

**TOWN OF OLD ORCHARD BEACH, MAINE  
ADMINISTRATIVE HEARING  
Tuesday, September 30, 2014  
4:00 p.m.**

**An Administrative Hearing was called to order at 4:04 p.m. on Tuesday, September 30, 2014 to consider the Administrative Review.**

**The following were in attendance:**

**Town Manager Larry Mead  
Assistant Town Manager, Louise Reid  
Code Enforcement – Dan Feeney  
Planner – Jeffrey Hinderliter  
Marc Bourassa  
Police Chief Dana Kelley  
Fire Chief Ricky Plummer  
Gary Curtis  
Kenneth Lafayette**

**Absent: Tina Kelley**

**The Town Manager served in his capacity of Chair of the Administrative Board and asked each of the Board members to introduce themselves to those in attendance during this day's review. The authority of the Administrative Review Board comes from the Code of Ordinance: Business Section 18-38 and Section 18-39. This is a fact finding meeting with the prime goal of resolving issues. He also indicated that the ARB meeting is triggered by either one written complaint to License Administrator pertaining to Business License/Code/Ordinance violation or three or more disturbances verified by the Police Chief. He explained that this does not imply that businesses appearing before the ARB are less than stellar and it is hoped that issues can be resolved today so that it does not have to come to the Town Council. In each of the three hearings below the Town Manager explained the purpose and goal of the Administrative Board.**

**4:00 p.m. – Robert Goodhue dba/Shilo Apartments (312-8-13), 57 Cedar Avenue, seven round rentals.**

**It was noted that back in May of this year there had been another Administrative Review with Mr. Goodhue regarding the Shilo Apartments. As indicated then conflicts seem to exist among renters in the apartments relating to noise, disturbances, etc. The ongoing issues between tenants are causing the number of calls to Police and Fire Departments which are impacting the use of public services. Mr. Goodhue explained that basically it is a young woman and her fiancé who seem to make the calls. He also indicated that as of yesterday, September 29<sup>th</sup>, they had left the apartment having been evicted from the premises. It is a seven unit year round rental apartment building with all units rented and because of the close proximity of the apartments; it doesn't take much to hear what is going on in**  
Administrative Review Board Minutes - September 30 2014 - Shilo Apartments-Friendly's Market - Oceanic Inn.doc Shilo Apartments, Friendly Market and Oceanic Inn

another apartment. Since this couple seemed to be the only ones making the complaint and making the calls to the police and fire, the situation should correct itself.

**MOTION:** Chief Kelley motioned and Gary Curtis seconded to not take any action on this issue predicated upon the fact that the two individuals involved in the issue have left the apartment and will not return.

**VOTE:** Unanimous.

**4:15 p.m. – Daniel Nere & Mohammed Alam – Friendly Market/Hi Bombay – 31 Washington Avenue – Mohammed Shamsul Alam.**

Although not directly related to Friendly's Market, it related to apartments located above the Market itself and owned by the same individual. There were complaints of noise and disturbances during the summer months with police being called. These appeared to be a group of International Students who were staying in the apartment and invited a large number of friends to party causing the disturbances. The apartments are empty at this point because the students have returned to their home countries. The Town Code Officer indicated that he would be doing an inspection of the apartments/ property in the next few days because that had not been done at this point in time. He would then report back to the Administrative Review Board the results of his inspection.

Messrs. Nere and Alam both agreed that they would continue to maintain order if and when they rent those apartments in the coming months. There are three apartments with two bedrooms each. There were eight students living in the two apartments and the manager of the apartment living in the third. The Town Manager encouraged that the Code Officer complete the inspection and provide a report to the Committee. It was also noted that there is a great deal of loitering outside the store and the apartment area and the gentlemen were encouraged to call the Police when there is such occurrences. Those calls would not be held against the management but rather allow the police to follow up on issues going on around the business for which there have been complaints. In addition it was noted that there have been no more reports of violation in the Market itself in serving of alcohol to under aged individuals and it was indicated that the administration appreciates that kind of adherence to laws and ordinances.

**MOTION:** Marc Bourassa motioned and Chief Plummer seconded to not take any action on this issue since the business owners understand the issues and will, in the future, continue to maintain order within the apartments being rented.

**VOTE:** Unanimous.

**4:30 p.m. – Oceanic Inn – (310-6-3) – 43 West Grand Avenue – Armond Vachon**

**There was a continuous discussion on a number of issues relative to the owner and incidents upon which reports to the police were made. Mr. Vachon explained his side of the situation regarding the various issues and continued to feel that they were issues blown out of portion and not relative to police intervention. He felt that perhaps past personal issues were still being brought up but was assured by members of the Board that this was not case. Again the Town Manager and the Police Chief explained the purpose of this discussion and that it is an informational opportunity for us to hear the Inn's management's part of the issues that are being reviewed. Mr. Vachon was concerned over the reactions and behavior of some of the police interaction and again it was noted that one probably had to be present to observe such matters. In the issue of the bed bug report – he indicated that he had a visit by the Department of Health within two days of the complaint and explained that because he would not refund money to the individual, this was their way of getting back at the Inn's management. The report from the Department of Health indicated that no bed bugs were evident in the Inn. Mr. Vachon brought up another issue relative to another local individual living in his mother's home where a lease is involved and the Administrative Board reminded him that this is a civil matter and that once that has been settled by the Courts the situation will correct itself. Mr. Vachon gave a lot of personal information on issues that were not related to this Administrative Board and it was suggested that we move on with the subjects at hand. The Code Officer indicated that he believed he and Mr. Vachon had a good working relationship which would continue in the months ahead.**

**MOTION: Chief Plummer motioned and Marc Bourassa seconded to not take any action and encouraged an on-going workable relationship between the business owner and the police in issues that come to play in the future.**

**VOTE: Unanimous.**

**5:00 p.m. – The Pier (306-6-1) – 2 Old Orchard Street – Paul Golzbein**

**Due to Mr. Golzbein and Rich Redmond being out of state this Administrative Review was rescheduled till October 29<sup>th</sup> at 4:00 in the Town Chamber.**

**It was also recommended that in the future all those coming before the Administrative Review Board be provided with the documented paperwork on issues for which a police report has been made.**

**MOTION: Marc Bourassa motioned and Gary Curtis seconded to Adjourn the Administrative Review Board.**

**The Administrative Review Board adjourned at 5:35 p.m.**

**Respectfully Submitted,**

**V. Louise Reid  
Secretary to the Administrative Board**

**I, V. Louise Reid, Secretary to the Administrative Board of Old Orchard Beach, Maine, do hereby certify that the foregoing document consisting of three (3) pages is a true copy of the original Minutes of the Administrative Hearings held on Wednesday, September 30, 2014.**