" inlet to Infiltration Basin #2. The catch basin sumps upstream of this inlet did not show signs of siltation. The rim of the drain manhole between catch basin 1 and the inlet should be removed to see if there is a buildup of sediment. Additionally, sediment should be removed from the 30" pipes outlet. If additional buildup appears, further investigation will be required to find the source of the silt.
- During the growing season, any bare areas should be scarified and reseeded to ensure at least 90% vegetative ground cover.
- All catch basin sumps appear to be somewhat clean at this time. The sumps should be vacuumed once sediment accumulation is noticeable.

- The HOA should consider a street sweeping schedule, potentially before and after winter, to ensure sediment and leaves stay out of the catch basin structures and reduce the need for pump cleaning.
- The woody vegetation growing at the pipe outlet on lot 33 should be removed.
- The woody vegetation at the field inlet adjacent to lot 29 should be pulled to prevent conflict with the basin.
- Infiltration Basin #2 is in good condition and appears to be functioning as intended. During the growing season, any bare areas should be scarified and reseeded to ensure at least 90% vegetative ground cover.

The following pictures were taken during the site inspection:



Infiltration Basin #1 looking east.



Infiltration Basin #2 looking northeast.



Northern berm of Infiltration Basin #1.



Western spillway.



Eastern spillway of Infiltration Basin #1.



Infiltration Basin #1 looking west.



Infiltration Basin #1 looking west.



Infiltration Basin #1 sediment forebay.



Armored swale inlet to Inf. Basin #1 looking upstream.



Armored swale inlet to Inf. Basin #1 looking downstream.



Erosion in armored scale to Infiltration Basin #1.



30" outlet to Infiltration Basin #1.



30" outlet to Infiltration Basin #1.



Typical CB manp (CB#3).



Cross culvert at Date Street intersection.



DMH 1 (actually CB) leading to outlet on lot 33.



Outlet at lot 33.



Forebay inlet on lot 32.



Field inlet at lot 30.



Field inlet at lot 29.



Field inlet at lot 27.



Infiltration Basin #2 looking northeast.



Infiltration Basin #2 sediment forebay.



Inlet to Infiltration Basin #2.



Western embankment of Infiltration Basin #2.



Embankment of Infiltration Basin #2 parallel to Portland Ave.

Respectfully submitted,

Austin G. Fagan

Austin G. Fagan, PE
Berry Huff McDonald Milligan, Inc.

Post-Construction Inspection Report... (DCR) 5033

Michael Foster

From: Christine Rinehart <christine.rinehart@wright-pierce.com>
Sent: Wednesday, April 8, 2026 2:17 PM
To: Michael Foster
Subject: Re: Annual BMP cert question

Follow Up Flag: Follow up
Flag Status: Flagged

Mike,

From the tracking sheet, it looks like the site is Beachmont, and they have been required to submit certifications previously. Looks like for the 11/2025 certification, the BMPs were functioning.

Chapter 71 does require, the owner or operator to hire a qualified post-construction stormwater inspector to, at least annually, inspect, the post-construction BMPs. It also requires the qualified post-construction stormwater inspector to provide, on or by June 30 of each year, a completed and signed certification.

By the HOA submitting the certification in November, they aren't in compliance with Chapter 71. As such, I think the Town has flexibility on whether to consider the 11/2025 submittal as a late submittal for 2025/PY3 or consider it the certification for 2026/PY4.

Although the BMPs were functioning during the 11/3/2025 inspection, if maintenance was required, you could request they complete the maintenance and have it reinspected prior to June 30. Or you could indicate an annual inspection and certification is required, and the 11/2025 inspection is considered the 2025 inspection and another is needed for 2026.

Whatever you decide, we should make note of it and apply it moving forward, if this comes up again. Let me know if you want to discuss more.

Thanks,
Christine

From: Michael Foster <mfoster@oobmaine.com>
Sent: Wednesday, April 8, 2026 9:22 AM
To: Christine Rinehart <christine.rinehart@wright-pierce.com>
Subject: Annual BMP cert question

Hi Christine,

We received an annual BMP certification from the developer for a project last year after the June 30 deadline. Cert was dated 11/3/2025. The HOA now is responsible but they were thinking this 11/3/2025 certification covers this year since deadline is June 30. I remember this question coming up with new infrastructure certifications, but I don't recall this question with certs coming in after the deadline. I believe they would still need to submit a cert for this year, is that correct?

Thank You,



September 15, 2015
BCE File.: 11166

Ms. Christine Woodruff
Maine Department of Environmental Protection
Bureau of Land and Water Quality
312 Canco Road
Portland, ME 04103

**Re: Construction Observation of Infiltration Basin
At end of Dolphin Avenue
Beachmont Subdivision, Old Orchard, Maine**

Dear Ms. Woodruff,

As required and requested by the Maine Department of Environmental Protection (MEDEP), we have observed the construction and installation of the above-referenced infiltration basin for the above referenced project. This letter summarizes our findings.

Blais Civil Engineers visited the site on May 12th, 2015 and August 14th, 2015 to observe the installation of the infiltration basin. Stormwater on site is generally directed into the catch basin collection system and then into two separate infiltration basins: one near the Portland Avenue site entrance, which was constructed in 2013 and one and one downhill of the Date Street connection.

We offer the following comments after our observations:

- Vegetation is not fully established on some parts of the inner bank. Straw mulch is currently in place. Lack of vegetation is likely due to the southern exposure and difficulty of watering this area. These area should be full vegetated by October 1st.
- All pipes need to be cleaned after construction is finished.
- The western most level spreader was constructed more toward the east, closer to the natural drainage channel and stabilized with rip rap.

Based on observations during construction, it appears the infiltration basin described above was installed and is functioning as intended in the "Beachmont Subdivision Plans", prepared by Blais Civil Engineers and dated 9/28/12.

Please contact us if you have any further questions or need additional information.

Sincerely,

BLAIS CIVIL ENGINEERS

Steve G. Blais, PE
President

Distribution List:
Beachmont Development, LLC
Christine Woodruff – DEP
Stephanie Hubbard – Wright Pierce

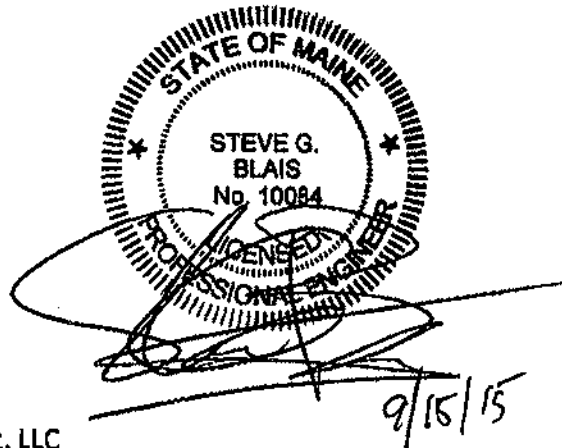




Photo 1 – Infiltration Basin, looking North
Beachmont Subdivision - Old Orchard Beach, ME
Taken by Steve Blais, 5/12/13



Photo 2 – Infiltration Basin, looking South
Beachmont Subdivision - Old Orchard Beach, ME
Taken by Steve Blais, 5/12/13



Photo 3 – Level Lip Spreader
Beachmont Subdivision - Old Orchard Beach, ME
Taken by Steve Blais, 5/12/13



Photo 4 – Infiltration Basin, looking North
Beachmont Subdivision - Old Orchard Beach, ME
Taken by Steve Blais, 5/12/13



Photo 5 – Infiltration Basin, looking North
Beachmont Subdivision - Old Orchard Beach, ME
Taken by David Alves, 7/8/15



Photo 6 – Infiltration Basin, looking Northeast
Beachmont Subdivision - Old Orchard Beach, ME
Taken by David Alves, 7/8/15



Photo 7 – HDPE Outlet to Infiltration Basin
Beachmont Subdivision - Old Orchard Beach, ME
Taken by David Alves, 7/8/15



Photo 8 – Infiltration Basin, looking North
Beachmont Subdivision – Old Orchard Beach, ME
Taken by Steve Blais, 8/14/15



Photo 9 – Infiltration Basin, looking East
Beachmont Subdivision – Old Orchard Beach, ME
Taken by Steve Blais, 8/14/15



Photo 10 – Rip Rap Level Lip Spreader
Beachmont Subdivision – Old Orchard Beach, ME
Taken by Steve Blais, 8/14/15



Photo 11 – Stone Level Spreader to Basin
Beachmont Subdivision – Old Orchard Beach, ME
Taken by Steve Blais, 8/14/15

Maintenance Agreement for Post-Construction BMPs

This Maintenance Agreement is made this 19 day of March 2016 by and between Beachmont ("Applicant") and the Town of Old Orchard Beach, Maine ("Town").

The project name is Beachmont Development LLC.

The location is: 200 Portland Ave, Old Orchard Beach, Maine.

The project's Tax Map and Lot Numbers are Tax Map Lot 103 / 30.

The project is shown on a plan entitled "Beachmont Subdivision" dated 8/25/12 and most recently revised on 10/10/12, approved by the Planning Board on Oct 11 2012 and recorded in the York County Registry of Deeds in Plan Book 16226 Page 538 (the "Project").
12/20/12 Recorded

WHEREAS, the approval of the Project includes Post-Construction BMP(s) which require periodic maintenance; and

WHEREAS, in consideration of the approval of the Project the Town of Old Orchard Beach requires that periodic maintenance be performed on the Post-Construction BMPs;

NOW, THEREFORE, in consideration of the mutual benefits accruing from the approval of the Project by the Town and the agreement of Applicant to maintain the Post-Construction BMPs, the parties hereby agree as follows:

1. Applicant, for itself, and its successors and assigns, agrees to the following:
 - (a) To inspect, clean, maintain, and repair the Post-Construction BMPs, which includes, to the extent they exist, parking areas, catch basins, detention basins or ponds, drainage swales, pipes and related structures, at least annually, to prevent the build up and storage of sediment and debris in the system;
 - (b) To repair any deficiencies in the Post-Construction BMPs noted during the annual inspection;
 - (c) To provide an annual certification on the inspection, maintenance, and repair activities performed annually on the Post-Construction BMPs to the Municipal Enforcement Authority;
 - (d) To allow access by Town personnel or the Town's designee for inspecting the Post-Construction BMPs for conformance with these requirements.
 - (e) To create a homeowners' association, as applicable, for the purpose of maintaining the Post-Construction BMPs.

2. Upon creation of the homeowners' association, as applicable, the homeowners' association shall become responsible for compliance with the terms of this Agreement.
3. This Agreement shall constitute a covenant running with the land, and Applicant shall reference this Agreement in all deeds to lots and/or units within the Project.

Kim M. Laughlin
Witness

By: Cary Seaman
Its: Owner

Kim M. Laughlin
Witness

TOWN OF OLD ORCHARD BEACH

By: [Signature]
Its: [Signature]

STATE OF MAINE
YORK, ss.

3/29, 2016

Personally appeared the above-named CARY SEAMAN, the OWNER of BEACHMONT DEVELOPMENT LLC and acknowledged the foregoing Agreement to be said person's free act and deed in said capacity.

Before me,
[Signature]
Notary Public / Attorney at Law

Print Name:

JEFFREY THOMPSON JR.

STATE OF MAINE
YORK, ss.

3/29, 2016

Personally appeared the above-named DANIEL FEENEY, the CODE OFFICIAL of the Town of Old Orchard Beach, and acknowledged the foregoing Agreement to be said his/her free act and deed in said capacity.

Before me,
[Signature]
Notary Public / Attorney at Law

Print Name:

JEFFREY THOMPSON JR.



BK 18689 PGS 307 - 322
INSTR # 2013044783
RECEIVED YORK SS

09/05/2013 03:24:52 PM
DEBRA ANDERSON
REGISTER OF DEEDS

**DECLARATION OF
EASEMENTS, RESTRICTIONS AND COVENANTS
FOR BEACHMONT SUBDIVISION**

(With Reservation of Title to Roads pursuant to 33 M.R.S.A. § 3031(4))

WHEREAS, Beachmont Land Development, LLC, a Maine limited liability company with a business address of 840 Portland Avenue, Saco, Maine 04072 (the "Declarant"), owns certain real estate in Old Orchard Beach, County of York, State of Maine, as shown on plans identified as "Final Plan Showing Beachmont Subdivision, Old Orchard Beach, Maine," dated August 28, 2012 (Sheets S-1, S-2, and S-3), as amended, recorded on December 18, 2012, in the York County Registry of Deeds in Plan Book 358, Pages 26-28 (collectively the "Plan" or "Subdivision Plan"), and which property is more particularly described in Exhibit A attached hereto (hereinafter the "Property").

WHEREAS, it is desired that certain easements, restrictions and covenants be imposed upon said lands for the protection of said Declarant and its subsequent Owners,

NOW, THEREFORE, Declarant hereby declares that all of the Property shall be held, sold and conveyed subject to the following easements, restrictions, covenants and conditions, which are intended for the purpose of protecting the value and desirability of the said Property. Each of these easements, restrictions, covenants and conditions shall run with the real property. The easements, restrictions, covenants and conditions shall be binding upon all parties having any right, title or interest in the Property or any part thereof. These easements, restrictions, covenants and conditions shall bind their heirs, successors and assigns forever. These easements, restrictions, covenants and conditions shall inure to the mutual benefit of each owner hereafter.

**ARTICLE I
DEFINITIONS**

1.1 "Association" shall mean the Beachmont Homeowners Association, its successors and assigns.

1.2 "Common Expenses" shall mean any expenses incurred by the Association for the care of the Common Property, if any, or for expenses common to the Association. These may include, but shall not be limited to, any landscaping, snow removal, road maintenance, garbage removal, detention pond maintenance, common utilities, general repairs, insurance, equipment and supply expenses, overhead and other expenses deemed necessary or appropriate by the Association. Without limitation, Common Expenses shall include road maintenance expenses for the private way identified as Jordan Drive on the Plan. Insurance shall include casualty and liability insurance for any Common Property.

1.3 "Common Property" shall mean the real property (including the improvements thereon), owned by the Association for the common use and enjoyment of the Owners as identified on the Plan. Without limiting the foregoing and subject to the terms of Article V, the Common Property shall include:

(a) Certain real property and parcels of land identified as: (i) the parcel identified as "Open Space 32,912 S.F." situated on northwesterly side of Neptune Road between Lot 44 and Portland Avenue as shown on the Subdivision Plan; (ii) the parcel identified as "Open Space 16,468 S.F." situated on the southeasterly side of Neptune Road between Lot 1 and Portland Avenue as shown on the Subdivision Plan; (iii) the parcel identified as "Open Space Area" situated on the southwesterly side of Dolphin Avenue between Lot 27 and Lot 26 as shown on the Subdivision Plan; and (iv) the parcel

INGRAM TITLE COMPANY
338 Main Street
Saco, ME 04072

16pgs

identified as "Open Space 8.36 +/- Acres" with northwesterly boundary along Milliken's Mill Pond as shown on the Subdivision Plan, together with all stormwater treatment ponds, drainage facilities, utilities and related improvements located within the boundaries of such Common Property, and also together with all rights and easements benefitting said Common Property as shown on the Subdivision Plan and described in this Declaration, including without limitation any such easements identified as "Drainage Easement" on Lots 2, 4, 29, 30, and 33 as depicted on the Subdivision Plan; and

(b) The private right-of-ways identified on the Subdivision Plan as: (i) "Neptune Road"; and (ii) "Dolphin Avenue" (roadways (i) and (ii) collectively the "Roads"), which shall remain a private ways unless otherwise accepted a by the Town of Old Orchard Beach as a public street in accordance with Section 5.2.

1.4 "Declarant" shall mean Beachmont Land Development, LLC, its successors and assigns.

1.5 "Lot" shall refer to any plots of land set aside for residential construction and identified as Lots 1-44 as shown upon the Plan.

1.6 "Owner" shall mean the record owner or owners of the fee simple title to any Lot that is part of the Property. It shall not include mortgages until such time as title is transferred by deed. Each Lot shall be deemed to have one owner for voting purposes, regardless of the number of actual owners.

1.7 "Property" shall mean all of that certain real property described in Exhibit A, which is attached hereto and made a part hereof, and such additional real property as may hereafter be brought under the jurisdiction of the Association by purchase, gift or devise.

1.8 "Site Plan" shall mean the site plan entitled "Overall Site Plan, Beachmont Subdivision," dated February 15, 2012 (the "Site Plan"), evidencing the Site Plan approval for Beachmont Subdivision, as the same may be modified or amended, which Site Plan is on file with the Town of Old Orchard Beach.

ARTICLE II COVENANTS AND RESTRICTIONS FOR USE OF PROPERTY

2.1 **Residential Use.** All Lots or parcels of land conveyed shall be used primarily for single family residential purposes and the usual and natural uses in connection therewith, unless otherwise designated by Declarant, its successors and assigns.

2.2 **Structures.** No structure or building shall be erected, altered, placed or permitted to remain in any Lot other than one single-family dwelling of not less than 1000 square feet of living space (the term living space shall not include any garage, basement or any unheated area). All dwelling houses shall have a minimum main house foundation size of one thousand (1,000) square feet for one story homes, and eight hundred (800) square feet for two-story homes so long as the total living space shall be at least one thousand (1,000) square feet.

2.3 **Building and Plumbing Standards.** No building shall ever be erected on any Lot hereby conveyed in violation of municipal standards. All sanitary plumbing and sewage disposal shall conform to the minimum requirements of the local governing authorities and the State of Maine.

2.4 **Code Conformance.** This Declaration is independent of any requirements or restrictions imposed by the ordinances of the Town of Old Orchard Beach. Nothing in this Declaration relieves any person of any obligation to comply with such ordinances. Except as otherwise expressly stated herein, the Town of Old Orchard Beach has no authority or responsibility to enforce the provisions of this

Declaration. Notwithstanding any less restrictive provision of such ordinances, however, the exterior of every dwelling house must be completed, including painting or staining and landscaping, within one (1) year from the date construction is started on the building or structure.

2.5 No Subdivision. No Lot or parcel of land within the subdivision shall be subdivided in any manner without the approval of the Town of Old Orchard Beach and the written approval of the Declarant, its successors and assigns.

2.6 Animals. No livestock, poultry or other non-domestic animals shall be permitted on any Lot.

2.7 Temporary Structures. No house trailers, campers, motor homes, tents or other forms of temporary residence of any type or description shall be used on any Lot for habitation on a regular or extended basis; provided, however, that the Declarant, or its designees may use any Lot or improvement thereon owned or leased by it as a model home and for sales and/or construction offices.

2.8 No Commercial Business. Owners shall not conduct or operate any commercial business on any Lot without the prior written consent of the Declarant or the Association.

2.9 Storage of Materials, Quiet Enjoyment. No junk material, junk vehicles, stumps, trash, or similar waste items, or any hazardous or dangerous materials shall be stored on any Lot. Owners shall not conduct any hazardous, noxious, dangerous, offensive, or noisy activity that unreasonably interferes with any other Owner's quiet enjoyment of his or her Lot.

2.10 Machinery/Commercial Vehicles. No machinery, unregistered motor vehicles. Commercial vehicles exceeding a one ton truck, or equipment of any kind shall be placed, operated or maintained upon any Lot except such machinery or equipment as is usual and customary in connection with and during the use, maintenance or construction of a residence.

2.11 Grounds Maintenance, Trash. No dead trees or other unsightly growth shall be permitted to remain on any part of a Lot and no refuse pile or unsightly object shall be allowed to be placed or permitted to remain on any part of a Lot. No lumber, metal, bulk materials, garbage, refuse or trash shall be kept, stored, or allowed to accumulate on any Lot unless it is kept or stored in sanitary containers, except for building materials used during the course of construction of any approved dwelling or permitted structure. During the construction of any alteration on a Lot the Owner shall keep the construction site reasonably free of rubbish and scrap, and construction materials and trailers employed in connection with such construction shall be kept in a neat and orderly manner. Trash or other refuse that is to be disposed of by being picked up and carried away on a regular and recurring basis may be placed on or near the street adjacent to a Lot in an approved container on any day that a pick-up is to be made. At all other times, such containers shall be stored in such a manner that they cannot be seen from adjacent and surrounding property.

2.12 Trees. Any cutting of trees shall be done in compliance with the laws of the State of Maine and any applicable municipal ordinances in existence at the time of cutting. Cutting of trees larger than 4" on stump shall not be done within twenty-five (25) feet of any rear boundary or within ten (10) feet of any sideline of any Lot. This section shall not preclude the removal of diseased or naturally damaged trees.

2.13 Stumps. During construction on a Lot, recently removed stumps from subject Lots may be buried in the location noted on the approved Site Plan, as on record in the Town of Old Orchard Beach. Any disturbance to the stump burial area shall be in accordance with all current State of Maine and Town of Old Orchard Beach erosion and sedimentation control standards.

