

**TOWN OF OLD ORCHARD BEACH  
REGULAR TOWN COUNCIL MEETING  
TUESDAY, May 17, 2011  
TOWN HALL CHAMBERS  
7:00 P.M.  
AGENDA**

**Pledge to the Flag  
Roll Call**

**ACKNOWLEDGEMENTS:**

**ACCEPTANCE OF MINUTES:** Town Council Workshop of April 27, 2011; Special Town Council Meeting of April 28, 2011; Town Council Workshop of April 28, 2011; and Town Council Meeting of May 3, 2011.

**PUBLIC HEARING BUSINESS LICENSES AND APPROVAL:**

Louise & Stephen Wicarius (103-1-5-28), 56 Ross Road, Unit 28, one year round rental; Pat Carter (205-7-1-6), 15 Francis Street, Unit 6, one year round rental; Carol Doucette dba/The Prop Shop (205-15-1-G), 2 Cascade Road, Retail and Outside Display; David Traynor dba/Diesel Dogs & Burgers, LLC (206-31-1-D), 17 D Old Orchard Street, Victualers with Preparation, No Alcohol Sales; Regina Fontaine dba/Sew What? (211-1-3), 19 Old Salt Road, Retail – Quilt & Gift Shop; Naphtali & Richard Maynard dba/Mainly Wraps (305-6-3), 40 East Grand Avenue, Victualers with Preparation, No Alcohol Sales – Sandwich Take-Out Shop; Gangway Properties Corp. dba/The Fried Clam Shack (306-1-2-1, 2 & 3), 1 East Grand Avenue, Victualers with Preparation, No Alcohol Sales – located in Kiosk Building # 1, 2 & 3 (combined); Lian En Shi dba/Hou An Tokyo (306-1-2-4 & 5), 1 East Grand Avenue, Victualers with Preparation, No Alcohol Sales – located in Kiosk Building # 4 and 5 (combined); Oceanside Investment Group LLC dba/Myst Restaurant (306-1-2-I), 1 East Grand Avenue, Victualers with Preparation with Beer, Wine and/or Liquor; Chuck & Marci Solesky dba/Salty Seal Gifts II (306-6-1-B), 2 Old Orchard Street, Unit E (doors 36 & 37 on the Pier), Retail; Scott White dba/Raven-Photo LLC (306-6-1-D), 116 Ross Road, Retail; Michael Angelosante dba/Pier Juice (306-6-1-E), 2 Old Orchard Street, Victualers with Preparation, No Alcohol Sales; Michael Angelosante dba/Potato Factory (306-6-1-K), 2 Old Orchard Street, Victualers with Preparation, No Alcohol Sales; Samuel Golzbein dba/Pier Ice Cream (306-6-1-L), 2 Old Orchard Street, Victualers with Preparation, No Alcohol Sales; Janice Black (312-11-14), 9 Third Street, one year round rental; and Thomas & Elizabeth Tate (318-8-6-57), 146 West Grand Avenue, Unit 57, one seasonal rental.

**PUBLIC HEARING SPECIAL AMUSEMENT PERMIT AND APPROVAL:**

The Whaler Inc. dba/The Whaler (206-31-17), 20 Staples Street, Single Acoustic – Inside – 9:00 p.m. to 12:00 a.m.; Oceanside Investment Group dba/Myst Restaurant (306-1-2-I), 1 East Grand Avenue, Acoustical & Amplified Music – Inside & Outside – 1:00 p.m. to 1:00 a.m.; Good Tunes Dance Club Inc. dba/Referee's (206-31-19-B), 4 first Street, Live Music Inside – 11:00 a.m. to 1:00 a.m.; and Good Tunes Dance Club Inc. dba/Strike Zone Restaurant & Pub (205-4-1), 1 Reserve Street, Live Music Outside; duos & solos – 11:00 a.m. to 9:00 p.m.