2.14 Motor Vehicles. All authorized motor vehicles shall be stored or parked only in parking areas on a Lot. All such vehicles shall be properly registered and no vehicle repairs, except those of a minor nature, such as tire or oil changes shall be permitted on any of the Common Property or on any Lot, except within a fully enclosed garage. No fuel driven motor vehicle may be driven or placed on any Common Property, except on the Roads or such other part of the Common Property, if any, specifically set aside for driving and for parking.

2.15 Large Vehicles, etc. No house trailer, commercial truck, recreational vehicle, camper, non-passenger vehicle, boat, boat trailers or any similar vehicles items shall be stored, parked or repaired, except for minor repairs such as a tire change, in any roadway, driveway or in the open on any Lot unless parked or stored there on a temporary basis. The term "temporary" shall be as determined by the Association's Executive Board but shall generally be no longer than five (5) days.

2.16 General Reservation By Declarant. Nothing in this Declaration shall prohibit or restrict the Declarant, or its designees, during the development of the property from operating, parking, maintaining or otherwise using a vehicle anywhere in the property.

2.17 Model Home Use. Anything contained in this Declaration to the contrary notwithstanding, any Lot owned or leased by the Declarant, its assignee or designee, may be used by Declarant, its assignee or designee for model home purposes or for the maintenance of a real estate office as herein above provided. Declarant shall be entitled to conduct all activities normally associated with the development of the Property on the Property.

2.18 Setbacks. No fences or hedges shall be erected or placed nearer than five (5) feet from any street or Lot line, and all structures must be set back at least ten feet from any street or Unit Site Line.

2.19 Traffic View. No improvement, planting, shrubbery or any other obstruction shall be placed on any Lot so as to block the clear view of traffic on any street, including, without limitation, any planting that will exceed three (3) feet in height within a depth of fifteen (15) feet from any street abutting a Lot (with the exception of shade trees which shall be pruned to the height of eight (8) feet).

2.20 Front Lawn. The area within the front of a dwelling on a Lot shall be kept only as a lawn for ornamental or decorative planting of grass, trees and shrubbery.

2.21 Fences. No fence, other than an ornamental fence, shall be erected upon a Lot, and no fence shall be permitted without the prior approval of the Board of Directors, which consent shall not unreasonably be withheld or denied. Fences shall not exceed three (3) feet in height, and shall not impede surface drainage. The height restriction shall not apply to enclosures of rear patios, and shall not apply to retaining walls required by topography. The Executive Board of the Association shall not approve any fence which does not meet minimum municipal requirements, if any. No chain link fence of any kind shall be allowed or approved.

2.22 Architectural Review and Design Standards, Approval. So long as the Declarant is the record title owner of one or more Lots, prior to the construction of any dwelling or any auxiliary structure on any Lot the Owner of the Lot must have the prior written approval of the Declarant for such construction, with respect to location of the dwelling, the type and style of architecture, exterior color, and

the type and quality of building materials used. At such time as the Declarant shall no longer be a record owner of any Lot, or upon the date which is seven (7) years after the Declarant has sold and transferred fifty percent (50%) of the Lots to Owners other than the Declarant, whichever shall occur earlier, the review and approval of construction under this Section shall be performed by the Association. With respect to any such proposed construction, the Owner shall submit to Declarant or the Association, as the case may be, prior to commencing construction, a site plan or other written proposal showing all buildings, walks, exterior lighting plan, paved driveways, and patios, floor plans, and elevations showing all facades of each approved structure. The Declarant or the Association as applicable shall approve such plans if it finds, in its sole discretion, that the construction will be consistent with the overall quality and residential scheme of the development; provided, however, that such approval shall not be unreasonably withheld, conditioned, or delayed. Upon substantial completion of a dwelling pursuant to the plans proposed hereunder, and upon issuance of a Certificate of Occupancy therefore, all dwellings shall be deemed to have complied with this Section, and third parties may rely upon the existence of such Certificate of Occupancy as evidence of compliance with this Section, unless prior to the date of such Certificate of Occupancy the Declarant or Association as applicable shall have recorded in the York County Registry of Deeds a notice stating such dwelling does not comply with this Section. This Section shall not apply to any construction on any Lot or the Property by the Declarant.

2.23 **Leasing.** No dwelling on a Lot may be leased for transient purposes. Dwellings may be rented on a monthly or annual basis, but no portion of any dwelling (other than the entire dwelling) shall be leased for any period less than one (1) month. Any such rental shall be accomplished by a written form of lease (a) requiring the lessee to comply with the rules and regulations of the Association; (b) providing that failure to comply therewith constitutes a default under the lease; and (c) providing that the Association has the power to terminate the lease or to bring summary proceedings to evict the tenant in the name of the lessor there under in the event of a default in the observance of the terms of the lease. Each Owner shall, promptly following the execution of any lease, forward a conformed copy thereof to the Executive Board. The Executive Board may adopt additional rules and regulations applicable to leasing, including a requirement to use an approved lease form or lease addendum with terms satisfactory to the Executive Board. This Section shall not be construed to impair a mortgagee's right to foreclose, accept a deed in lieu of foreclosure, or sell or lease a property so acquired by the Mortgagee or the Association's right to grant easements, licenses, leases and concessions.

ARTICLE III OWNERS' RIGHT TO USE COMMON PROPERTY

3.1 Every Owner shall have a non-exclusive perpetual easement and right for the use and quiet enjoyment of the Common Property of the Association, and for access thereto, as hereinafter described. Said right of use shall be appurtenant to the Owner's Lot and shall pass with title to every Lot, subject only to the following provisions:

- (a) the right of the Association to impose annual maintenance and insurance charges to the Owners;
- (b) the right of the Association to dedicate, sell or transfer all or any part of the Common Property to the Town of Old Orchard Beach for public use by residents of the Town. The Owners as herein provided shall approve such a transfer, sale or dedication; and
- (c) any rights, easements, encumbrances, covenants, restrictions, or Declarant rights, easements, or reservations as described in this Declaration or otherwise shown on the Plan.

3.2 The Association may suspend the right of any Owner to use the Common Property in the event that any Owner fails to make any payments for Assessments as described herein; excepting, however, that in no event shall any such suspension endanger the health or safety of an Owner or deny access of an Owner to his or her dwelling. Rights of use shall be reinstated upon payment in full of any past due amount.

ARTICLE IV HOMEOWNERS' ASSOCIATION

4.1 **Association.** Prior to the date of execution and recording of this Declaration, there has been formed the Beachmont Homeowners Association, a non-profit non-stock corporation organized under the laws of the State of Maine (the "Association"). Each owner of a Lot, shall automatically become and be a member of the Association as long as said Owner continues as owner of a Lot. Upon termination of interest of an Owner in a Lot, the Owner's membership and any interest in the Association shall automatically terminate and transfer and inure to the next successive owner of the Lot. Each owner of a Lot shall be bound by the By-Laws of the Association, as same may be amended from time to time, and each Owner of a Lot shall comply strictly with said By-Laws of the Association. No holder of a mortgage of a Lot shall be considered as a Lot owner until such holder shall acquire title to a Lot by foreclosure, by deed in lieu of foreclosure, or by maintaining possession of the Lot.

4.2 **Voting.** Each Owner shall be entitled to cast one (1) vote upon any matter taken up by the Association, as more particularly set forth in the Bylaws of the Association. This shall apply regardless of any difference in Lot size or value. Any Owner who owns more than one (1) Lot may cast one (1) vote for each such Lot. With respect to any Lot owned by a corporation or business entity, the officer or appointed agent shall cast the vote for such Lot.

4.3 **Notice.** Written notice of any meeting called for the purposes of taking any action authorized under this Declaration shall be sent to all members not less than ten (10) days nor more than sixty (60) days prior to the scheduled date. A quorum shall be necessary for the transaction of business and shall be deemed to exist if fifty percent (50%) of the Owners are present. No proxy voting shall be permitted, except as expressly set forth in the Bylaws. In the event that a quorum does not exist, the only action that may be taken is to adjourn the meeting to another date and direct the secretary to send notice of the new meeting date to all Members.

4.4 **Majority Voting.** To take effect, and except as otherwise expressly required herein, any matter brought before the Association must be approved by a majority (i.e., more than 50%) of those Owners who are present and voting. A quorum must be present at the time any vote is taken. Loss of quorum requires immediate adjournment of the meeting.

4.5 **Rules and Regulations.** The Executive Board of the Association shall have the power to adopt reasonable rules and regulations concerning the Property, the Lots, and the use thereof, which rules and regulations shall be binding upon the Owners.

ARTICLE V COMMON PROPERTY

5.1 **Turnover of Common Property.** Initially, the Declarant shall be responsible for the performance of construction, snow plowing and maintenance of the Common Property. After completion of construction of such Common Property, the Declarant shall have the right to convey the Common Property in whole or in part as follows: (i) to the Association by Quit-Claim (Release) Deed, which shall be accepted by the Association, or (ii) to the Town of Old Orchard Beach, by deed approved by the Town and upon such terms and conditions as may be required by the Town and any applicable ordinances and regulations; and

upon such conveyance the obligations and responsibilities of Declarant with respect to the Common Property conveyed by said deed shall terminate and cease.

5.2 **Maintenance of Common Property.** The Declarant shall be responsible for the performance of the maintenance, repairs and improvements of any Common Property, until such time as such Common Property is conveyed to the Association or the Town as provided hereinabove. Liability for the costs and expenses relating to such maintenance, repairs, and improvements is set forth in Article VI. As of and after the date on which Declarant shall convey any Common Property to the Association or the Town of Old Orchard Beach, and with respect to any other Common Property that the Association may otherwise own or acquire:

(a) The Association shall perform and be responsible for maintenance of the Common Property including the maintenance, resurfacing, improvement, clearing and repair of, and snow removal, for payment of any real estate taxes assessed thereon, and for the costs of labor, equipment, materials and management relating to the Common Property and supervision thereof. Assessments by the Association upon the Lots and the Owners thereof shall be used exclusively for the aforesaid purposes and for such other purposes as shall be permitted by the ByLaws of the Association. Each Lot shall be assessed an equal portion of the Common Expenses.

(b) In the event that a public authority agrees to accept any road or any other part of or all of the Common Property as public and agrees to assume the responsibilities and costs for maintenance thereof, the Association shall convey the title and such easements as are appropriate to such public authority as may be reasonably required by such public authority.

ARTICLE VI ASSESSMENTS

6.1 **Assessments for Common Expenses, Budget.** At all times, regardless of the record ownership of the Common Property, each Lot shall be liable for its prorata share of Common Expenses relating to such Common Property, which share shall be a percentage calculated by dividing one (1) by the total number of all Lots. No later than thirty (30) days prior to each Annual Meeting of the members of the Association, the Executive Board shall estimate the Common Expenses for each calendar quarter of the following calendar year and shall present such estimate to the members at their Annual Meeting as the proposed budget for such calendar year. Unless otherwise provided in the Association's By-laws, the budget shall be proposed for approval by the members of the Association at their Annual Meeting to be held each year in the month of August, or such other month as may be determined by the Executive Board, prior to the commencement of the calendar year to which the estimated budget of Common Expenses applies, and the proposed budget shall be deemed approved and ratified by the members unless it is rejected by a vote of a majority of all the members of the Association, regardless of whether a quorum is present. The Bylaws of the Association shall allow for Common Expenses which benefit fewer than all of the Lots to be assessed exclusively against the benefitted Lots. Notwithstanding any terms herein to the contrary, with respect to any Lot owned by the Declarant, the Declarant shall not be liable for any Common Expenses until the earlier of: (i) the date on which a Certificate of Occupancy is issued for a dwelling on any such Lot, or (ii) the date occurring two (2) years after the recording of this Declaration.

6.2 **Billing of Assessments.** Unless otherwise approved by the Association, all assessments shall be billed quarterly no later than the first day of each calendar quarter and each calendar year by the Treasurer of the Association. All sums so assessed and billed shall become due no later than thirty (30) days

after the date of mailing or delivery of each such bill, and if not so paid when due shall bear interest at a rate of 12% per annum. Notwithstanding anything herein to the contrary, and with respect to any assessments levied by the Association against Lots owned by the Declarant, the Declarant in its discretion may elect either: (a) in lieu of paying any monthly or other periodic assessments, to make an annual contribution to the Association on or before the last day of each calendar year in an amount equal to the value of services actually received by Declarant as part of the Common Expenses for such year; or (b) offset against such assessments the value of either (i) amounts paid directly by the Declarant for any expenses relating to the Common Expenses of the Association, or (ii) the value of any services provided by the Declarant for the benefit of the Association that would otherwise constitute a Common Expense of the Condominium.

6.3 **Special Assessments.** The members of the Association may from time to time at special meetings levy additional assessments, as allowed, by the same majority of votes as required for the annual assessments.

6.4 **Lien.** Assessments authorized and billed by the Association shall be a charge on the Lot and shall be a continuing lien upon the Lot upon which such assessment is made. If the assessment to a Lot Owner shall not be paid within thirty (30) days after the date when due, then said assessment shall be delinquent and shall, together with costs of collection, interest, and reasonable attorneys' fees, become a continuing lien on the Lot owned by the delinquent Lot Owner which lien shall bind the Lot with the buildings and improvements thereon as well as the delinquent Lot Owner, his heirs, devisees, successors, personal representatives, and assigns. Said lien may be enforced in the same manner as a lien for assessments against condominium units provided in the Maine Condominium Act, Chapter 31 of Title 33 of the Maine Revised Statutes, as amended. Said lien for unpaid assessments shall be prior to all liens and encumbrances on the Lot other than the first mortgage recorded prior to the date on which the assessment which is sought to be enforced becomes delinquent and liens for real estate taxes and other governmental/municipal assessments or charges against the Lot; provided, however, that any such lien shall not be subject to the provisions of 14 M.R.S.A. Section 4561 or 18-A M.R.S.A. Section 2-201 et seq. as they or their equivalents may be amended or modified from time to time. All such charges, in addition to being a lien, shall also constitute the personal liability of the owner of the Lot so assessed at the time of assessment.

ARTICLE VII ADDITIONAL EASEMENTS, COVENANTS, RESTRICTIONS

7.1 **Plans.** The Lots or parcels of land are subject to all terms, easements, rights, restrictions, drainage and other easements as depicted on the Plan. Additionally, the Property is further subject to the terms and conditions of the Site Plan approval, regardless of whether such terms and conditions are expressly referenced herein or recorded in the registry of deeds.

7.2 **Road Easements.** The Owners of the Lots shall have a non-exclusive perpetual easement for ingress and egress over the Roads as shown on the plan.

7.3 **Inspection and Maintenance Plan for Drainage Facilities.** With respect to the drainage facilities identified on the Plan, the performance of the Inspection and Maintenance Plan for Drainage Facilities, attached hereto as Exhibit B, shall be the responsibility of the Association in perpetuity, unless such responsibility is otherwise assumed by the Town of Old Orchard beach in connection with the conveyance of Common Property to the Town as set forth in Article 5.

7.4 **Trail Easement.** The parcel of Common Property situated between Lot 26 and Lot 27 as shown on the Plan (herein the "Trail Parcel") and the trail located thereon as depicted in the Site Plan (the "Trail"), to the extent such Trail is located on the Common Property of the Association, is hereby made subject to a non-exclusive perpetual easement in favor of the Town, for ingress and egress,

including pedestrian and non-vehicular access, for public use of the Trail as a natural and undisturbed nature trail, which shall otherwise not be disturbed and shall be left in its natural state except as otherwise provided in the Site Plan approval. Except as otherwise provided herein, the Association shall have no affirmative obligation to maintain the Trail, and the destruction or removal of standing timber, plants, shrubs, or other vegetation on the Trail shall not be permitted. However, the Association reserves the right, but not the obligation, for itself and for the Town to undertake the following maintenance with respect to the Trail: (i) to clear and restore forest cover and other vegetation that is damaged or destroyed by the forces of nature, such as fire or disease, or when necessary to prevent the spread of disease; (ii) to clear and restore forest cover and other vegetation, in the event of an emergency, when necessary to prevent the spread of fire; and (iii) to gather, use, or remove fallen dead wood.

7.5 Environmental Permits, Septic Requirements. The Property is subject to the terms and conditions of a certain environmental permit No. L-25698-L3-A-N dated November 19, 2012, and granted by the State of Maine Department of Environmental Protection (the "DEP") pursuant to the Maine Site Location of Development Law and Stormwater Management Law, all as more particularly described in said permit (the "DEP Permit"), which DEP Permit is recorded in the York County Registry of deeds in Book 16476, Page 735. Without limiting the foregoing, and as more particularly provided in the DEP Permit, all of the Property and the individual Lots are subject to certain requirements, terms, and restrictions relating to septic facilities serving the Lots, which include: (a) septic exclusion zones identified in the Septic Suitability Plan under the DEP Permit; (b) restrictions on the number of bedrooms allowed for homes on each Lot, which generally restrict (i) Lots 40-43 to a maximum of two (2) bedrooms and respective use of 2 bedroom septic with a design flow of 180 gpd, and (ii) all other Lots to maximum of three (3) bedrooms and respective use of 3 bedroom septic with a design flow of 270 gpd; and (c) a restriction against any amendment or alteration of the foregoing septic requirements, terms, and restrictions without approval from the DEP.

7.6 No Cut Buffer. The areas identified as "No Cut Buffer" on Lot 4 and Lots 7-13 as shown on the Subdivision Plan (the "Buffer Area") shall remain in an undeveloped, undisturbed natural state in perpetuity. Without limiting the foregoing, the use of the Buffer Area is hereinafter restricted in accordance with the following term and conditions, and any activity on or use of the Buffer Area inconsistent with the purpose of the Buffer Area is prohibited:

(a) Fill and Waste Materials. No soil, loam, peat, sand, gravel, concrete, rock or other mineral substance, refuse, trash, vehicle bodies or parts, rubbish, debris, junk waste, pollutants or other fill material will be placed, stored or dumped on the Buffer Area, nor shall the topography of the area be altered or manipulated in any way;

(b) Biocides. No trees or vegetation may be sprayed with biocides;

(c) Disturbance of Vegetation. No trees, undergrowth, ground cover vegetation, leaf litter, organic duff layer or mineral soil may be disturbed;

(d) Structures and Improvements. No building, sign, fence, utility pole, or other temporary or permanent structure may be constructed, placed or permitted to remain on the Buffer Area;

(e) Motorized Vehicles. No trucks, cars, dirt bikes, ATVs, bulldozers, backhoes, or other motorized vehicles or mechanical equipment may be permitted on the Buffer Area;

(f) Enforcement. The Association may enforce any of the terms and conditions of the Buffer Area restrictions set forth herein by means of any available equitable or legal remedies.

(g) Binding Effect. The restrictions set forth herein shall be binding on any present or future owner of any Lot on which the Buffer Area is located.

ARTICLE VIII CONSTRUCTION

These easements, restrictions, covenants are imposed as part of a general scheme for the protection and benefit of Declarant and each subsequent owner of Lots or parcels of said Declarant's land in addition to any and all provisions of any municipal, county or state ordinance, regulation or law. All present or future Owners of Lots are subject to the terms and provisions contained or referred to in this Declaration. The acceptance of a Deed or conveyance of a Lot other than as security, or the entering into of occupancy of any Lot shall signify that the provisions contained or referred to in this Declaration and the decisions of the Association are accepted and ratified by such owner or occupant. All the provisions contained or referred to herein shall be deemed and taken to be covenants running with the land and shall bind any person having at any time any interest or estate in a Lot (except as mortgage security) as though such provision were recited and stipulated at length in each and every Deed or conveyance of a Lot.

ARTICLE IX AMENDMENTS

Until such time as the Declarant has transferred seventy-five percent (75%) of the Lots to Owners of the Association, the Declarant may amend this Declaration from time to time by instrument recorded in the York County Registry of Deeds. Thereafter, this Declaration may be amended at any time and from time to time by written instrument duly executed by the Owners of record of seventy-five (75%) percent or more of the Lots and by all of the mortgagees of record of the Lots owned by such Owners. Any such amendment shall be recorded in the York County Registry of Deeds.

ARTICLE X ENFORCEMENT, WAIVER

The Association shall have the right to enforce, by any proceeding at law or in equity, all restrictions, liens and charges now or hereafter imposed under the provisions of this Declaration. Failure by the Association to enforce any covenant or restriction herein contained shall in no event be deemed a waiver of right to do so hereafter. In addition to those otherwise provided by law, enforcement of the provisions of these covenants by the Declarant or the Association shall include the following remedies: (a) In any legal action filed by the Declarant or the Association against another party alleged to be in breach of the terms of this Declaration, the Declarant or the Association, if it prevails, shall be entitled to an award by the cost of reasonable legal fees (including charges for paralegal assistance) and costs and expenses of suit in addition to such damages, injunctive relief or orders which a court may determine; and (b) The right of the Association to file in the appropriate Registry of Deeds a lien notice stating any violation of the covenants in this Declaration or non-payment of assessments due hereunder which are determined to exist by the Executive Board of the Association. The Association shall, in such cases, notify the alleged violators of the filing of such notices within 30 days after such filing.

ARTICLE XI RIGHTS AND RESERVATIONS OF DECLARANT

11.1 Until the construction, marketing and sale of all Lots is completed, and subject to all applicable zoning and land use requirements of the Town of Old Orchard Beach, the Declarant reserves the right to:

(a) Change the size, number and location of Lots, drainage easements, road right-of-way, and other improvements; and the size, layout, and location of any Lot for which a purchase and sale agreement has not been executed by the Declarant or with respect to which the purchaser is in default. The change or changes shall be effective upon the recording of an amendment to this Declaration and/or the filing of modified subdivision Plan by the Declarant indicating the changes made.

(b) Locate on the premises, even though not depicted on the Plan, and grant and reserve easements and rights of way for the installation, maintenance, repair, replacement and inspection of utility lines, wires, pipes, conduits, and facilities, including, but not limited to, water, electric, telephone, fuel oil, natural gas, and sewer.

(c) Connect with and make use of utility lines, wires, pipes, and conduits, located on the property, for construction and sales purposes, provided that the Declarant shall be responsible for the cost of service so used.

(d) Place "For Sale" signs or other signs to aid in the marketing of the Lots and houses thereon.

(e) Appoint and remove the officers of the Association and members of the executive board and veto any action of the Association or the executive board, in accordance with the provisions of the ByLaws. The Declarant shall relinquish all special rights expressed or implied through which it may directly or indirectly control, direct, modify or veto any action of the Association, its Board of Directors or the majority of Lot Owners, and control of the Owner's Association shall pass to the Owners of Lots within the project not later than the earlier of the following: the date on which seventy-five percent (75%) of the Lots have been conveyed to purchasers, or five (5) years from the date of conveyance of the first Lot to a purchaser, or seven (7) years from the date of recording hereof. The requirements of this paragraph shall not affect the Declarant's rights, as a Lot Owner, to exercise the votes allocated to Lot(s) owned by the Declarant.

(f) With respect to its marketing of Lots, to use any Common Property for the ingress and egress of itself, its officers, employees, agents, contractors and subcontractors and for prospective purchasers, including the right of such prospective purchasers to park in parking spaces. The Declarant also reserves the right to use any Lots owned or leased by the Declarant as models, management offices, sales offices for this project or customer service offices. The Declarant reserves the right to relocate the same from time to time within the Property; upon relocation, the furnishing thereof may be removed. The Declarant further reserves the right to maintain on the Property such advertising signs as may comply with applicable governmental regulations, which may be placed in any location on the Property and may be relocated or removed, all at the sole discretion of the Declarant.

(g) To go upon any and all of the Property, Common Property, or Lots for purposes of construction, reconstruction, maintenance, repair, renovation, replacement or correction of the Lots, Common Property or related improvements, or for purposes of enforcing the terms of this Declaration. This easement shall include without limitation, the right of vehicular and pedestrian ingress and egress, the right to park motor vehicles and to engage in construction activities of any nature whatsoever, including the movement and storage of building materials and equipment.

11.2 Reservation of Title to Roads. Unless and until such time as the Roads are accepted by the Town of Old Orchard Beach as public streets, the Declarant hereby expressly reserves with respect to all conveyances of all Lots the fee title ownership of Declarant in and to the Roads, in accordance with 33 M.R.S.A. § 3031(4).

ARTICLE XII
GENERAL PROVISIONS

12.1. **Headings.** The headings used in this Declaration and the table of contents are inserted solely as a matter of convenience for the readers of this Declaration and shall not be relied upon or used in construing the effect or meaning of any of the provisions of this Declaration.

12.2. **Severability.** The provisions of this Declaration shall be deemed independent and severable, and the invalidity or unenforceability of any provision or portion thereof shall not affect the validity or enforceability of any other provision or portion hereof unless such deletions shall destroy the uniform plan of development and operation of the Association which this Declaration is intended to create.

12.3. **Applicable Law.** This Declaration shall be governed and construed according to the laws of the State of Maine.

12.4. **Interpretation.** The provisions of this Declaration shall be liberally construed in order to effect Declarant's desire to create a uniform plan for development and operation of the Association.

12.5. **Effective Date.** This Declaration shall become effective when it and the Plan have been recorded.

12.6. **Notices.** All notices and other communications required or permitted to be given under or in connection with this Declaration shall be in writing and shall be deemed given when delivered in person or on the third business day after the day on which mailed by regular U.S. mail, postage prepaid, addressed to the address maintained in the register of current addresses established by the Common Association.

12.7. **Exhibits.** All exhibits attached to this Declaration are hereby made a part of this Declaration.

12.8. **Pronouns.** Wherever used, the singular number shall include the plural, the plural the singular and the use of any gender shall include all genders.

12.9. **Assignment.** The Declarant may transfer and assign its rights and obligations under this Declaration to another party, and after the date of such transfer and assignment the transferee or assignee shall be deemed the Declarant for all purposes hereunder.

12.10. **Disputes.** In any dispute between one or more unit Owners and the Declarant regarding the Common Property, the Executive Board shall act for the unit Owners, and any agreement with respect thereto by the Executive Board shall be conclusive and binding upon the owners. All claims, disputes and other matters in question between the Declarant, on the one hand, and the Association or any Lot owners on the other hand, arising out of or relating to, a unit, the common property, the Lots, this Declaration, the Bylaws, or the deed to any Lot or the breach of the terms thereof, or the course of dealing between any Lot owner, the Association and the Declarant, except for claims which have been waived by the acceptance of a deed, shall be decided by binding arbitration in accordance with the Construction Industry Arbitration Rules of the American Arbitration Association unless the parties mutually agree otherwise in writing, and which Arbitration shall take place in Portland, Maine. This agreement to arbitrate shall be specifically enforceable under the prevailing arbitration law. The award rendered by the arbitrators shall be final, and judgment may be entered upon it in accordance with applicable law in any court having jurisdiction thereof. Notice of the demand for arbitration shall be filed in writing with the other parties

and with the American Arbitration Association. The demand for arbitration shall be made within a reasonable time after the claim, dispute or other matter in question has arisen, and in no event shall it be made after the date when institution of legal or equitable proceedings based on such claim, dispute or other matter in question would be barred by the applicable statute of limitations or other principals of law and equity.

WITNESS [Signature] as Secretary of said Beachmont Land Development, LLC,
this 30 day of August, 2013

BEACHMONT LAND DEVELOPMENT, LLC

By: [Signature]
Name: Cary Seamas
Its: member

STATE OF MAINE
CUMBERLAND, SS

Then personally appeared the above-named Cary Seamas as member of Beachmont Land Development this 30 day of August, 2013, and acknowledged the foregoing to be his free act and deed in said capacity, and the free act and deed of said corporation.

Before me,

[Signature]
Notary Public/Attorney at Law

Beth Gilman
Printed Name:

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SEAL
Beth Gilman
Notary Public
State Of Maine
Exp. Date 4/18/2017

EXHIBIT A

(Property Description)

[TO BE PROVIDED BY SURVEYOR]

All of the above described parcels of land being the same the real estate conveyed by a certain Warranty Deed from John C. Andrews Jr., Trustee of the Janice M. Andrews Trust to Beachmont Land Development, LLC, dated December 16, 2011, and recorded in the York County Registry of Deeds in Book 16226, Page 538.

EXHIBIT B

BEACHMONT SUBDIVISION Inspection and Maintenance Plan for Drainage Facilities

The following inspection and maintenance plan for drainage facilities will be the responsibility of the Beachmont Homeowner's Association in perpetuity:

1. **General:** The Declarant will be responsible for maintaining the drainage improvements until the road and infrastructure is complete. After the roadways are completed and one or more lots have been sold, the Association will be responsible for maintaining the catch basins, culverts, aprons, detention depressions and level lip spreader as shown on the plan or until such time as the road and associated drainage infrastructure are accepted by the Town of Falmouth. Notwithstanding any other schedule noted below, general inspections should be conducted monthly during wet weather conditions from March to November.
 2. **Paved Surfaces:** Paved surfaces shall be swept or vacuumed annually in the spring to remove all winter sand and on an as-needed basis to minimize transportation of sediment during rainfall events.
 3. **Swales, and Riprap Aprons:** Open swales shall be inspected annually or after a major rainfall to assure that debris and/or sediments do not reduce the effectiveness of the system. Debris shall be removed at that time. Any sign of erosion or blockage shall be immediately repaired to assure a vigorous growth of vegetation for the stability of the structure and proper function. Maintenance shall include, but not be limited to, mowing, trimming and removal of vegetation in the swales as required to prevent vegetation from blocking or diverting storm flows and removing vegetation and debris from the culverts. Vegetated swales should be mowed regularly during the growing season. Larger brush or trees must not be allowed to become established in the channel. Any areas where the vegetation fails will be subject to erosion and should be reseeded and mulched immediately. Riprap in aprons where stone is displaced should be replaced and chinked to assure stability. With time, additional riprap may be added. Vegetation growing through riprap should be removed on an annual basis.
- Individual homeowners will be responsible for maintaining any culverts under their respective driveways. Driveway culverts should be sized and maintained to allow stormwater to flow through or over the driveway connection without overtopping the roadway. A minimum driveway culvert diameter of 15" is recommended to facilitate maintenance.
4. **Drainage Pipes:** Culverts and piped drainage systems shall be inspected on an annual basis. Sediment should be removed when its level exceeds 20% of the pipe diameter. Hydraulic flushing or any mechanical means may accomplish this. Care shall be taken to contain the sediment at the pipe outlet.
 5. **Level Lip Spreader:** Inspect and remove debris in level spreader. Record weir elevation and adjust if necessary. Inspect for bypass or undermining. Repair as needed any channelization as it is occurring and remove sediment build-up to assure sheet flow conditions. Perform an inspection on a semi-annual basis at a minimum.
 6. **Catch Basins:** The catch basins shall be inspected annually. Sediment should be removed when it accumulates within 6 inches of the bottom of the lowest invert, but not less than once a year. The removed material must be disposed of in accordance with the Maine Solid Waste Disposal Rules. Confined space entry safety procedures shall be practiced should entry into these structures be required.

7. **Infiltration Basins:** The depression side slopes should be maintained to preserve their integrity, including, but not limited to, vegetation maintenance (mowing, control of woody vegetation), rodent control, erosion control and repair, and outlet maintenance and repair. The side slopes should be inspected annually for erosion or destabilization. Infiltration Basins shall be inspected annually, after a major rainfall, or as needed to assure that debris and/or sediments do not reduce the effectiveness of the system. Debris shall be removed at that time.

8. **Recordkeeping:** The association will keep a written maintenance log that records date, name of inspector, description of conditions, and inspection/maintenance actions taken. This log shall be made available to the Maine Department of Environmental Protection, Town Engineer and/or Codes Enforcement Officer upon request. A template of this log is as follows:

**Beachmont Subdivision
Stormwater Facilities Inspection Report**

NAME: _____
SIGNATURE: _____
TITLE: _____
COMPANY: _____
DATE: _____

OBSERVATIONS:

<u>BMP</u>	<u>Defects</u>	<u>Location(s)</u>	<u>Repair/Action Needed</u>	<u>Date/Action taken</u>
Ditches/Swales	Yes/no			
Infiltration Basins	Yes/no			
Silt Fence/Erosion Control Berm	Yes/no			
Pipes and Culverts	Yes/no			
Catch Basins	Yes/no			
Rip Rap Aprons	Yes/no			
Level Spreader	Yes/no			



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DEBRA ANDERSON

RECEIVED YORK SS

REGISTER OF DEEDS

**FIRST AMENDMENT TO DECLARATION OF EASEMENTS,
RESTRICTIONS, AND COVENANTS FOR BEACHMONT SUBDIVISION**

**BEACHMONT SUBDIVISION
Old Orchard Beach, Maine**

WHEREAS, Beachmont Land Development, LLC, a Maine limited liability company with a business address of 840 Portland Avenue, Saco, Maine 04072 (the "Declarant"), owns certain real estate in Old Orchard Beach, County of York, State of Maine (hereinafter the "Property"), as shown on plans identified as "Final Plan Showing Beachmont Subdivision, Old Orchard Beach, Maine," dated August 28, 2012 (Sheets S-1, S-2, and S-3), as amended, recorded on December 18, 2012, in the York County Registry of Deeds in Plan Book 358, Pages 26-28 (collectively the "Plan" or "Subdivision Plan"), and which Property has been submitted to the terms, conditions, easements, covenants, and restrictions as set forth in a certain Declaration of Easements, Restrictions, and Covenants for Beachmont Subdivision dated August 30, 2013 and recorded in the York County Registry of Deeds in Book 16689, Page 307 (the "Declaration").

NOW THEREFORE, in accordance with the rights reserved by the Declarant pursuant to the Declaration, and in accordance with Article IX thereof, the Declarant hereby amends the Declaration as follows:

1. Amended Exhibit A. The first paragraph of the Declaration is hereby amended in part to modify, amend, and replace the Exhibit A referenced therein with the Exhibit A attached hereto, and additionally the definition of the "Property" as stated therein by reference to said Exhibit A is hereby amended to include reference to the amended Exhibit A attached hereto, and all references in the Declaration to said Property as defined therein are hereby updated and amended accordingly. The purpose of this amendment is to amend and update the legal description set forth in the original Exhibit A to include the metes and bounds description of the Property contained in the Exhibit A attached hereto, which metes and bounds were omitted from the original Exhibit A at the time the Declaration was recorded.

2. Amendment to Section 1.2. The reference to "Jordan Drive" shall be deleted and replaced with "Neptune Road and Dolphin Avenue".

3. Construction. Except as expressly modified or amended herein, the Declaration shall otherwise remain in full force and effect.

IN WITNESS WHEREOF, Beachmont Land Development, LLC has caused this instrument to be duly executed under seal this 13 day of the month of December, 2013.

SIGNED, SEALED AND DELIVERED
In the presence of:

Beachmont Land Development, LLC

By: [Signature]
Name: DAVID ALVES
Its: manager/partner

Witness

4 pgs -> Market Street Settlement
To Market St
Manchester, N.H. 03101

STATE OF MAINE

COUNTY: Cumberland, ssDecember, 13 2013

Then personally appeared the above-named David ALUEL, the authorized manager of Beachmont Land Development, LLC, and acknowledged the foregoing instrument to be his/her free act and deed in his said capacity and the free act and deed of said company.

Before me,



Notary Public/Attorney at Law

Name: Amanda LeverdiereCommission Expires: 12-21-13

Amanda Leverdiere

Notary Public

State of Maine

Commission Expires:

December 21, 2013

EXHIBIT A

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

Beginning at an iron rod with surveyor's cap driven into the ground on the southwesterly line of Portland Avenue (also known as Milliken's Mill Road) marking the easterly corner of land described in the deed to Iluminada C. Milliken, dated March 9, 2000 and recorded at the York County Registry of Deeds in Book 9930, Page 116 and shown on a "Plan Showing a Standard Boundary Survey of a Dividing Line Made for Gordon J. Milliken & Janice M. Andrews", dated January 17, 1992 made by Dow & Coulombe, Inc. and recorded at said Registry in Plan Book 208, Page 5;

Thence, South $42^{\circ}-35'-50''$ East, by said southwesterly line of Portland Avenue, a distance of 257.65 feet to an iron rod with surveyor's cap driven into the ground marking the northerly corner of lot 40 shown on a plan entitled "Old Orchard Park, Old Orchard Maine, Owned by J.W. Wilbur", dated November 2, 1907, made by A.L. Eliot and recorded at said Registry in Plan Book 6, Page 32;

Thence, South $34^{\circ}-21'-30''$ West, by the northwesterly line of lots 40 through 77 as shown on the last named plan, it being by land now or formerly of the Town of Old Orchard Beach, a distance of 866.93 feet to a field stone found set in the ground;

Thence, South $49^{\circ}-24'-35''$ East, by the southwesterly line of the lots and streets as shown on said last named plan and by said Town Of Old Orchard Beach land, a distance of 1009.88 feet to an iron rod with surveyor's cap driven into the ground marking the southerly corner of lot 425 as shown on said last named plan;

Thence, South $33^{\circ}-55'-35''$ West, by the northwesterly line of Kapok Street as shown on a plan entitled "Homewood Park", dated September 22, 1963, made by DesRoberts Engineering Company and recorded at said Registry in Plan Book 36, Pages 39 and 40, a distance of 466.85 feet to an iron rod with surveyor's cap driven into the ground;

Thence, North $55^{\circ}-10'-55''$ West, by the northeasterly line of the lots and streets shown on the last named plan, a distance of 2237.03 feet to an iron rod with surveyor's cap driven into the ground;

Thence, North $56^{\circ}-03'-40''$ West, by said northeasterly line of the lots and streets shown on said last named plan, a distance of 435.68 feet to an iron rod with surveyor's cap driven into the ground near the high water mark of Milliken's Mill Pond;

Thence, continuing North $56^{\circ}-03'-40''$ West, by said northeasterly line of the lots and streets shown on said last named plan, to said Pond or as far northwesterly as this grantor has rights, title or interest;

Thence, generally northeasterly, by said Pond and/or land now or formerly of the heirs of J. Nason Milliken, to the first herein named Illuminada C. Milliken land;

Thence, by said Illuminada C. Milliken land, as shown on the first plan herein named (Gordon J. Milliken and Janice M. Andrews), by the following (5) described lines:

South 32°-04'-55" East, to an iron rod with surveyor's cap driven into the ground near said high water mark of Milliken's Mill Pond (a line between the last two described iron rods with surveyor's caps bears North 43°-29'-25" East, a distance of 776.65 feet);

Thence, South 32°-04'-55" East, a distance of 535.60 feet to an iron rod with surveyor's cap driven into the ground;

Thence, South 34°-21'-40" West, a distance of 199.96 feet to an iron rod with surveyor's cap driven into the ground;

Thence, South 55°-10'-55" East, a distance of 800.00 feet to an iron rod with surveyor's cap driven into the ground;

Thence, North 34°-21'-30" East, a distance of 1140.45 feet to the point of beginning.

Containing 36.10 acres, more or less, to the edge of Milliken's Mill Pond.

The bearings used in this description refer to the Maine Coordinate Grid System, West Zone (NAD 1983).

Reference is made to "Plan Showing A Boundary Survey Made For Beachmont Land Development LLC," dated February 15, 2012, as revised March 19, 2012, by Dow & Coulombe, Inc.

Being the same the real estate conveyed by a certain Warranty Deed from John C. Andrews Jr., Trustee of the Janice M. Andrews Trust to Beachmont Land Development, LLC, dated December 16, 2011, and recorded in the York County Registry of Deeds in Book 16226, Page 538.

Property Address	Owners Names	Property Lot
1 Neptune	Bill Gagnon, Kristen Gagnon	103-1-344
2 Neptune	Roger DiDonato	103-1-301
3 Neptune	Cynthia Pouravels	103-1-343
4 Neptune	Steve McManus, Michelle McManus	103-1-302
5 Neptune	Rick Ludwick, Eileen Ludwick	103-1-342
6 Neptune	Sam Cushing, Cathy Cushing	103-1-303
7 Neptune	Rick Stevens, Pat Stevens	103-1-341
8 Neptune	Rick Lyon, Heidi Lyon	103-1-304
9 Neptune	Chris Graves	103-1-340
10 Neptune	Beth Concelson	103-1-305
12 Neptune	George Collette, Jane Collette	103-1-306
2 Dolphin	Brady Coulombe, Marissa Coulombe	103-1-333
3 Dolphin	Betsy Davis	103-1-332
4 Dolphin	Bill Chicoine, Kathy Chicoine	103-1-334
5 Dolphin	Jim King, Marilyn King	103-1-331
6 Dolphin	Jon Little, Jessie Bergstrom	103-1-335
7 Dolphin	Nancy Bates, Linda Bates	103-1-330
8 Dolphin	Charles Rittershaus, Jillian Côté	103-1-336
9 Dolphin	Michele Sanzari, Vin Sanzari	103-1-329
10 Dolphin	Bob Sylvester, Judy Sylvester	103-1-337
11 Dolphin	Tom Ryan, Jodi Ryan	103-1-328
12 Dolphin	Travis Schafer, Julia Schafer	103-1-338
13 Dolphin	Rich Sueltenfuss, Joanne Sueltenfuss	103-1-327
14 Dolphin	Dave Jutras, Jill Jutras	103-1-339

15 Dolphin	Gerry Audibert, Lyn Audibert	103-1-326
17 Dolphin	Tom Waterman, Julie Waterman	103-1-325
19 Dolphin	Gini Medford	103-1-324
20 Dolphin	Donna Schlisper, Joe Carroll	103-1-307
21 Dolphin	Katie Hayes	103-1-323
22 Dolphin	Robert Morris, Nancy Morris	103-1-308
23 Dolphin	James Billingsley, Karen Bryant Connolly	103-1-322
24 Dolphin	Marty Wahrer, Vickie Wahrer	103-1-309
25 Dolphin	Diane Wren, Patty Wren	103-1-321
26 Dolphin	Donna Bickerstaff, Dawn Fairfield	103-1-310
27 Dolphin	Mary Lou Lemaire, Melanie Hannon	103-1-320
28 Dolphin	Wilma Ek, Tom Ek	103-1-311
29 Dolphin	Deb Paquette	103-1-319
30 Dolphin	Joyce Anderson	103-1-312
31 Dolphin	Dan Bellamare, Pat Camire	103-1-318
32 Dolphin	Laurel Tibbals, Dan Virostko	103-1-313
33 Dolphin	Bill Mucci, Nichole Mucci	103-1-317
34 Dolphin	Rene Custeau, Heidi Custeau	103-1-314
35 Dolphin	Kevin Tordoff, Sue Tordoff	103-1-316
36 Dolphin	Jehn Hoerner	103-1-315

NEW OWNERS MOVING
IN.

PETITION FOR DEDICATION AND ACCEPTANCE

Date: _____

To: The Town Council of Old Orchard Beach, Maine

RE: Petition for Acceptance of Streets in Beachmont

We, the undersigned owners of property abutting the streets in the Beachmont subdivision, hereby petition the Town Council as follows:

1. CONVEYANCE OF STREETS

We convey our interest in the following streets to the Town of Old Orchard Beach without claim for damages and with the continuation of the waiver/modification granted previously by the Town Planning Board on 11 October 2012 related to the Old Orchard Beach Code of Ordinances, Chapter 74, Section 309(I):

- Neptune Road
- Dolphin Ave

Our conveyance is made in accordance with the attached Warranty Deed, which specifically identifies all streets, rights-of-ways, and infrastructure proposed for town acceptance.

2. WAIVER OF DAMAGES

We waive any and all damages otherwise payable to us as a result of the acceptance of these streets as public ways by the Town of Old Orchard Beach.

3. REPRESENTATION OF MAJORITY

We represent that we constitute a "majority of abutting lots" as defined in Old Orchard Beach Code of Ordinances, Chapter 50, Section 50-207, specifically that:

- Our combined frontage exceeds 50% of the total frontage of all abutting lots; AND
- Our combined current assessed value exceeds 50% of the total current value of all abutting lots

Documentation supporting this representation is attached hereto.

4. REQUEST FOR ACCEPTANCE

We respectfully request that the Town Council accept the above-referenced streets as public ways pursuant to Old Orchard Beach Code of Ordinances, Chapter 50, Division 4.

5. ACKNOWLEDGMENT

We acknowledge that:

- We have reviewed the attached Warranty Deed and understand what is being conveyed to the Town
 - We have reviewed the attached Stormwater Maintenance Agreement and understand the HOA's ongoing maintenance obligations
 - We understand that the Town will Maintain accepted streets and infrastructure within the right-of-way
 - We understand that the HOA will continue to maintain certain Improvements not accepted by the Town (such as sidewalks, street lights, mailbox areas, and stormwater systems outside of the right-of-way)
-

PROPERTY OWNER SIGNATURE for Petition for Acceptance of Streets in Beachmont

Property Address: _____

Owners Name(s): _____

Owner Signature: _____ Date: _____

Owner Signature: _____ Date: _____ (If joint ownership)

Printed Name(s): _____

NOTARIZATION

State of Maine
County of York, ss.

The foregoing instrument was acknowledged before me on _____, 2026, by the above-named individuals.

Notary Public Signature

Printed Name:

PROPERTY OWNER SIGNATURE for Petition for Acceptance of Streets In Beachmont

Property Address: 24 Dolphin Avenue
Owners Name(s): John Wahrer Victoria Wahrer
Owner Signature: John Wahrer Date: 4/11/26
Owner Signature: Victoria M. Wahrer Date: 4/11/26 (If joint ownership)
Printed Name(s): John Wahrer Victoria Wahrer

NOTARIZATION

State of Maine
County of York, ss.

The foregoing instrument was acknowledged before me on 4/11/, 2026, by the above-named individuals.

Kimberly F. Ouellette
Notary Public Signature

Kimberly F. Ouellette

Printed Name:

my commission expires 1/6/2030

PROPERTY OWNER SIGNATURE for Petition for Acceptance of Streets in Beachmont

Property Address: 22 Delphin Ave.

Owners Name(s): Robert F Morris, Nancy D Morris

Owner Signature: Robert F Morris Date: 4-8-26

Owner Signature: Nancy D Morris Date: 4/8/2026 (if joint ownership)

Printed Name(s): Robert F Morris Nancy D Morris

NOTARIZATION

State of Maine
County of York, ss.

The foregoing instrument was acknowledged before me on April 8, 2026, by the above-named individuals.

Robert Morris and Nancy Morris

Notary Public Signature

Kim M. McLaughlin

Printed Name

Kim McLaughlin



PROPERTY OWNER SIGNATURE for Petition for Acceptance of Streets in Beachmont

Property Address: 23 Dolphin Ave

Owners Name(s): James M. Billingsley

Owner Signature: [Signature] Date: April 8, 2028

Owner Signature: _____ Date: _____ (if joint ownership)

Printed Name(s): James M. Billingsley

NOTARIZATION

State of Maine
County of York, ss.

The foregoing instrument was acknowledged before me on April 8, 2028, by the above-named individuals.

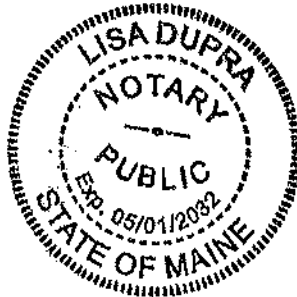
James Billingsley

Notary Public Signature

[Signature]

Printed Name:

Lisa Dupra



PROPERTY OWNER SIGNATURE for Petition for Acceptance of Streets in Beachmont

Property Address: 19 DOLPHIN Ave. OOB

Owners Name(s): VIRGINIA A. Rhoades

Owner Signature: Virginia A. Rhoades Date: 4/10/2020

Owner Signature: _____ Date: _____ (if joint ownership)

Printed Name(s): VIRGINIA A. Rhoades

NOTARIZATION

State of Maine

County of York, ss.

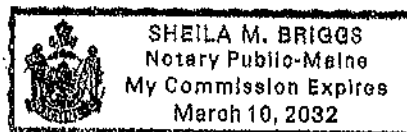
The foregoing instrument was acknowledged before me on April 10, 2026, by the above-named individuals.

Notary Public Signature

Sheila M Briggs

Printed Name:

Sheila M Briggs



PROPERTY OWNER SIGNATURE for Petition for Acceptance of Streets in Beachmont

Property Address: 1 Neptune Road Old Orchard Beach, ME 04064

Owners Name(s): William and Kristen Gagnon

Owner Signature: W. Gagnon Date: 4/11/2026

Owner Signature: Kristen E. Gagnon Date: 4/11/2026 (If joint ownership)

Printed Name(s): William Gagnon

Kristen Gagnon

NOTARIZATION

State of Maine
County of York, ss.

The foregoing instrument was acknowledged before me on April 11th, 2026, by the above-named individuals.

Notary Public Signature

Printed Name:

Jackson Cust

JACKSON ALLEN CUST
NOTARY PUBLIC
State of Maine
My Commission Expires
April 25, 2031

PROPERTY OWNER SIGNATURE for Petition for Acceptance of Streets in Beachmont

Property Address: 2 Dolphin Ave, ODS, ME 04064

Owners Name(s): Brady & Marisa Coulombe

Owner Signature: [Signature] Date: 4-9-26

Owner Signature: [Signature] Date: 4/9/26 (if joint ownership)

Printed Name(s): Brady J. Coulombe

MARISA COULOMBE

NOTARIZATION

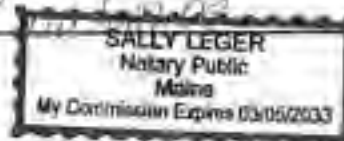
State of Maine
County of York, ss.

The foregoing instrument was acknowledged before me on April 9, 2026, by the above-named individuals.

Brady & Marisa Coulombe

Notary Public Signature

[Signature]



Printed Name:

Sally Leger

PROPERTY OWNER SIGNATURE for Petition for Acceptance of Streets in Beachmont

Property Address: B DOLPHIN AVE OLD ORCHARD BEACH, ME 04064

Owners Name(s): CHARLES RITTERSHAW

Owner Signature: [Signature] Date: 4/10/2026

Owner Signature: _____ Date: _____ (if joint ownership)

Printed Name(s): CHARLES RITTERSHAW

NOTARIZATION

State of Maine

County of York, ss.

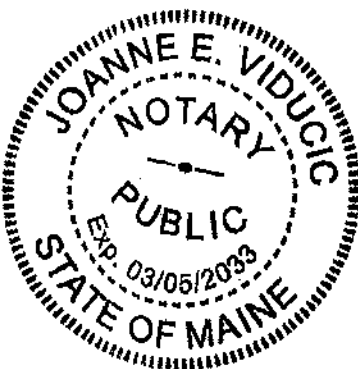
The foregoing instrument was acknowledged before me on 4/10, 2026, by the above-named individuals.

[Signature]

Notary Public Signature

JOANNE E. VIDUCIC

Printed Name:



PROPERTY OWNER SIGNATURE for Petition for Acceptance of Streets in Beachmont

Property Address: 26 Dolphin Ave. O.O.B. ME

Owners Name(s): Dawn Fairfield Donna Bickerstaff

Owner Signature: [Signature] Date: 3/19/2026

Owner Signature: [Signature] Date: 3/19/2026 (if joint ownership)

Printed Name(s): Dawn Fairfield Donna Bickerstaff

NOTARIZATION

State of Maine
County of York, ss.

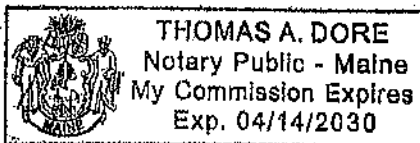
The foregoing instrument was acknowledged before me on 03/19, 2026, by the above-named individuals.

Notary Public Signature

[Signature]

Printed Name:

Thomas A. Dore



PROPERTY OWNER SIGNATURE for Petition for Acceptance of Streets in Beachmont

Property Address: 32 Dolphin Ave.

Owners Name(s): Laurel Tibbals, Daniel Virostko

Owner Signature: Laurel G. Tibbals Date: 3/20/26

Owner Signature: Daniel Virostko Date: 3/20/2026 (if joint ownership)

Printed Name(s): Laurel G. Tibbals

Daniel J. Virostko

NOTARIZATION

State of Maine
County of York, ss.

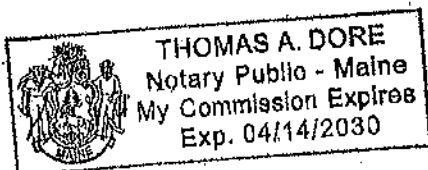
The foregoing instrument was acknowledged before me on March 20th, 2026, by the above-named individuals.

Notary Public Signature

Thomas A. Dore

Printed Name:

Thomas A. Dore



PROPERTY OWNER SIGNATURE for Petition for Acceptance of Streets in Beachmont

Property Address: 31 Dolphin Avenue OOB, ME 04064

Owners Name(s): Patricia Camire Daniel R. Bellemare

Owner Signature: Patricia Camire Date: 3/21/2026

Owner Signature: Daniel R. Bellemare Date: 3/21/2026 (if joint ownership)

Printed Name(s): Patricia Camire Daniel R. Bellemare

NOTARIZATION

State of Maine

County of York, ss.

The foregoing instrument was acknowledged before me on March 21, 2026, by the above-named individuals.

Patricia Camire and Daniel R. Bellemare

Notary Public Signature

Robin K. Came

ROBIN K. CAME
NOTARY PUBLIC
State of Maine
My Commission Expires
June 16, 2032

Printed Name:

Robin K. Came

PROPERTY OWNER SIGNATURE for Petition for Acceptance of Streets in Beachmont

Mannon

Property Address: 27 Dolphin Ave. 208, ME 04064

Owners Name(s): Melanie Lemaire Hannon

Owner Signature: Mannon Date: 3/19/26

Owner Signature: N/A Date: N/A (if joint ownership)

Printed Name(s): Hannon, Melanie Lemaire

NOTARIZATION

State of Maine
County of York, ss.

The foregoing instrument was acknowledged before me on March 19th, 2026, by the above-named individuals.

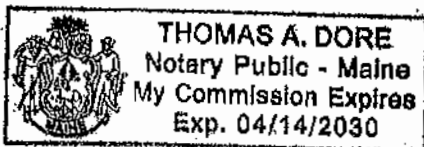
Hannon, Melanie Lemaire

Notary Public Signature

Thomas A. Dore

Printed Name:

Thomas A. Dore



PROPERTY OWNER SIGNATURE for Petition for Acceptance of Streets in Beachmont

Property Address: 7 NEPTUNE Rd, OLD ORCHARD BEACH, ME 04054

Owners Name(s): RICHARD K. STEVENS PATRICIA A STEVENS

Owner Signature: Richard K. Stevens Date: 3/16/26

Owner Signature: Patricia A. Stevens Date: 3/16/2026 (if joint ownership)

Printed Name(s): RICHARD K STEVENS

PATRICIA A STEVENS

NOTARIZATION

State of Maine

County of York, ss.

The foregoing instrument was acknowledged before me on 03/16 2026, by all above-named individuals.

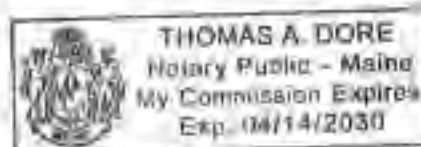
Thomas A. Dore

Notary Public Signature

Thomas A. Dore

Printed Name:

04/14/2030



PROPERTY OWNER SIGNATURE for Petition for Acceptance of Streets in Beachmont

Property Address: 13 Dolphin Ave

Owners Name(s): Richard & Joann Sueltenfuss

Owner Signature: Richard Sueltenfuss

Date: 3/8/2026

Owner Signature:
ownership)

Joann Sueltenfuss

Date: 3/18/2026 (if joint

Printed Name(s): Richard Sueltenfuss

Joann Sueltenfuss

NOTARIZATION

State of Maine

County of York, ss.

The foregoing instrument was acknowledged before me on March 18 2026, by the
above-named individuals.

Sueltenfuss, Richard J and Sueltenfuss, Joann,

Notary Public Signature

Virginia Deering

Printed Name:

Virginia Deering

VIRGINIA S. DEERING
Notary Public, State Of Maine
My Commission Expires August 22, 2030

PROPERTY OWNER SIGNATURE for Petition for Acceptance of Streets in Beachmont

Property Address: 7 Dolphin Ave

Owners Name(s): Nancy Bates, Linda Bates

Owner Signature: Nancy Bates Date: 3-18-2026

Owner Signature: Linda Bates Date: 3-18-2026 (If joint ownership)

Printed Name(s): Nancy Bates
Linda Bates

NOTARIZATION

State of Maine
County of York, ss.

The foregoing Instrument was acknowledged before me on March 18, 2026, by the above-named individuals.

Bates, Nancy M and Bates, Linda M

Notary Public Signature

Virginia Deering

Printed Name:

Virginia Deering

VIRGINIA S. DEERING
Notary Public, State Of Maine
My Commission Expires August 22, 2030

PROPERTY OWNER SIGNATURE for Petition for Acceptance of Streets in Beachmont

Property Address: 9 NEPTUNE ROAD, OLD ORCHARD BEACH ME 04064

Owners Name(s): LUKE STORER, CASSANDRA PATENEAUKE

Owner Signature: [Signature] Date: 3-17-26

Owner Signature: [Signature] Date: 3/17/26 (if joint ownership)

Printed Name(s): Luke Storer

Cassandra Pateneauke

NOTARIZATION

State of Maine

County of York, ss.

The foregoing instrument was acknowledged before me on 3/17/2026, 2026, by the above-named individuals.

[Signature]
Notary Public Signature

CONNIE JO MINERVINO
Notary Public
State of Maine
My Commission Expires
December 29, 2028

Printed Name:

PROPERTY OWNER SIGNATURE for Petition for Acceptance of Streets in Beachmont

Property Address: 28 Dolphin Ave, Old Orchard Beach

Owners Name(s): THOMAS & WILMA EK

Owner Signature: Wilma S. Ek Date: 3/17/20

Owner Signature: Thomas P Ek Date: 3/17/20 (if joint ownership)

Printed Name(s): THOMAS P EK & WILMA S. EK

NOTARIZATION

State of Maine

County of York, ss.

The foregoing instrument was acknowledged before me on March 17th, 2020, by the above-named individuals.

EK, Wilma S., EK, Thomas P

Notary Public Signature

Thomas A. Dore

Printed Name:

Dore, Thomas A.



THOMAS A. DORE
Notary Public - Maine
My Commission Expires
Exp. 04/14/2030

PROPERTY OWNER SIGNATURE for Petition for Acceptance of Streets in Beachmont

Property Address: 10 Neptune Rd

Owners Name(s): Beth Conceison

Owner Signature: Beth Conceison Date: 3/20/26

Owner Signature: _____ Date: _____ (if joint ownership)

Printed Name(s): Beth Conceison

NOTARIZATION

State of Maine
County of York, ss.

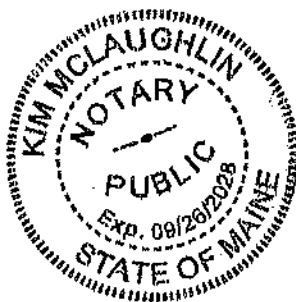
The foregoing instrument was acknowledged before me on March 20th, 2026, by the above-named individuals.

Notary Public Signature

Kim McLaughlin

Printed Name:

Kim McLaughlin



PROPERTY OWNER SIGNATURE for Petition for Acceptance of Streets in Beachmont

Property Address: 15 Dolphin Avenue

Owners Name(s): Gerald A. Audibert & Lyn A. Audibert

Owner Signature: Gerald A. Audibert Date: March 16, 2026

Owner Signature: Lyn A. Audibert Date: 3/16/2026 (if joint ownership)

Printed Name(s): Gerald A. Audibert Lyn A. Audibert

NOTARIZATION

State of Maine
County of York, ss.

The foregoing instrument was acknowledged before me on March 16, 2026, by the above-named individuals.

Audibert, Gerald A & Audibert, Lyn A.

Notary Public Signature

Virginia Deering

Printed Name:

Virginia Deering

VIRGINIA S. DEERING
Notary Public, State Of Maine
My Commission Expires August 22, 2030

PROPERTY OWNER SIGNATURE for Petition for Acceptance of Streets In Beachmont

Property Address: 34 Dolphin Avenue, Old Orchard Beach, ME

Owners Name(s): Rene J. Custeau III + Heidi K. Custeau

Owner Signature: Rene J. Custeau III Date: 3/20/26

Owner Signature: Heidi K. Custeau Date: 3-20-26 (If joint ownership)

Printed Name(s): Rene J. Custeau

Heidi K. Custeau

NOTARIZATION

State of Maine
County of York, ss.

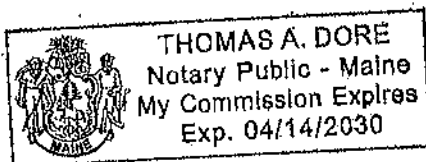
The foregoing instrument was acknowledged before me on March 20th, 2026, by the above-named individuals.

Notary Public Signature

Thomas A. Dore

Printed Name:

Thomas A. Dore



PROPERTY OWNER SIGNATURE for Petition for Acceptance of Streets in Beachmont

Property Address: 3 Neptune Rd Old Orchard Beach, ME

Owners Name(s): Cynthia Pannayelis

Owner Signature: Cynthia Pannayelis Date: 3-16-26

Owner Signature: _____ Date: _____ (if joint ownership)

Printed Name(s): Cynthia Pannayelis

NOTARIZATION

State of Maine
County of York, ss.

The foregoing instrument was acknowledged before me on March 16th, 2026, by the above-named individuals.

Notary Public Signature

[Signature]

JACKSON ALLEN CUST
NOTARY PUBLIC
State of Maine
My Commission Expires
April 25, 2031

Printed Name

Jackson Cust

PROPERTY OWNER SIGNATURE for Petition for Acceptance of Streets in Beachmont

Property Address: 25 DOLPHIN AVE

Owners Name(s): PATRICIA SUE WREN & DIANE JEANNE WREN

Owner Signature: [Signature] Date: 3/23/2026

Owner Signature: [Signature] Date: 3/23/2026 (If joint ownership)

Printed Name(s): PATRICIA SUE WREN

DIANE JEANNE WREN

NOTARIZATION

State of Maine

County of York, ss.

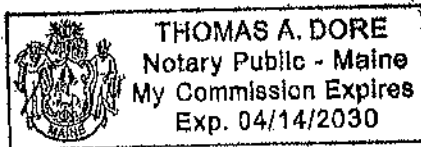
The foregoing instrument was acknowledged before me on March 23RD, 2026, by the above-named individuals.

Notary Public Signature

[Signature]

Printed Name:

Thomas A. Dore



PROPERTY OWNER SIGNATURE for Petition for Acceptance of Streets in Beachmont

Property Address: 6 NEPTUNE RD, COB BLVD 04064

Owners Name(s): SAMUEL J. CUSHING

Owner Signature: [Signature] Date: 03/20/2026

Owner Signature: Catherine Cushing Date: 3-20-26 (if joint ownership)

Printed Name(s): Catherine Cushing SAMUEL J. CUSHING

NOTARIZATION

State of Maine
County of York, ss.

The foregoing instrument was acknowledged before me on March 20, 2026, by the above-named individuals.

Cushing, Samuel J and Cushing, Catherine A

Notary Public Signature

Virginia Deering

Printed Name:

Virginia Deering

VIRGINIA S. DEERING
Notary Public, State Of Maine
My Commission Expires August 22, 2030

PROPERTY OWNER SIGNATURE for Petition for Acceptance of Streets In Beachmont

Property Address: 30 Dolphin Ave

Owners Name(s): Joyce C. Anderson

Owner Signature: Joyce C. Anderson Date: 3/20/26

Owner Signature: _____ Date: _____ (If joint ownership)

Printed Name(s): Joyce C. Anderson

NOTARIZATION

State of Maine
County of York, ss.

The foregoing instrument was acknowledged before me on March 20, 2026, by the above-named individuals.

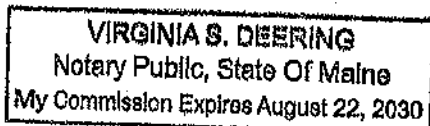
Anderson, Joyce C.

Notary Public Signature

Virginia Deering

Printed Name:

Virginia Deering



PROPERTY OWNER SIGNATURE for Petition for Acceptance of Streets in Beachmont

Property Address: 17 DOLPHIN AVE, OLD ORCHARD BEACH, ME 04064

Owners Name(s): THOMAS S. & JULIE A. WATERMAN

Owner Signature: Thomas Waterman Date: 3/20/26

Owner Signature: Julie A. Waterman Date: 3/20/26 (if joint ownership)

Printed Name(s): THOMAS S. WATERMAN JULIE A. WATERMAN

NOTARIZATION

State of ~~Maine~~ Florida
County of York, ss. Pineellas

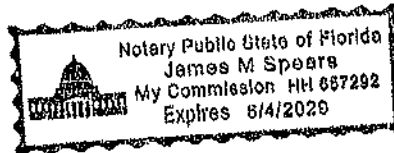
The foregoing instrument was acknowledged before me on March 20th, 2026, by the above-named individuals.

Notary Public Signature

[Signature]

Printed Name:

James M Spears



PROPERTY OWNER SIGNATURE for Petition for Acceptance of Streets in Beachmont

Property Address: 2011 Main Rd. Scarborough Beach, Maine

Owners Name(s): Roger DeDonato

Owner Signature: Roger DeDonato Date: 3/27/26

Owner Signature: _____ Date: _____ (If joint ownership)

Printed Name(s): ROGER DeDonato

NOTARIZATION

State of Maine

County of York, ss.

The foregoing instrument was acknowledged before me on March 27 2026, by the above-named individuals.

Roger DeDonato

Notary Public Signature

Julie M. Mardas

Printed Name:

Julie M. Mardas

JULIE MARIE MARDAS
NOTARY PUBLIC
State of Maine
My Commission Expires
September 23, 2031



PROPERTY OWNER SIGNATURE for Petition for Acceptance of Streets in Beachmont

Property Address: 12 Dolphin Ave Old Orchard Beach, ME

Owners Name(s): Travis Schafer Julia Schafer

Owner Signature: [Signature] Date: 27 March 2026

Owner Signature: Julia Schafer Date: 3/27/26 (if joint ownership)

Printed Name(s): Julia Schafer Travis Schafer

NOTARIZATION

State of Maine
County of York, ss.

The foregoing instrument was acknowledged before me on March 27th, 2026, by the above-named individuals.

Travis Schafer and Julia Schafer

Notary Public Signature

[Signature]

Printed Name:

Amber Single
Notary Public, State of Maine
My Commission Expires October 15th, 2027

PROPERTY OWNER SIGNATURE for Petition for Acceptance of Streets in Beachmont

Property Address: 29 DOLPHIN AVE., OLD ORCHARD BEACH, ME 04064

Owners Name(s): DEBRA PAQUETTE

Owner Signature: [Signature] Date: 03/27/2026

Owner Signature: N/A Date: N/A (if joint ownership)

Printed Name(s): DEBRA PAQUETTE

NOTARIZATION

State of Maine
County of York, ss.

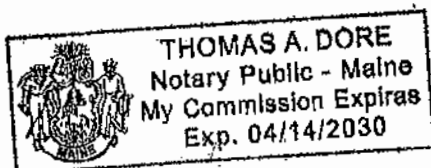
The foregoing instrument was acknowledged before me on March 27th, 2026, by the above-named individuals.

Notary Public Signature

[Signature]

Printed Name:

Thomas A Dore



PROPERTY OWNER SIGNATURE for Petition for Acceptance of Streets in Beachmont

Property Address: 8 Clifton Ave. Biddeford Beach, ME 04004

Owners Name(s): Betsy Le Davis

Owner Signature: Betsy Le Davis Date: 3/27/2026

Owner Signature: _____ Date: _____ (if joint ownership)

Printed Name(s): Betsy Le Davis

NOTARIZATION

State of Maine

County of York, ss.

The foregoing instrument was acknowledged before me on March 26, 2026, by the above-named individuals.

Notary Public Signature

Calvin C Brown

Printed Name

Calvin C Brown

CALVIN COOLIDGE BROWN
NOTARY PUBLIC MAINE
My Commission Expires
September 23 2027

PROPERTY OWNER SIGNATURE for Petition for Acceptance of Streets In Beachmont

Property Address: 35 Dolphin Ave. Old Orchard Beach, ME

Owners Name(s): Kevin and Sue Tardoff

Owner Signature: Kevin Tardoff Date: 3/27/26

Owner Signature: _____ Date: _____ (if joint ownership)

Printed Name(s): _____

NOTARIZATION

State of Maine

County of York, ss.

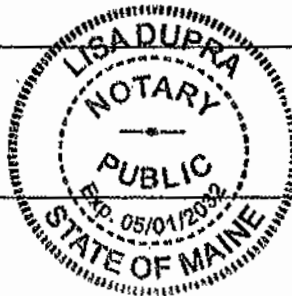
The foregoing Instrument was acknowledged before me on MARCH 24, 2026, by the above-named individuals.

Kevin Tardoff

Notary Public Signature

Printed Name:

Lisa Dupra



PROPERTY OWNER SIGNATURE for Petition for Acceptance of Streets in Beachmont

Property Address: 33 Dolphin Ave

Owners Name(s): Bill Mucci

Owner Signature: BH Date: 3/16/24

Owner Signature: Nichole Mucci Date: _____ (If joint ownership)

Printed Name(s): Nichole Mucci

NOTARIZATION

State of Maine

County of York, ss.

The foregoing instrument was acknowledged before me on March 16, 2026, by the above-named Individuals.

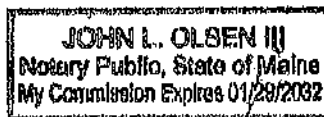
Bill Mucci

Notary Public Signature

John L. Olsen III

Printed Name:

John L. Olsen III



PROPERTY OWNER SIGNATURE for Petition for Acceptance of Streets In Beachmont

Property Address: 4 DOLPHIN AVENUE

Owners Name(s): WILLIAM J CHICOINE KATHLEEN CHICOINE

Owner Signature: William J Chicoine Date: 3/30/2026

Owner Signature: Kathleen M. Chicoine Date: 3/30/2026 (if joint ownership)

Printed Name(s): WILLIAM J CHICOINE

KATHLEEN M CHICOINE

NOTARIZATION

State of Maine

County of York, ss.

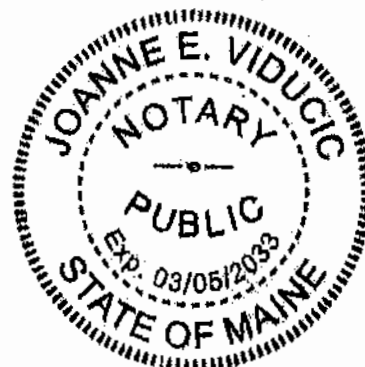
The foregoing instrument was acknowledged before me on MARCH 30, 2026, by the above-named individuals.

Notary Public Signature

Joanne Viducic

Printed Name:

JOANNE VIDUCIC



PROPERTY OWNER SIGNATURE for Petition for Acceptance of Streets in Beachmont

Property Address: 5 Dolphin Ave Old Orchard Beach

Owners Name(s): JAMES T. King MARILYN R LORELLO

Owner Signature: [Signature] Date: 3/31/26

Owner Signature: [Signature] Date: 3/31/26 (if joint ownership)

Printed Name(s): JAMES T King

MARILYN B. LORELLO

NOTARIZATION

State of Maine
County of York, ss.

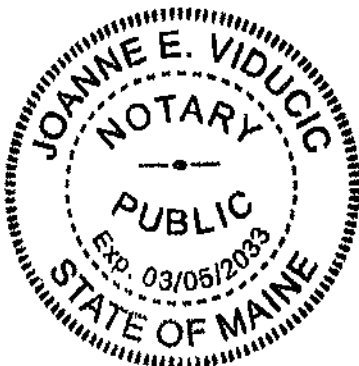
The foregoing instrument was acknowledged before me on 3/31/26, 2026, by the above-named individuals.

[Signature]

Notary Public Signature

JOANNE E. VIDUCIC

Printed Name:



PROPERTY OWNER SIGNATURE for Petition for Acceptance of Streets in Beachmont

Property Address: 5 Neptune Rd. OOB ME 04064

Owners Name(s): Eileen & Rick LUDWICK

Owner Signature: Eileen Q. Ludwick Date: 4/1/2026

Owner Signature: [Signature] Date: 4/1/26 (If joint ownership)

Printed Name(s): Eileen & Rick LUDWICK

NOTARIZATION

State of Maine
County of York, ss.

The foregoing instrument was acknowledged before me on April 1st, 2026, by the above-named individuals.

[Signature]
Notary Public Signature

Jackson Allen Cust

Printed Name:

JACKSON ALLEN CUST
NOTARY PUBLIC
State of Maine
My Commission Expires
April 25, 2031

PROPERTY OWNER SIGNATURE for Petition for Acceptance of Streets in Beachmont

Property Address: 14 Dolphin Ave

Owners Name(s): David Jutras Jill Jutras

Owner Signature: [Signature] Date: 3/30/26

Owner Signature: [Signature] Date: 3/30/26 (if joint ownership)

Printed Name(s): David Jutras

Jill Jutras

NOTARIZATION

State of Maine
County of York, ss.

The foregoing instrument was acknowledged before me on MARCH 30, 2026, by the above-named individuals.

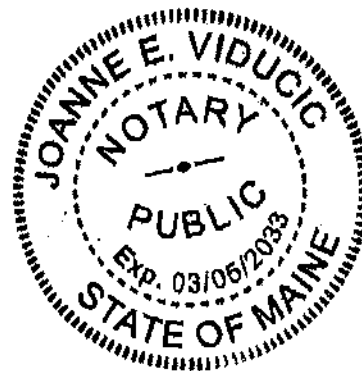
[Signature]

Notary Public Signature

Joanne E. Viducic

Printed Name:

JOANNE E. VIDUCIC



PROPERTY OWNER SIGNATURE for Petition for Acceptance of Streets in Beachmont

Property Address: 12 Neptune Rd, Old Orchard Beach, ME

Owners Name(s): George Collette, Jane Collette

Owner Signature: George Collette Date: 3-27-26

Owner Signature: Jane Collette Date: 3-27-26 (if joint ownership)

Printed Name(s): Jane L Collette

George Collette

NOTARIZATION

State of ~~Maine~~ Florida
County of ~~York~~, ss. Manatee

The foregoing instrument was acknowledged before me on March 27th, 2026, by the above-named individuals.

Notary Public Signature

Stephanie Lira

Printed Name

Stephanie Lira



STEPHANIE LIRA
Commission # HH 614829
Expires November 20, 2028

PROPERTY OWNER SIGNATURE for Petition for Acceptance of Streets in Beachmont

Property Address: 8 Neptune Rd.

Owners Name(s): Richard S. & Heidi A. Lyon

Owner Signature: Richard S. Lyon Date: 4-2-26

Owner Signature: Heidi A. Lyon Date: 4-2-26 (if joint ownership)

Printed Name(s): Richard S. Lyon Heidi A. Lyon

NOTARIZATION

State of Maine

County of York, ss.

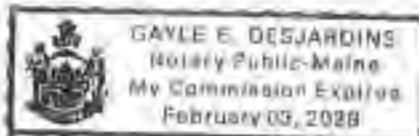
The foregoing instrument was acknowledged before me on 4-2-26, 2026, by the above-named individuals.

Gayle E. Desjardins

Notary Public Signature

Gayle E. Desjardins

Printed Name:



PROPERTY OWNER SIGNATURE for Petition for Acceptance of Streets in Beachmont

Property Address: 6 Dolphin Ave

Owners Name(s): Jonathan Little + Jessie Bergstrom

Owner Signature: [Signature] Date: 4/8/26

Owner Signature: Jessie Bergstrom Date: 4/8/26 (If joint ownership)

Printed Name(s): Jonathan Little + Jessie Bergstrom

NOTARIZATION

State of Maine
County of York, ss.

The foregoing instrument was acknowledged before me on April 8, 2026, by the above-named individuals.

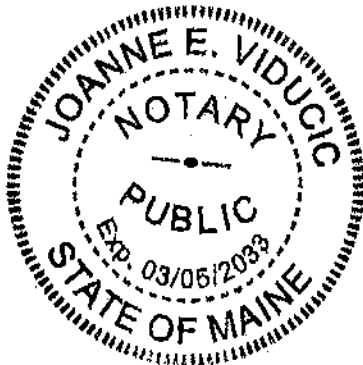
[Signature]

Notary Public Signature

[Signature]

Printed Name:

JOANNE E. VIDUCIC



PROPERTY OWNER SIGNATURE for Petition for Acceptance of Streets in Beachmont

Property Address: 11 Dolphin Ave. Old Orchard Beach, ME 04064

Owners Name(s): Thomas Ryan & Jodi Ryan

Owner Signature: [Signature] Date: April 1, 2026

Owner Signature: [Signature] Date: April 1, 2026 (if joint ownership)

Printed Name(s): _____

NOTARIZATION

State of Maine

County of York, ss.

The foregoing instrument was acknowledged before me on April, 1, 2026, by the above-named individuals.

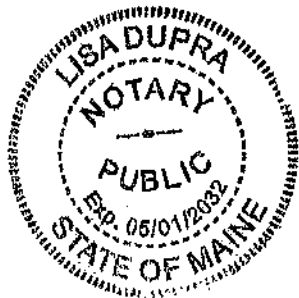
Jodi Ryan Thomas Ryan

Notary Public Signature

[Signature]

Printed Name:

Lisa Dupra



PROPERTY OWNER SIGNATURE for Petition for Acceptance of Streets in Beachmont

Property Address: 4 Neptune Rd Old Orchard Beach ME

Owners Name(s): Stephen J. McManus Stephen J. McManus

Owner Signature: Stephen J. McManus Date: 4-11-26

Owner Signature: Michelle D. McManus Date: 4-11-26 (If joint ownership)

Printed Name(s): Michelle D. McManus

NOTARIZATION

State of Maine

County of York, ss.

The foregoing instrument was acknowledged before me on April 11th, 2026, by the above-named individuals.

Stephen J. McManus and Michelle D. McManus

Notary Public Signature

Printed Name:

Gregory S. Abbott

GREGORY S. ABBOTT
NOTARY PUBLIC
State of Maine
My Commission Expires
January 29, 2032

PUBLIC HEARING – LIQUOR LICENSE & APPROVALS:

Dirty Seagull Brewing Company LLC (Old Orchard Brewing Company), 32 East Grand Avenue, 305-6-1, Class A Restaurant: On-Premises: Beer, Wine & Spirits

Chair: Shawn O'Neill

PUBLIC HEARING – BUSINESS LICENSE & APPROVALS:

Gregory Damon, 45 Fern Avenue, 312-1-8, 1 Year-Round Short-Term Rental (no previous license).

Ruth Garrison-Cameron, 165 East Grand Avenue #5, 302-6-7-5, 1 Seasonal Rental

Brian Gordon, 1 Ocean Avenue #308, 316-9-1-308, 1 Year-Round Rental (no previous license).

Ryan Harvey, 161 Saco Avenue #404, 207-2-13-404, 1 Year-Round Rental (no previous license).

Sean & Yanina Nickless, 5 Carlton Avenue, 309-5-4, 1 Year-Round Rental (no previous license).

Sally Langerak, 4 Pine Lane, 206-5-5, 1 Year-Round Short-Term Rental (no previous license).

Old Orchard Brewing Company (Joe Rousseau), 32 East Grand Avenue, 305-6-1, 1 Victualers with Preparation and Alcohol Sales License

Chair: Shawn O'Neill

PUBLIC HEARING – SPECIAL AMUSEMENT PERMITS & APPROVALS:

The Beachwood (The Beachwood), 29 West Grand Avenue, 307-1-4, DJ/Live Entertainment, Outside, Sunday through Saturday, 11:00am to 10:00pm. (no change).

Dirty Seagull Brewing Company LLC (Old Orchard Brewing Company), 32 East Grand Avenue, 305-6-1, Live Music (Acoustic), Inside & Outside, Sunday through Saturday, 12:00pm to 9:00pm. (Last year 12:00pm to 8:00pm)

Port Georgia LLC (Lazy Days Restaurant), 4 First Street Suite #101, 206-31-19, Music/Live Music/Trivia/Open Mic, Inside & Outside, Sunday through Saturday, 2:00pm to 11:00pm. (Last year was 3:00pm to 11:00pm and did not do outside. Police did not sign off).

Chair: Shawn O'Neill

TOWN MANAGER REPORT

NEW BUSINESS:

AGENDA ITEM #9112

Discussion with Action: Approve the quote from AAA Police Supply in the amount of \$14,832.00 for the purchase of ammunition, simunitions and target supplies for the Police Department from account #20131-50501 Police Operating Supplies and Equipment with a balance of \$64,053.93.

Chair: Shawn O'Neill

AMMUNITION ORDER FORM

AAA Police Supply | 940 Providence Highway Dedham, MA 02026

P: (781) 326-8845 | F: (781) 326-3963 | E: Contact@AAAPoliceSupply.com



Order Date:	
Agency:	Old Orchard Beach Police Department
Address:	16 E. Emerson Cummings Blvd
City/State/Zip:	Old Orchard Beach, ME 04064
Name:	William A. Watson
Work Phone:	207 - 934 - 4911
Cell Phone:	207 - 671 - 4187
Email:	wwatson@oobamine.com
PO #:	

QTY	Part #	Description	Price	Extension
3	53619	9mm 147 grain Speer Gold Dot	\$415.00	\$1,245.00
3	T223T	Federal .223 55 grain Blue Tip	\$434.00	\$1,302.00
18	AE9FP	Federal 9mm 147 grain FMJ	\$227.00	\$4,086.00
17	AE223	Federal .223 55 grain FMJ	\$207.00	\$3,726.00
3	LE13200	Federal low recoil 9 pellet 00 buck	\$201.00	\$603.00
4	LE127RS	Federal 12ga low recoil 1 oz slug	\$209.00	\$836.00
1	0030	CCI .22lr 40 grain Mini-Mag	\$483.00	\$483.00
TOTAL:				\$12,281.00

Ammunition Must be Delivered By:	/	/
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Notes:	
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Please be sure the FET Exemption Certificate is completed properly.

Fill out the TOP section only and STOP as "Statement of Ultimate Vendor."

Leave the bottom portion BLANK.

AMMUNITION ORDER FORM

AAA Police Supply | 940 Providence Highway Dedham, MA 02026

P: (781) 326-8845 | F: (781) 326-3963 | E: Contact@AAAPoliceSupply.com



Order Date:	
Agency:	Old Orchard Beach Police Dept
Address:	16 E. Emerson Cumming Blvd
City/State/Zip:	Old Orchard Beach, ME 04064
Name:	William Watson
Work Phone:	207 - 934 - 4911 ext 1
Cell Phone:	207 - 671 - 4187
Email:	wwatson@oobmaine.com
PO #:	

QTY	Part #	Description	Price	Extension
1	532077X	9mm Simuntion FX marking rounds	\$368.00	\$368.00
1	5359109	5.56mm non clipped FX Simuntion rounds	\$437.00	\$437.00
2	5314370	Glock 45 Gen 5 MOS conversion kit	\$676.00	\$1,352.00
TOTAL:				\$2,157.00

Ammunition Must be Delivered By:	/	/
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Notes:	
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Please be sure the FET Exemption Certificate is completed properly.

Fill out the TOP section only and STOP as "Statement of Ultimate Vendor."

Leave the bottom portion BLANK.

AMMUNITION ORDER FORM

AAA Police Supply | 940 Providence Highway Dedham, MA 02026

P: (781) 326-8845 | F: (781) 326-3963 | E: Contact@AAAPoliceSupply.com



Order Date:	
Agency:	Old Orchard Beach Police Dept
Address:	16 E. Emerson Cumming Blvd
City/State/Zip:	Old Orchard Beach, ME 04064
Name:	William Watson
Work Phone:	207 - 934 - 4911 ext 1
Cell Phone:	207 - 671 - 4187
Email:	wwatson@oobmaine.com
PO #:	

QTY	Part #	Description	Price	Extension
2	QPMA (CS)	Green circle Q target on heavy card stock	\$124.00	\$248.00
1	QP	Standard Q target on regular paper	\$146.00	\$146.00
TOTAL:				\$394.00

Ammunition Must be Delivered By:	/	/
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Notes:	
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Please be sure the FET Exemption Certificate is completed properly.

Fill out the TOP section only and STOP as "Statement of Ultimate Vendor."

Leave the bottom portion BLANK.

AGENDA ITEM #9113

Discussion with Action: Approve the quote from Jackson Tree Service in the amount of \$6,500.00 for the removal of five (5) hazardous trees along Ross Road from account #20151-50511 Public Works Grounds Maintenance and Improvements with a balance of \$91,919.49.

Chair: Shawn O'Neill

PURCHASE ORDER REQUEST FORM

Date: 09/29/26 Department: PUBLIC WORKS

Vendor #: 3723 (is vendor active in Munis? If not a vendor packet needs to be completed prior to requesting PO)

Vendor Name: JACKSON TREE SERVICE

Account (Org/Obj): 20151-50511

Current Account Balance: \$ 94769.49

Amount Requested: \$ 6500.00

- 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: 5 TREES THAT NEED TO BE REOMVED ACROSS FROM
50 ROSS ROAD PRICE INCLUDES ALL 5 CUT AND REMOVED

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

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



Department Head Signature

9-29-26

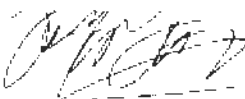
Date

NAME Town of OOB		P.O. #	
ADDRESS 1 Pontland Ave		CONTACT	
CITY Old Orchard Beach ME 04064		PHONE NO	
JOB DESCRIPTION		ESTIMATE TIME:	DATE:
- Remove 2 trees by the driveway on right side and the other on the left side on Ross Rd. across from #50 Ross Rd.			
- Remove all 5 trees across from #50 Ross Rd. that includes the 2 by the driveway.			
JOB INSTRUCTIONS & EQUIPMENT		G. H.	C. A.
ROPE SIZE		C. H.	AERIAL LIFT
SAW MODELS		BLOWER	CHIPPER
LADDER SIZE		PRUNER	HYDRAULICS
# CLIMBERS		SPECIAL EQUIPMENT	
FUTURE WORK - CALL BACK		SEASONED - UNSEASONED HARDWOOD	
		DELIVERY DATE	
ESTIMATE		# CORDS	SEASONED UNSEASONED
REFERRED BY		SPLIT	UNSPLIT
SPECIAL INSTRUCTIONS		SUB TOTAL	
Quote for Tree Work			
DIRECTIONS		TAX	
MAP #		TOTAL	
		DEPOSIT	
		BALANCE DUE	

VH 8330

Date	Number
09/27/2026	242

Bill To
Tree removal Jaime Conte Town of Old Orchard Beach 27 Ross road Old Orchard Beach, Maine 04064 2079342250 jconte@oobmaine.com

	PO Number	Terms	Sales Rep
			Jose V Morales
Item	Description	Qty	Price
Service	Remove 5 trees for the town of Old Orchard Beach, trees are located on Ross road, flagging will be necessary which it might be provided by the town. All materials are to be chipped and hauled away	1	7,650.00
Customer Signature 			
Thank you for your business		Total	\$7,650.00
		Paid	0.00

AGENDA ITEM #9114

Discussion with Action: Approve the quote from New England Kenworth in the amount of \$8,863.21 and the quote from Thermo King Northeast in the amount of \$8,885.00, for a total of \$17,713.21 for repair parts for Truck 16 from account #20151-50462 Public Works Vehicle Maintenance with a balance of \$20,000.00.

Chair: Shawn O'Neill

Portland
42 Wallace Avenue
South Portland, ME 04106
Phone: (207) 775-6328 Fax: (207) 775-0336



**NEW ENGLAND
KENWORTH**



Remit To:
42 Wallace Avenue
South Portland, ME 04106
Billing Questions: (207) 775-6328

**PARTS INVOICE NUMBER
QUOTATION**



Date: 09-10-26

Ship To:

TOWN OF OLD ORCHARD ME
1 PORTLAND AVE
OLD ORCHARD BEACH ME 04064

Sold To:

TOWN OF OLD ORCHARD ME
1 PORTLAND AVE
OLD ORCHARD BEACH ME 04064

Authorization #:

Page: 1 of 1

Customer Acct Number		Phone Number	Salesperson	Ship Via		Customer Purchase Order		
32462		207 934-5714	rb	WILL CALL				
Loc	Part #	Description	Ord	Ship	B/O	List	Unit Price	Extension

QUOTE NUMBER - 0097

EXPIRATION DATE - 09-20-2026

5418125CUM	REACTOR,DECOMP	1	0	1	2456.23	1956.14	1956.14
MASTER 4394820RXCUM	MODULE,IN	1	0	1	4377.35	3486.12	3486.12
MASTER 4394820RXCUM#	CORE	1	0	1	336.00	280.00	280.00
229G 5417471CUM	CLAMP,V BAND	1	1		171.08	136.25	136.25
229G 5417860CUM	GASKET,AFM DEVICE	1	1		63.72	50.75	50.75
10E3 5312372CUM	SEAL,RECTANGULAR RING	1	1		83.54	46.94	46.94
10G2 5418557CUM	GASKET, AFM DEVICE	1	1		67.70	53.92	53.92
452END 5579371CUM	KIT,PARTICULATE FILTER	1	1		3582.49	2853.09	2853.09

10:35AM PARTS NTX

Tax ID:

Signature: _____

Print Name: _____ **Date:** _____

**QUOTE
FILE**

Sub Total	8863.21
Freight	0.00
Sales Tax	0.00
Please Pay	8863.21

DISCLAIMER OF WARRANTIES:

Any warranties on the products sold hereby are those made by the manufacturer. The Seller, New England Kenworth, hereby expressly disclaims all warranties, either expressed or implied, including any implied warranty of merchantability or fitness for a particular purpose, and the Seller neither assumes nor authorizes any other person to assume for it any liability in connection with the sale of said products. We are not responsible for any labor costs resulting from failed parts unless the part was installed by us.

All returns must be accompanied by the original sales receipt, must be within 30 days of the original purchase, can never be installed, be resealable, and be in the original, unsoiled box. We reserve the right to refuse all returns on electrical items. All cores must be returned within 15 days of purchase to avoid a 15% late charge. No credit can be given on core deposits after 45 days.

ALL RETURNS ARE SUBJECT TO A 15% HANDLING CHARGE.



THERMO KING
NORTHEAST

110 GRAY RD
FALMOUTH, ME 04105
Phone: (207) 810-2169 Fax: (860) 224-4550

ESTIMATE: E300003592



BILL TO
OLD ORCHARD BEACH PUBLIC WORKS - 29503
103 SMITHWHEEL ROAD
OLD ORCHARD BEACH, ME 04064
P: (207) 934-2250

DELIVER TO
OLD ORCHARD BEACH PUBLIC WORKS - 29503
103 SMITHWHEEL ROAD
OLD ORCHARD BEACH ME 04064
P: (207) 934-2250

DATE SHIPPED	SHIP VIA	DATE INVOICE	SALESPERSON	UNIT ID	VIN	COMPONENT S/N	TERMS	CUSTOMER REFERENCE
9/15/2026	FALMOUTH SOUTH		Taylor.S				CASH	

QTY SHP	QTY B/O	ITEM	DESCRIPTION	LIST PRICE	UNIT PRICE	EXTD PRICE
1		102-0304RM-SCR	CUM5418680 DTNA 200-320 EPA1	11,150.70	7,625.00	7,625.00
1		102-0304RM-SCR-CORE	CUM5418680 2018-21 DTNA200-	1,860.00	1,100.00	1,100.00
1		FRT	INCOMING FREIGHT/OUTGOING		160.00	160.00

ESTIMATE
VALID FOR 15 DAYS

SIGNATURE X _____

Products that are nonconforming, defective, damaged or short in quantity must be reported within 2 business days following delivery. Products returnable for credit must be returned within 180 days of sale, must be unused and in saleable condition in their original packaging, and are subject to a 15% restocking fee. Cores must be returned within 60 days in original packaging and are subject to inspection. No returns are permitted for electrical and specially ordered products. For our full terms of sale, please visit: www.tkne.com/terms-conditions

SUB-TOTAL	8,725.00
PREPAY	0.00
TAX	0.00
SHIPPING	160.00
TOTAL	8,885.00
SALE TYPE	PRET

Please Remit Payment to:
DEVIVO COMPANIES
315 SOUTH ST
NEW BRITAIN CT 06051

AGENDA ITEM #9115

Discussion with Action: Approve the bid from Morton Salt for the purchase of winter roadway salt in the amount \$84.77 per ton, from account #20151-50515 Public Works Road Salt Expense with a balance of \$95,000.

Chair: Shawn O'Neill

PURCHASE ORDER REQUEST FORM

Date: 09/30/26

Department: Public Works

Vendor #: 6682 (is vendor active in Munis? If not a vendor packet needs to be completed prior to requesting PO)

Vendor Name: Morton Salt

Account (Org/Obj): 20151-50515

Current Account Balance: \$ 95000.00

Amount Requested: \$ 85000.00

- 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: this is the salt the we purchase for the plowing season

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

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



Department Head Signature

9-30-26

Date

2026 GPCOG ROAD SALT AND DE-ICING PRODUCTS BID PRICES: Sodium Chloride and De-Icing Products				
Low Bids in Yellow		NB: No Bid		
Company Name of Bidder:		Eastern Salt Company		Morton Salt
SODIUM CHLORIDE				
	Delivered	Picked Up	Delivered	Picked Up
Price per ton (mainland)	\$97.00	\$97.00	\$84.77	\$84.00
Price per ton (islands)	NB	NB	\$159.27	\$84.00
Stockpile locations(s):			South Portland, ME	
Anti-cake conditioner color:	Yellow		Yellow (YPS)	
Origin of salt:	Chile		Chile, South America	
Storage:	Attached qualification statement		Product is unloaded using their equipment, placed into hoppers, loaded into trucks, transported to the stockpile, and covered with a tarp	
Phone number for product orders:	855-676-9388 (dispatch)		855-665-4540	
Phone number for delivery issues:	978-251-8553 (24/7)		630-861-2313 (Stacey Tuggle)	
Delivery:	Seth McCoy's Trucking & Excavating		contracted trucking	
	207-289-0497			
ORGANICALLY PRE-TREATED SODIUM CHLORIDE FOR REDUCED FREEZING POINT PERFORMANCE				
	Delivered	Picked Up	Delivered	Picked Up
Price per ton (mainland)	NB	NB	\$104.77	\$104.00
Price per ton (islands)	NB	NB	NB	NB
Stockpile locations(s):			Newington, NH	
Anti-cake conditioner color:			Yellow (YPS)	
Origin of salt:			Chile, South America	
Storage:			Product is unloaded using their equipment, placed into hoppers, loaded into trucks, transported to the stockpile, and covered with a tarp	
Phone number for product orders:			855-665-4540	
Phone number for delivery issues:			630-861-2313 (Stacey Tuggle)	
Delivery:			contracted trucking	
CALCIUM CHLORIDE LIQUID (30%)				
Please indicate available units:	Delivered	Picked Up	Delivered	Picked Up
1	NB	NB	NB	NB
Phone number for product orders:				
Indicate pricing delivered and picked up for islands:				
CALCIUM CHLORIDE LIQUID (32%)				
Please indicate available units:	Delivered	Picked Up	Delivered	Picked Up
1 2,000-2,999 gallons	NB	NB	NB	NB
2 3,000+ gallons	NB	NB	NB	NB
3				
Phone number for product orders:				
Indicate pricing delivered and picked up for islands:				

AGENDA ITEM #9116

Discussion with Action: Approve the quote from Coastal Fence for the installation of 126ft of commercial black aluminum fence at the Town Hall retaining wall in the amount of \$8,900.00 from account #20115-50450 Town Hall Building Repair and Maintenance with a balance of \$16,557.29.

Chair: Shawn O'Neill



106 Thompson Road
ARUNDEL, ME 04046
207-590-6773
coastalfence@maine.rr.com
ESTIMATE-- CONTRACT

Job Name/Address:
Town of OOB

Contact Number(s):
Ed Dalton 207-423-4372
edalton@oobmaine.com

Job Location: Upper Town Hall parking lot

We hereby submit specifications and estimates for: 3' black aluminum 3 rail commercial grade

Provide and install: Approx 126' of fence on cement retaining wall

All ledge excavation and/or compressor work will be subject to an additional charge over and above this contract amount.

ALL PERMITS BY OWNER

We propose hereby to furnish material and labor, complete in accordance with above specifications for the sum of:
\$8,900.00

Payment to be made as follows:

Coastal Fence assumes no responsibility for any damage to underground pipes, power lines, etc. in the process of installing posts, if Coastal Fence is not notified of existence and locations of the same in writing. WE are fully insured for Public Liability and Property Damage. Certificates of our coverage will be forwarded on request. Please sign and return a copy of this contract with required deposit.

Authorized Signature:


Coastal Fence (Trevor Cloutier)

09/25/2026

Note: This estimate may be withdrawn by us if not accepted within 30 days.
Accounts over 30 days will be subject to a 10.0 percent per month interest charge.

Acceptance of Estimate – The above prices, specifications and conditions are satisfactory and are hereby accepted. Coastal Fence is authorized to do the work as specified. Payment will be made as outlined above.

Authorized Signature: _____

Date of Acceptance: _____

CUSTOMER IS RESPONSIBLE TO CALL DIG SAFE AT 1-888-DIGSAFE

Note: This contract does not include labor and material needed to install this fence in ledge, large tree roots or when rocks are larger than the posthole required. If any of these conditions are encountered during installation, the purchaser agrees to pay Coastal Fence the following additional charges which will be added to the final balance due: Equipment: Compressor/Rock Drill \$450.00, Post drilled and pinned \$75.00 each, Cement \$30.00 per bag.



106 Thompson Road
ARUNDEL, ME 04046
207-590-6773
coastalfence@maine.rr.com
ESTIMATE— CONTRACT

Job Name/Address:
Town of OOB

Contact Number(s):
Ed Dalton 207-423-4372
edalton@oobmaine.com

Job Location: Pump-Train station

We hereby submit specifications and estimates for: 6' galvanized chain link

Provide and install: Repair and install Approx 85' of chain link

All ledge excavation and/or compressor work will be subject to an additional charge over and above this contract amount.

ALL PERMITS BY OWNER

We propose hereby to furnish material and labor, complete in accordance with above specifications for the sum of:
\$3,900.00

Payment to be made as follows:

Coastal Fence assumes no responsibility for any damage to underground pipes, power lines, etc. in the process of installing posts, if Coastal Fence is not notified of existence and locations of the same in writing. WE are fully insured for Public Liability and Property Damage. Certificates of our coverage will be forwarded on request. Please sign and return a copy of this contract with required deposit.

Authorized Signature:


Coastal Fence (Trevor Cloutier)

09/25/2026

Note: This estimate may be withdrawn by us if not accepted within 30 days.
Accounts over 30 days will be subject to a 10.0 percent per month interest charge.

Acceptance of Estimate – The above prices, specifications and conditions are satisfactory and are hereby accepted. Coastal Fence is authorized to do the work as specified. Payment will be made as outlined above.

Authorized Signature: _____

Date of Acceptance: _____

CUSTOMER IS RESPONSIBLE TO CALL DIG SAFE AT 1-888-DIGSAFE

Note: This contract does not include labor and material needed to install this fence in ledge, large tree roots or when rocks are larger than the posthole required. If any of these conditions are encountered during installation, the purchaser agrees to pay Coastal Fence the following additional charges which will be added to the final balance due: Equipment: Compressor/Rock Drill \$450.00, Post drilled and pinned \$75.00 each, Cement \$30.00 per bag.

AGENDA ITEM #9117

Discussion with Action: Approve the quote from Xylem Water Solutions USA Inc. for the purchase of a Flygt RAS Pump in the amount of \$24,705.05 from account #30181-50551 Sewer Reserve Operating Equipment Expense with a balance of \$45,650.00.

Chair: Shawn O'Neill



Xylem Water Solutions USA, Inc.
Flygt Products

September 21, 2026

99 Stockhouse Rd
Bozrah, CT 06334
Tel 860/889-2343
Fax 860/889-0673

TWN OF OLD ORCH BCH
1 PORTLAND AVE
1 PORTLAND AVE
OLD ORCHARD BEAC ME 04064-2245

Quote # 2026-BOZ-0701
Project Name: Old Orchard Beach, ME
Job Name: RAS Pump #1

Xylem Water Solutions USA, Inc. is pleased to provide a quote for the following Flygt equipment.

Pump			
Qty	Part Number	Description	Unit Price
1	3153.095-5790	NZ433-6 20/460/3 65'(S25)+ FM FLS FV SPL	\$ 16,557.75
Accessories			
Qty	Part Number	Description	Unit Price
1	785 90 00	KIT,Z-STAND 316 3153 MT	\$ 3,005.20
1	865 12 03	CART,SERVICE 316 NZ3153	\$ 2,542.10
Total Price			\$ 22,105.05
Freight Charge			\$ 2,600.00
Total Price			\$ 24,705.05 ←

Low Bid

Terms & Conditions

This order is subject to the Standard Terms and Conditions of Sale – Xylem Americas effective on the date the order is accepted which terms are available at <http://www.xyleminc.com/en-us/Pages/terms-conditions-of-sale.aspx> and incorporated herein by reference and made a part of the agreement between the parties.

As of October 14th, 2024, all orders must meet a minimum dollar value of \$1,200. Xylem reserves the right to refuse to process any order that does not meet the minimum order value requirement. Xylem will support order adjustments to meet the minimum order value threshold.

Purchase Orders: Please make purchase orders out to: Xylem Water Solutions USA, Inc.
Freight Terms: 3 DAP - Delivered At Place 08 - Jobsite (per IncoTerms 2020)
See Freight Payment (Delivery Terms) below.
Taxes: State, local and other applicable taxes are not included in this quotation.



Back Charges: Buyer shall not make purchases nor shall Buyer incur any labor that would result in a back charge to Seller without prior written consent of an authorized employee of Seller.

Tariff Changes: The prices quoted herein are based on the current tariff rates, duties, government charges, and trade regulations as of the date of this quote. If any new tariffs, duties, taxes, or similar charges are imposed, or any existing tariffs, duties, or charges are increased or modified by any government or regulatory authority (collectively, "Tariff Changes"), and such Tariff Changes result in an increase in the cost of goods, Xylem reserves the right to adjust the pricing of the affected goods to reflect the increased costs.

Shortages: Xylem will not be responsible for apparent shipment shortages or damages incurred in shipment that are not reported within two weeks from delivery to the jobsite. Damages should be noted on the receiving slip and the truck driver advised of the damages. Please contact our office as soon as possible to report damages or shortages so that replacement items can be shipped and the appropriate claims made.

Time of Delivery:

Approx. 10-12 working weeks after receipt of order.

Terms of Delivery:

PP/Add Order Position

Terms of Payment:

100% N45 after invoice date. Xylem's payment shall not be dependent upon Purchaser being paid by any third party unless Owner denies payment due to reasons solely attributable to items related to the equipment being provided by FLYGT.

Schedule:

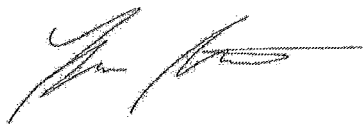
Submittals are not applicable.

Validity:

This Quote is valid for thirty (30) days.

I hope that this information is helpful to you. Should you require additional information or have any questions, please do not hesitate to contact me.

Sincerely,



Ryan Scott
Sales Representative
Cell: 207-219-9487
ryan.scott@xylem.com





Xylem Water Solutions USA, Inc.
Flygt Products

Customer Acceptance

This order is subject to the Standard Terms and Conditions of Sale – Xylem Americas effective on the date the order is accepted which terms are available at <http://www.xyleminc.com/en-us/Pages/terms-conditions-of-sale.aspx> and incorporated herein by reference and made a part of the agreement between the parties.

A signed copy of this Quote is acceptable as a binding contract.

Purchase Orders: Please make purchase orders out to: Xylem Water Solutions USA, Inc.

Quote #: 2026-BOZ-0701
Customer Name: TWN OF OLD ORCH BCH
Job Name: RAS Pump #1
Total Amount: \$ 22,105.05
(excluding freight)

Signature: _____

Name: _____

Jeremy Court

(PLEASE PRINT)

Company/Utility: _____

Town of old Orchard

PO: _____

Address: _____

Beach

Date: _____

9/22/26

24 Manor St

Phone: _____

(207) 934-4416

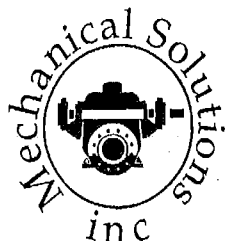
Ocean Park ME 04063

Email: _____

JCourt@003maine.com

Fax: _____





Mechanical Solutions Inc.

130 Utopia Rd, Unit 6
P.O. Box 848
Manchester, CT 06042-0848

Office: (860) 290-1564, X102
Direct: (860) 768-9124
durgo@msipump.com

"SBE - Small Business Enterprise" - CT Certified

Thursday, August 20, 2026

Attention: Jeremy Court – Old Orchard Beach, Maine
Reference: End-Suction Replacement

Dear Jeremy,

Thank you for the opportunity to quote. We propose to furnish the following material for your consideration:

Item	Qty	Description
A	1	Patterson model 6x6x12.75 non-clog pump rated for 1300gpm @ 40ft tdh at 1180rpm with the following features: Materials of Construction: Volute: Cast Iron ASTM A48 CI 35 Suction fitting wear ring: AISI 420 SS (425-475 BHN) Impeller: Cast Iron ASTM A48 CI 35 Impeller wear ring: AISI 420 SS (325-375 BHN) Shaft: AISI 1141 Shaft Sleeve: 316 S.S. Mechanical Seal: Chesterton 155 cartridge seal Fabricated steel baseplate w/ drip lip, coupling, and guard Motor: Nidec 20HP, 1200 RPM Motor (TEFC, 460/3/60, premium efficient) Quoted per nameplate provided. Coatings: PPG Amerlock 2 Epoxy (Exterior of pump and base only) Testing Included: Unwitnessed Hydro and Performance

Total:	\$55,262.50 + Freight
---------------	------------------------------

← Highest

Freight: FOB Factory, Pre-Paid & Added to Invoice, Trucker notification charges & tail gate lift not included and will be added if required.

Shipment: 14-16 Weeks from time of release

Startup: Service and operator training is available for \$160.00 per hour portal to portal as required. Please allow 7-10 days for scheduling.

Company: PPC

Name:

Date: 8/11/2026



Pump:

Size: 6x6x12.75
Type: SewagePumps
Synch speed: 1200 rpm
Curve: 6NCS-F
Specific Speeds:
Dimensions:
Speed: 1180 rpm
Dia: 12.125 in
Impeller: D-5874
Ns: 2305
Nss: ---
Suction: 6 in
Discharge: 6 in

Search Criteria:

Flow: 1300 US gpm Head: 40 ft

Fluid:

Water
Density: 62.32 lb/ft³
Viscosity: 0.9946 cP
NPSHa: ---
Temperature: 68 °F
Vapor pressure: 0.3391 psi a
Atm pressure: 14.7 psi a

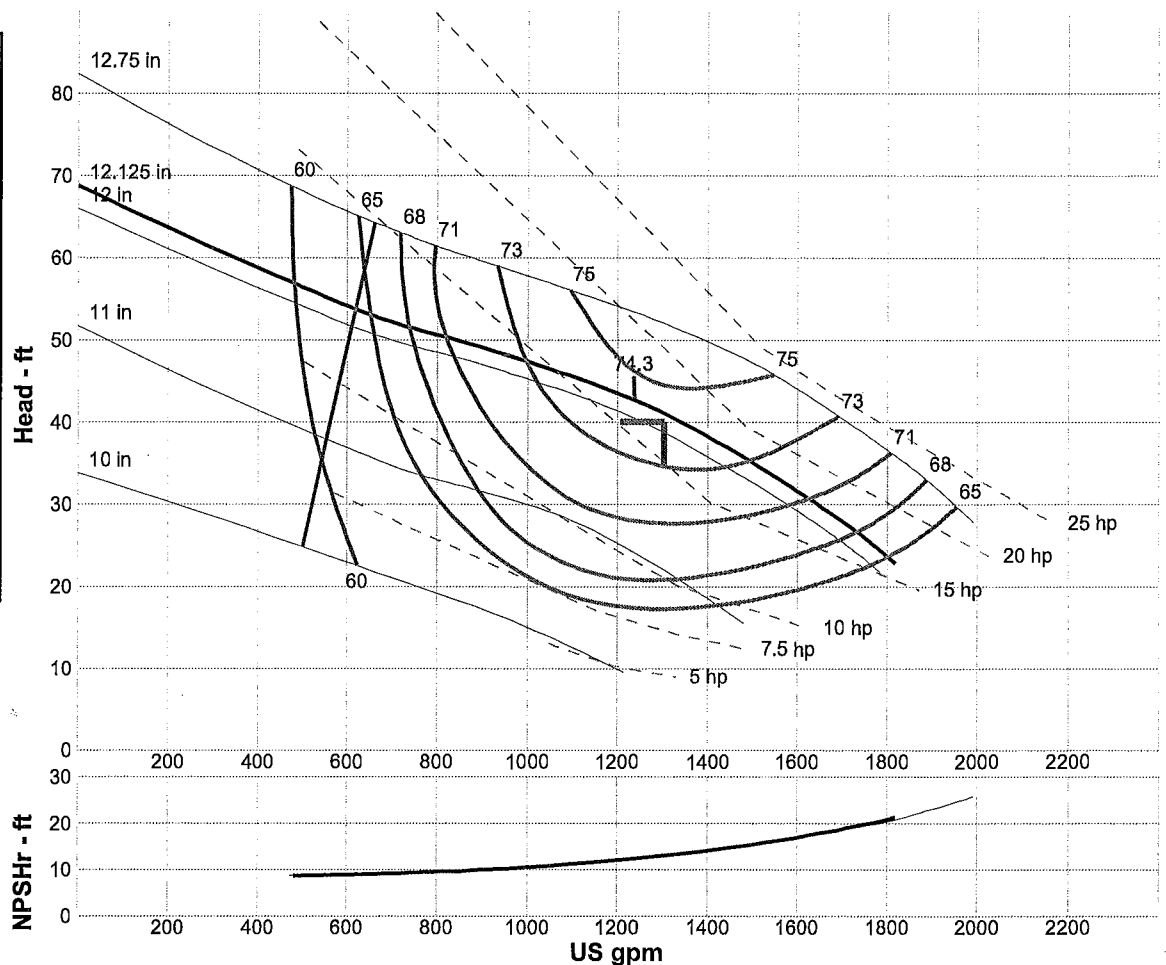
Motor:

Standard: NEMA
Enclosure: TEFC
Sizing criteria: Max Power on Design Curve
Size: 20 hp
Speed: 1200
Frame: 286T

Pump Limits:

Temperature: 150 °F
Pressure: 94 psi g
Sphere size: 3.75 in
Power: ---
Eye area: ---

Data Point	
Flow:	1300 US gpm
Head:	40.8 ft
Eff:	74%
Power:	18 hp
NPSHr:	13.2 ft
Design Curve	
Shutoff head:	68.8 ft
Shutoff dP:	29.8 psi
Min flow:	618 US gpm
BEP:	74.3% @ 1235 US gpm
NOL power:	18.2 hp @ 1491 US gpm
Max Curve	
Max power:	23.9 hp @ 1546 US gpm



In accordance with the Hydraulic Institute Standards, pump is guaranteed for one set of conditions. Performance guarantees are based on shop test and when handling clear, cold, fresh water at sea level and at a temperature no greater than 85 degrees F. Suction lift must not exceed that shown on curve.

Performance Evaluation:

Flow US gpm	Speed rpm	Head ft	Efficiency %	Power hp	NPSHr ft
1560	1180	32.9	72	18	16.5
1300	1180	40.8	74	18	13.2
1040	1180	46.5	73.2	16.6	10.9
780	1180	50.9	69.6	14.4	9.54
520	1180	---	---	---	---



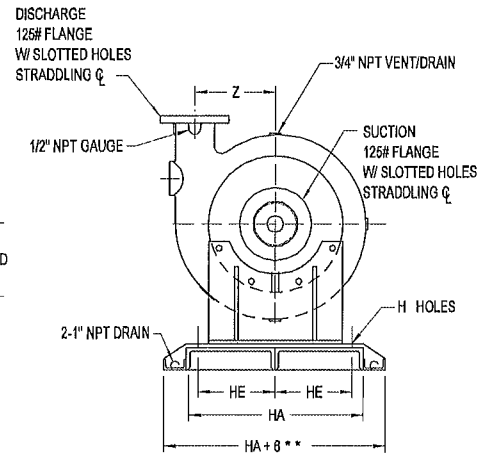
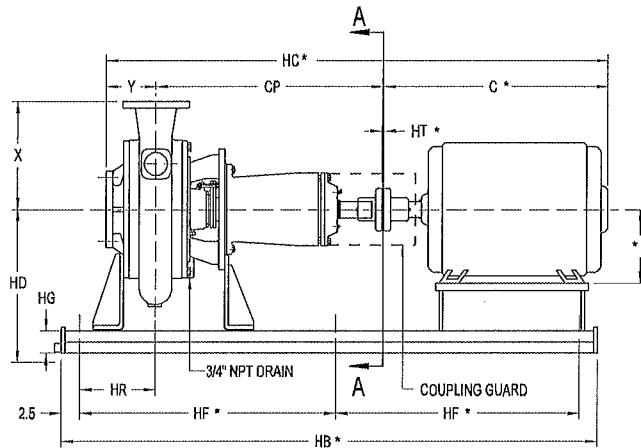
Toccoa, Georgia
U.S.A.

ROTOR GROUP 3 NCS NON-CLOG SERVICE PUMP

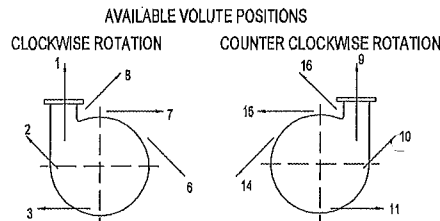
SECTION N

PAGE 32

DATE: JAN. 2, 2000



SECTION A-A



VOLUTE POSITIONS VIEWED FROM DRIVER END. CLOCKWISE
POSITION 1 (SHOWN) IS STANDARD UNLESS OTHERWISE SPECIFIED.

NOTE:
NOT FOR CONSTRUCTION, INSTALLATION, OR APPLICATION
PURPOSES UNLESS CERTIFIED. DIMENSIONS SHOWN MAY
VARY DUE TO NORMAL MANUFACTURING TOLERANCES.

* WILL VARY WITH DRIVER SELECTION
** FOR OPTIONAL DRIPRIM BASE ONLY

PUMP SIZE	ROTOR GROUP	SUCTION	DISCHARGE	CP	H	HA	HD	HE	HG	HR	X	Y	Z
4 X 3 X 14	3	4	3	29	6 - 1" DIA.	24	19 1/2	10 1/2	3	10 1/4	14	6 11/16	10 1/2
4 X 4 X 12	3	4	4	29	6 - 1" DIA.	24	19 1/2	10 1/2	3	10 1/4	12	6 11/16	9
5 X 4 X 14	3	5	4	29	6 - 1" DIA.	24	19 1/2	10 1/2	3	10 1/4	14 5/16	6 11/16	10 3/4
6 X 6 X 12 3/4	3	6	6	29	6 - 1" DIA.	24	19 1/2	10 1/2	3	10 1/4	13 1/4	6 11/16	10 3/16

REMARKS:

SERIAL No. _____ MODEL No. _____ CUSTOMER ORDER No. _____

JOB _____

SUCTION _____ DISCHARGE _____ CAPACITY _____ G.P.M. @ _____ FT. HD. @ _____ RPM

VOLUTE POSITION _____ ROTATION _____ CERTIFIED BY _____ DATE _____

AC-75451

Customer : Old Orchard Beach, ME	Pump / Stages : 6MF13C FR4T / 1
Customer reference : Old Orchard Beach, ME	Based on curve no. : 89116321
Item number : new option	Flowserve reference : 5863292978
Service : duplicate modern	Date : August 12, 2026

Construction					Driver Information	
Nozzles	Size	Rating	Face	Position	Manufacturer	:-
Suction	8.00 in	125#	FF	End	Power	: 20.0 hp / 14.9 kW
Discharge	6.00 in	125#	FF	Side	Service factor (requested / actual)	: 1.0 / 1.15
Casing mounting : Foot					Synchronous speed	: 1,200 rpm
Casing split : Radial					Orientation / Mounting	: Horizontal / Foot
Impeller type : Enclosed					Driver type	: -
Bearing type (radial) : Tapered Roller					Frame-size / material	: 286T / -
Bearing number (radial) : Refer					Enclosure	: -
Bearing type (thrust) : Tapered Roller					Hazardous area class	: -
Bearing number (thrust) : Refer					Explosion 'T' rating	: -
Bearing lubrication : Grease					Volts / Phase / Hz	: 460 V / - / 60 Hz
Rotation (view from coupling) : CW per Hyd. Institute					Amps-full load/locked rotor	: - / -
Materials					Motor starting	: Direct on line (DOL)
Casing : Cast Iron					Insulation	: -
Impeller : Cast Iron					Temperature rise	: -
Case wear ring : 400 Series Hard SS					Bearings	: -
Impeller wear ring : CA15 SS					Lubrication	: -
Inducer : N/A					Motor mounted by	: Others
Shaft : Gr. 1045 Carbon Steel					Sound Pressure (dBA @ 1.0 m)	
Sleeve : 316L SS					Driver, expected	: -
Baseplate, Coupling and Guard					Pump & driver, estimated	: -
Baseplate type : Channel					Seal Information	
Baseplate material : Steel					Arrangement	: Single Mechanical
Coupling manufacturer : Falk					Size	: As Required
Coupling size : As Required					Manufacturer / Type	: Flowserve / Cartridge
Coupling / Shaft guard : Plastic					Material code (Man'f/API)	: - / -
Weights (Approx.)					Internal neck bushing	: -
Bareshaft pump (net) : 555.0 lb					Gland	
Baseplate (net) : 267.0 lb					Gland material	: -
Driver (net) : 410.0 lb					Flush	: -
Shipping gross weight/volume : Refer / Refer					Vent	: -
Testing					Drain	: -
Hydrostatic test : None					Auxiliary seal device	: -
Performance test : None					Piping	
NPSH test : None					Seal flush plan	: -
Paint and Package					Seal flush construction	: -
Pump paint : FLS Std. Enamel					Seal flush material	: -
Base grout surface prep : N/A					Aux seal flush plan	: -
Shipment type : Domestic					Aux seal flush construction	: -
					Aux seal flush material	: -

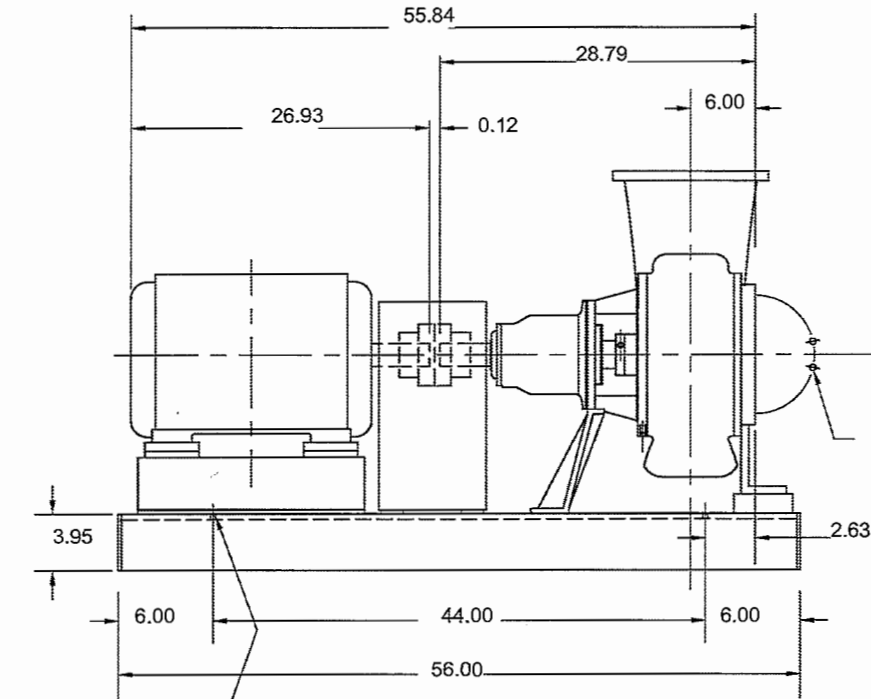
Notes
Impeller Eye Area: 35.8 sq.in. Current Pump Quoted at \$54,300 Second Highest

REFERENCE ONLY (NOT TO SCALE)

DIM. PER MAX NEMA FRAME: 286

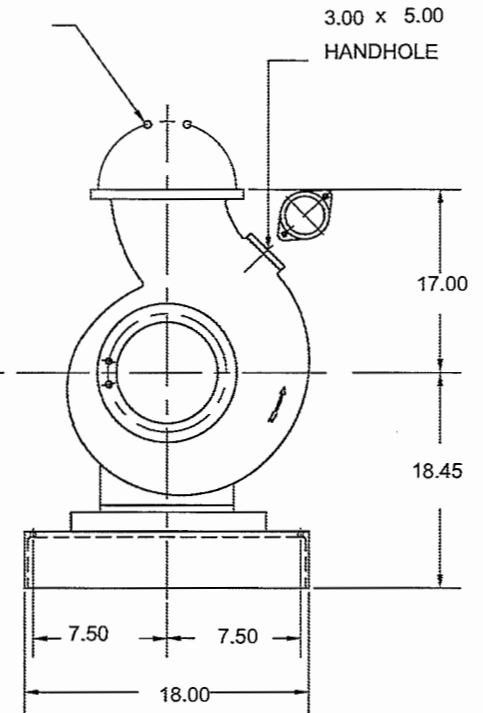
NOT FOR CONSTRUCTION UNLESS CERTIFIED

6.00 125# DISCH.
11.00 DIA. FLANGE
8 0.88 DIA. HOLES
ON A 9.50 DIA. BC



☉ PUMP & SUCTION

8.00 125# SUCT.
13.50 DIA. FLANGE
8 0.88 DIA. HOLES
0.75 - 10 UNC-2B 1.12 MIN THDS
ON A 11.75 DIA. BC



0.88 (4) HOLES

Customer	: Old Orchard Beach, ME	Pump size & type	: 6MF13C FR4T	Drawing number	: -
Item number	: new option	Pump speed / Stages	: 1,180 rpm / 1	Date	: August 12, 2026
Service	: duplicate modern	Flow / Head	: 1,300.0 USgpm / 40.00 ft	Certified by / Date	: -
Customer PO #	: -	Driver power / Frame	: 20.0 hp / 14.9 kW / 286T	Seal type	: Cartridge
Flowserve reference	: 5863292978	Volts / Phase / Hz	: 460 V / - / 60 Hz	Seal flush plan	: -



Scope of Supply

Customer:	Old Orchard Beach, ME	Pump / Stages:	6MF13C FR4T / 1
Cust / Proj	Old Orchard Beach, ME	Based on curve	89116321
Item number:	new option	FLS # /	5863292978 /
Service:	duplicate modern	Date:	Aug 12, 2026

Qty	Description		
1	6MF13C FR4T FPD - CI MF Solids Handling ----- SCOPE OF SUPPLY ----- "MF" Horizontal Pump No Horizontal Suction Head Discharge Nozzle- UP Viewed from Suction Bearing Frame Orientation/Speed Acceptable ----- MATERIAL MODIFICATIONS ----- Cast Iron ASTM 278 CI 30 Casing Cast Iron ASTM 278 CI 30 Impeller 11-14% Chr Stl A-487/CA-15 200-250 BHN W.R. 16-18% Chr Stl AISI 440A 300-350 BHN W.R. ASTM A108 Gr 1045 Shaft 316L Stainless Steel Shaft Sleeve No Lantern Ring ----- MECHANICAL MODIFICATIONS ----- Standard Balance Standard Bearing Frame Grease Lubrication Casing Drain 3/4" NPT (Plugged) Casing Vent 3/4" NPT (Plugged) Suction Gauge Connection 1/2" NPT (Plugged) Discharge Gauge Connection 3/4" NPT (Plugged) No Lifting Lugs or Eyebolts No Anchor Bolts ----- MECHANICAL SEALS & PACKING ----- Mechanical Seal Cartridge Seal Single Cartridge Flowserve ISC2 Single FLS Carbon/Silicon 316SS Viton (5Z4T) ----- SEALING FLUSH SYSTEMS ----- Motor Mounting Not Required ----- COUPLINGS ----- Falk "T" Type Non-Spacer		

Feature quantities match pump quantity unless otherwise noted.
 Proposal is valid for 30 days.

Customer:	Old Orchard Beach, ME	Pump / Stages:	6MF13C FR4T / 1
Cust / Proj	Old Orchard Beach, ME	Based on curve	89116321
Item number:	new option	FLS # /	5863292978 /
Service:	duplicate modern	Date:	Aug 12, 2026

Qty	Description		
	----- GUARDS ----- Std. OSHA Non-Metallic (Safety Orange) Guard Aluminum Mesh Stuffing Box Guard ----- BASEPLATE ----- Channel Baseplate Flowserve Supplied Standard Shims ----- HYDROSTATIC TESTING ----- Hydrotest Not Required ----- PERFORMANCE TESTING ----- Performance Test Not Required ----- ENGINEERING ANALYSIS ----- ----- PAINTING & SURFACE PREPARATIONS ----- Flowserve Standard Gray Enamel ----- COMMERCIAL OPTIONS ----- Flowserve Standard Warranty 12 Mo. Installation or 18 Mo. Delivery ----- DOCUMENTATION ----- No Submittal Package Required ----- PACKAGING ----- Domestic Packaging ----- INCO & FREIGHT TERMS ----- FCA Factory ----- SPARE PARTS -----		
1	Driver ----- MOTORS ----- Driver by Flowserve Horizontal TEFC Corro Duty Motor 208-230/460 Volt 3PH 60HZ (20.0 hp 1200 RPM 286T)		

Customer Comments

Shipment (after receipt of order and full release to manufacture) is 16 working weeks.

Feature quantities match pump quantity unless otherwise noted.
Proposal is valid for 30 days.



Mechanical Solutions Inc.

130 Utopia Rd, Unit 6
P.O. Box 848
Manchester, CT 06042-0848

Office: (860) 290-1564, X102
Direct: (860) 768-9124
durgo@msipump.com

"SBE - Small Business Enterprise" - CT Certified

Friday, August 21, 2026

Attention: Jeremy Court – Old Orchard Beach, Maine
Reference: End-suction Replacement with Homa Submersible

Dear Jeremy,

Thank you for the opportunity to quote. We propose to furnish the following material for your consideration:

Item	Qty	Description	Weight
A	1	Homa Submersible Solids Handling AKX848-380-19.7FU. This pump will perform the required design point of 1300GPM @ 40' TDH with 76% energy efficiency. Suction & discharge flange size is 8" ANSI. Multi-channel enclosed Impeller size to be 380MM. Motor will be rated for 19.7HP, 850RPM, 3PH, 230 or 460V with a standard 32' cord.	1343
B	1	This pump will include cooling ports on the stainless-steel jacket for external clean water cooling.	
C	1	Horizontal Mount (FU) 88472055	

Total: \$45,845.98

← Second lowest

Freight: FOB Factory, Pre-Paid & Added to Invoice, Trucker notification charges & tail gate lift not included and will be added if required.

Shipment: 6-8 Weeks from time of release

Startup: Service and operator training is available for \$160.00 per hour portal to portal as required. Please allow 7-10 days for scheduling.

Note: Quote is valid for 30 days. Any Item, Spare Parts, Material, Labor or Service not specifically indicated in above quote is considered to be by others.

Terms: Net 30 days

Tariff: The recent unprecedented tariffs proposed and imposed by the new administration create uncertainty regarding their timing and impact on the above quoted products. Pricing may be adjusted to account for

2

applicable tariff-related charges at the time of order placement and/or before the items are shipped.

Sincerely

Dan Urgo

AGENDA ITEM #9118

Discussion with Action: Approve the quote from Cunningham Security Systems for the purchase and installation of a new Town Hall Fire Alarm Control Panel in the amount of \$12,174.12 from account #51002-50842 CIP Town Hall Improvements Expense with a balance of \$366,802.50.

Chair: Shawn O'Neill



Proposal: 17717-1-0

OOB Town Hall FACP Upgrade

Prepared for:

Town of Old Orchard Beach

1 Portland Avenue
Old Orchard Beach, ME 04064

Prepared by:

Broni Gorelov
System Designer

Cunningham Security Systems

325 US Route 1
Falmouth, Maine 04105

P (207) 650-8001
E bgorelov@cunninghamsecurity.com
W (207) 846-3350

Proposal Issued:
9/22/2026

Proposal Valid To:
10/22/2026

SCOPE OF WORK

Name: Town of Old Orchard Beach

Site: Town of Old Orchard Beach -
Town Hall

1 Portland Avenue
Old Orchard Beach, ME 04064

Billing: Town of Old Orchard
Beach

1 Portland Avenue
Old Orchard Beach, ME 04064

Contact

P:
C:
E:

Cunningham Security Systems is pleased to offer for your consideration this quotation for the Town of Old Orchard Beach Town Hall Fire panel Upgrade.

Scope of Work

Turn Key Proposal

Cunningham Security proposal for project titled: OOB FACP Panel Upgrade

Our proposed fire alarm system is a Potter AFC-1000 non -proprietary with conventional notification. Expandable to allow addressable initiating devices in the future.

Cunningham Security Scope of Work

- Provide Fire Alarm Equipment Package
- Furnish Fire alarm panel and components.
- Provide Cunningham Security technical labor for programming/testing/commissioning.

Clarifications:

- Addressable AFC-1000 panel to be supplied.
- Remote annunciator is included for ground floor entrance.
 - Annunciator to be installed inside on back side of existing annunciator. Old exterior annunciator to be discontinued. Face plate will need to be blanked off/painted by others. Box to remain as a splice box for new annunciator. Subject to AHJ Approval
- Existing communicator to be reused or AES radio box previously quoted will be tied into this panel.
- Panel wiring to be Class B for Initiation and Notification.
 - Quote assumes existing wiring to be in good working order and able to be reused. If during the installation wiring is found to be defective or incompatible additional cost may be incurred to correct.
- CSS will work during normal business hours M-F 8 AM -5 PM except for major holidays
- CSS standard warranty is one year for labor and 5 years for Potter Fire alarm equipment.
- If awarded the project CSS will provide a maintenance contract directly to end user.
- CSS is not responsible for any temporary fire detection or temporary systems.
- CSS provided 7ah battery back-up.

- Additional devices may be deemed necessary by the AHJ and could result in additional charges.
- All field initiating and notification devices to remain as is. If during the installation devices are found to be malfunctioning or incompatible due to the age of the system, they will be replaced at an additional cost.
- CSS will locate and replace all zone and nac end of line resistors during the upgrade. Assistance will be required by the customer to allow access to all areas of the building as required.

THIS PROPOSAL IS BASED UPON ONLY THOSE ITEMS DENOTED BY "[X]":

[X] Walk through with Brian Bohn. Inspection report supplied via email 1-27-26

THIS QUOTATION INCLUDES ONLY THOSE ITEMS DENOTED BY "[X]":

[X] Equipment as listed

[X] Freight (F.O.B. shipping point)

[X] Panel terminations

[X] Technical installation support including programming

[X] Assistance with 1 functional system certification test with electrical contractor support in the field.

[X] Assistance with 1 AHJ test with electrical contractor support in the field.

[X] Assistance with Close out documentation

[X] One-year standard warranty on labor

[X] Five-year standard warranty on Potter Equipment

THIS QUOTATION DOES NOT INCLUDE THE FOLLOWING:

- Demolition or maintaining the existing fire alarm system(s)
- Submittals and/or data sheets
- Permit cost per call with Alex from OOB town hall 2-12-26
- Bringing the building up to code.
- Phased Checkout
- Raceway or standard electric boxes
- 120 vac power
- Cutting, drilling, patching, fire caulking or painting
- Fire watch
- Annual Inspection Contract (will be provided separately upon completion)
- Weatherproof and conditioned control equipment housing.

- No Lead paint abatement is identified, expected, or included in this contract. All policies and procedures referenced in the specification will be followed as required.
- Cost for CAD files
- BDA Systems
- Stair Pressurization Systems
- Pre-Existing Troubles on Fire Alarm System
- NFPA 241 Requirements Temporary and Fire Alarm
- LED Graphic Maps
- Shunt Trip for Elevator
- Fan Control Panels
- Elevator Status / Recall Cabinets
- Fire Alarm Master Box
- Door Holders and Relays for Door Holders
- Prevailing Wage Rates
- Any Fees associated with other vendors to be on site for testing and interfacing system. IE. elevator company, HVAC company.
- Damper Status on fire alarm control panel and fire alarm annunciators
- Beam Detectors

Delays, Costs and Extensions of Time:

ADDITIONAL NOTES:

If Cunningham Security is awarded this project, we will need:

- Your Purchase Order or contract will need to reference the CSS Reference Number and amount. This proposal and its terms and condition shall take precedence. Your Purchase Order or contract is subject to review and must be mutually agreeable.
- This Proposal is valid for a period of 30 days ONLY unless modified in writing by Cunningham Security .
- This proposal includes panel terminations at the panel and one functional test of the system by a factory trained CSS Representative.
- All work is to be performed during normal Cunningham Security hours of 8 am to 5pm Monday through Friday except for company sponsored holidays unless specifically noted otherwise.
- We reserve the right to correct this quote for errors and omissions.
- As stated above, Cunningham Security will perform the work pursuant to the attached Terms and Conditions.

Should the parties fail to execute a mutually agreeable definitive agreement, all work performed by Cunningham Security on or related to the above captioned project (except for any monitoring services anticipated, which will only be performed pursuant to the unaltered terms and conditions of Cunningham Security Standard Monitoring Agreement) will be performed pursuant to the attached Terms and Conditions.

Any additional taxes, duties, tariffs or similar items imposed prior to shipment will be charged.

Please indicate your approval of this quotation by signing the last page and returning to my attention as noted below.

Thank you,

Broni Gorelov

System Designer

Bgorelov@cunninghamsecurity.com

2076508001

PROJECT INVESTMENT

Estimate

QTY	Description	Location
1	1270-Point Addressable Fire Alarm Control Panel	
1	Fire Alarm Digital Communicator	
2	Initiating Device Circuit Expander	
1	LCD Fire Alarm Annunciator - 160 Character - Red	
1	Surge Protection Device	
1	Fire Alarm Documents Box	
2	12V - 7Ah Battery	

Total Purchase Price	\$12,174.12
Deposit Due in Advance	\$3,652.24
Balance Due Upon Completion	\$8,521.88

PROJECT CLARIFICATIONS & ASSUMPTIONS

	Included/Excluded			Included/Excluded	
AutoCad Plans & drawing files	☐	☒	120vac Power	☐	☒
Submittals	☐	☒	Telephone Line	☐	☒
Permits	☐	☒	Locking Hardware	☐	☒
System Training	☐	☒	Back Boxes	☐	☒
Network Cabling & Infrastructure	☐	☒	Conduit	☐	☒

Clarifications & Assumptions

Cunningham Security labor is provided during normal business hours Monday through Friday from 8 AM - 5 PM.

Overtime is not included and will be charged additionally.

Cunningham Security will broom sweep floors and dispose of Cunningham Security created trash daily within job site provided containers.

Taxes are excluded unless specifically shown as included at pricing summary lines.

Elevator time is included per the hours required in the specification only.

Deliveries will be made during normal business hours. Overtime delivery is not included.

Final testing and system delivery is included as per the project schedule only.

PROJECT ACCEPTANCE

System Investment:

Cunningham Security will provide the proposed system as described in this proposal for the sum of: **\$12,174.12**

If required by Massachusetts State law, sales tax may be added to your final invoice.

Payment Terms:

Provide a mobilization fee in the amount of 30% of the installation fee upon formal approval to proceed with the project. Balance to be paid in progress payments as invoiced by Cunningham Security with payment in full due upon system deployment completion.

Payment shall be Net 30 of invoice date.

Proposal Acceptance:

I have read the **General Terms and Conditions** of the sale, understand them fully, and agree to abide by them. I have also read and understand the payment terms as set forth in the **Customers Responsibilities** section of the agreement as well as the **Project Investment** as listed.

I hereby certify that I am authorized by my company to sign this agreement. Cunningham Security is hereby authorized to perform the work as specified.

Accepted By: **Cunningham Security Systems**
Name: **Broni Gorelov**

Signature: _____

Title: _____

Date: _____

Accepted By: **Town of Old Orchard Beach**
Name: _____

Signature: _____

Title: _____

Date: _____

AGENDA ITEM #9119

Discussion with Action: The September 10th and 11th, 2027 Chamber of Commerce Car Show was approved on March 4th, 2025. There is a request to move the date of the event to September 17th and 18th, 2027 not to conflict with the NE Parkinson's Ride.

Chair: Shawn O'Neill

AGENDA ITEM #9120

Discussion with Action: Set the public hearing date of October 20th, 2026 to amend the Code of Ordinances, Chapter 54, Traffic and Vehicles, Section 54-187, Restrictions and Prohibitions, adding a weight restriction to Miles Avenue Extension.

Chair: Shawn O'Neill

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

AGENDA ITEM #9121

Discussion with Action: Approve the Special Event Permit for the Community Friendly Connection to hold a Fall Festival on Saturday, September 25th, 2027 from 10:00 a.m. to 2:00 p.m., Set-up starting September 24th at noon. Takedown by 4 p.m. This includes closure of First St. from Staples St. to Heath St. beginning at 2am on Saturday, September 25th, 2027 until end of event. September 26th, 2026 event was cancelled due to weather.

Chair: Shawn O'Neill

AGENDA ITEM #9122

Discussion with Action: Discussion with Action: Approve the Special Event Permit for Pier Leasing to hold JeepFest on Old Orchard Street and in the Square on Saturday, September 11th, 2027, from 9 a.m. to 6 p.m. including set up and takedown. The Square and Old Orchard Street from Saco Avenue to Milliken/First Streets to be closed during the event. On Old Orchard Street there must be a 20-foot fire lane down the center of Old Orchard Street for fire apparatus. Applicant is required to have OOB Fire/Police assist in traffic control and required to meet with Fire/Police at least two weeks prior to the event. Insurance, listing the Town of Old Orchard Beach as additionally insured, to be provided to the Town Clerk's Office at least two weeks prior to the event.

Chair: Shawn O'Neill



Town of Old Orchard Beach Special Event Permit application

Application for Special Event Permit

Please read the following:

- All applications must be thoroughly completed. Failure to fully complete an application may result in a delay in the processing.
- This application is to be completed by the individual or authorized representative of the organization regulating the event and requesting the permit. Submission of an application does not guarantee the event will be approved. Do not publicize or promote your event until your notification of acceptance has been issued.
- All applications must be received by the Town Clerk's Office not less than thirty (30) calendar days prior to the date on which the person proposes to conduct such special event. If not received by that date, the application may be subject to non-approval for that reason.
- Special Event Permit applications require a \$50 (per day, including dates of set up/take down) **non-refundable fee** to be paid at the time application is received.
- A Special Event Permit Application will be deemed "received" on the date the Town Clerk's Office receives:
 - A completed application
 - Appropriate Insurance, listing the Town of Old Orchard Beach as additionally insured (if event is within 30 days)
 - Application fee
- Once you have completed the application, please return to the Town Clerk's Office:

Town Clerk's Office
1 Portland Avenue
Old Orchard Beach, ME 04064

NOTE: Weddings are not permitted on the beach from June 15th up to and including Labor Day weekend, between the hours of 10-6 p.m. Set-up cannot begin until 6 p.m.

If you have any questions, please contact the Town Clerk's Office at 207-934-4042 or e-mail the Town Clerk, Kim McLaughlin, at kmclaughlin@oobmaine.com

APPLICATION INFORMATION

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

1. Name of applicant Michael r. Courtemanche
- Address of applicant 107 Shanley Dr Attleboro, MA 02703
- City State Zip
- Phone number of applicant (508) 472 1321 Fax () N/A
- Cell phone () SAA E-mail oobjeepfest@gmail.com
- On whose behalf is this event being conducted? (Organization, Firm, Corporation, if applicable)
- Old Orchard Beach JeepFest
- 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)

No entertainment vendors.

All vendors will be Jeep/Auto parts accessories,
local crafters and jeep clubs with their merch.

Will you be using tents? X 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.

10x10 - secured w/leg stakes & weighted bags.
event owned.

Will you be using staging? _____ YES X 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: _____

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 N/A Work Phone () _____

Address _____
City State Zip

Cell phone () _____ Fax () _____

E-mail _____

4. SET-UP Date for Event 9/11/27 Day of Week Sat from 0900 to 1700

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 _____ Day of Week _____ from _____ to _____

RAIN DATE(s) N/A Times _____
(if rain date listed, insurance must list rain date)

5. Location of the Event 003 st., 1st St., municipal lot veterans park,
(if applicable, a map or diagram showing the area to be used, or parade route)
municipal lot Milliken St
6. The estimated number of participants in the event

____ 0-150; ____ 150-500; ____ 500-1000; X 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.

OOB St from 1st → Saco Ave.

1st St from Staples St → Heath St

8. Will the sale of food and/or beverages occur at the event? N/A 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? X YES ____ NO

Description of merchandise Jeep Event clothing items

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

Is this event co-sponsored by the Town of Old Orchard Beach? ____ YES X 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:

12. List any Event Sponsors:

numerous vehicle part companies

Crown automotive

rock jack 4x4

Skyjacker suspensions

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

Will participants be charged for parking? X YES ____ NO

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

☒ YES (if yes, please list dates): past yrs. weekend after labor day.
☐ 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):

I will have more volunteers this year.

All visible in hi-viz attire. barricades. staging at Milikon St lot and sent to parking areas in small groups escorted by volunteers.

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

☒ Volunteers

Times: 0800-1700 How many? 36

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).

Jeep stereo systems for short showcases.

Speaker & microphone for raffle announcement.

Where will the event attendees/participants park? OOB St., 1st St., Veterans

Park municipal lot. any non event registered vehicles in town lots

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: _____

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.

pack in / pack out. we will dispose of our trash.

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

If yes, number needed and location Heath St, 1st St, Miliken St, Saco Ave, OOB St

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:

no parking signs along OOB St & 1st St please.

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? I WILL

16. Will there be any use of fire (i.e. tiki torches, grills, barbecues, bonfires, etc)? YES ☒ NO

If yes, explain: _____

If this application includes a request for a bonfire, the attached Bonfire Permit must also be filled out.

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.

"Old Orchard Beach JeepFest" feather flags, banners,
10x10 pop up tents.

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):

I have 2.5' x 4' banners. I don't know where
I could place them. If possible I'd love guidance.

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: N/A 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 X No

20. Will the event involve professional fireworks? _____ YES X 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? N/A

21. Will there be any kind of animals at this event? (e.g. petting zoo, pony rides, etc.) _____ YES X 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 X 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/events 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 event proposal per review standards established for Essential Habitats and determine if the event would significantly alter the habitat or violate protection guidelines. Application is attached.

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; X 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 X NO. If yes, has the applicant received approval from RSU #23 or the date the applicant will receive approval?

SPECIAL EVENT PERMIT AGREEMENT

I, M.T. Courtemanche on behalf of Old Orchard Beach JeepFest
(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. MTC (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: [Signature]
(authorized representative)

Date: 09/23/26

Print name: Michael T. Courtemanche

Print Organization Name (if applicable): Old Orchard Beach JoepFest

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 photos.

I will be mimicking the car show locations.

The only difference will be the requested use of the Miliken St Municipal Lot for staging prior to the event.







AGENDA ITEM #9123

Discussion with Action: Set the public hearing date of October 20th, 2026, for the Town to 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.

- 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):		

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(Supp. No. 72)

- 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 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

(1) Permitted Transfers:

a. Voluntary Transfers:

- i. A Licensee may transfer a 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 of the premises;
 6. The Transferee shall provide a 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(q).

(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))

AGENDA ITEM #9124

Discussion with Action: Renew the liquor license for The Beachwood (The Beachwood), 29 West Grand Avenue, 307-1-4, Hotel (Food Optional): On-Premises: Beer, Wine & Spirits.

Chair: Shawn O'Neill

AGENDA ITEM #9125

Discussion with Action: Renew the liquor license for Port Georgia LLC (Lazy Days Restaurant), 4 First Street Suite #101, 206-31-19, Class A Restaurant: On-Premises: Beer, Wine & Spirits (Police did not sign off on approval).

Chair: Shawn O'Neill

ADJOURNMENT

Chair: Shawn O'Neill