**TABLED ITEMS:**

**PUBLIC HEARING SPECIAL AMUSEMENT PERMIT AND APPROVAL:**

**Bernard L. Orne dba/Weekend at Bernie's Beach Club (307-3-1-B),  
8 B West Grand Avenue, DJ/Band (amplified) – Inside – 12:00 p.m. to 1:00 a.m.**

**#5380 - Discussion with Action: Approve Liquor License Renewals of Bernard L. Orne dba/Weekend at Bernie's Beach Club (307-3-1-B), 8 B West Grand Avenue, s-m-v in a Class A Lounge.**

**Mimi Vattes & Dani Sisson dba/Club Galaxy (306-5-4), 10 East Grand Avenue, Dance/Music with DJ – Amplified, Inside – 9:00 p.m. to 1:00 a.m.**

**# 5396 Discussion with Action: Approve the Liquor License Renewal of Mime Vattes & Dani Sisson dba/Club Galaxy (306-5-4), 10 East Grand Avenue, s-m-v in a Class A Lounge.**

**TOWN MANAGER'S REPORT:**

**NEW BUSINESS:**

**# 5398 Discussion with Action: Set a Public Hearing Date of June 7, 2011 to Revise Chapter 50, Article II, Sidewalks, Amending Sections 50-52, 50-53, 50-58, 50-148, 50-172, 50-241 and 50-243 adding Sections 50-150 and 50-249 of the Town of Old Orchard Beach Code of Ordinances.**

**Chair Bob Quinn**

**# 5399 Discussion with Action: Shall We Amend Chapter 42, Parks and Recreation; Section 141 through and including Section 145; and Section 201 of the Town of Old Orchard Beach Code of Ordinance.**

**Chair Bob Quinn**

**# 5400 Discussion with Action: Amend Chapter 78 – Zoning Section 78-1, 78-2 through and including 78-5, 78-34, 78-93 through and including 78-95, 78-456 through and including 78-457, Division 17, Section 78-1176 through and including 78-1185, 78-1201 through and including 78-1218. These amendments deal with mandated Shoreland Zoning.**

**Chair Bob Quinn**

**# 5401 Discussion with Action: Approve the donation of \$10,000 towards the Annual July 4, 2011 Fireworks Display from Account Number – 10013-30100 – Undesignated Fund, with a balance of \$4,628,066.**

**Vice Chair Michael Tousignant**

- # 5402 Discussion with Action: Approve the request from Oceanwood, 17 Royal Street (MBL 108-1-2), to waive the connection fee for five cabins adding fifteen plumbing fixtures while eliminating thirty-two plumbing fixtures in a service building pursuant to Section 58- 121(d) and 58-124 of the Municipal Code.** **Town Manager Jack Turcotte**
- # 5403 Discussion with Action: Act on Warrant and Notice of Election calling a Regional School Unit No. 23 Budget Validation Referendum for June 7, 2011.** **Chair Bob Quinn**
- # 5404 Discussion with Action: Accept, with regret, the resignation of Jessica Bergeron from the Community Animal Watch Committee.** **Chair Bob Quinn**
- # 5405 Discussion with Action: Approve hours of Voter Registration office to be open in connection with the Regional School Unit Budget Validation Referendum to be held on June 7, 2011, as follows: Tuesday May 31 from 8:00a.m to 6:00 p.m.; Wednesday, Thursday and Friday, June 1, 2, and 3, 2011, from 8:00 a.m. to 4:00 p.m.; and Monday, June 6, 2011, from 8:00 a.m. to 4:00 p.m.** **Chair Bob Quinn**
- # 5406 Discussion with Action: Approve monies collected in the water fountain at the Square during the summer of 2011 to be designated towards the Skateboard Park Project.** **Councilor Robin Dayton**
- # 5407 Discussion with Action: Approve the Special Event Permit application for Steven and Andrea Berlin to hold a Graduation Bonfire on the beach in front of 20 Puffin Street on Sunday, June 5<sup>th</sup>, 2011; rain date Monday, June 6<sup>th</sup>, 2011; from 8 p.m. to 11 p.m. Insurance listing the Town as additionally insured to be provided to the Town Clerk's Office at least one week prior to the event.** **Chair Bob Quinn**
- # 5408 Discussion with Action: Approve the Special Event Permit application for the Veteran's Flag Raising Committee to hold a Veteran's Flag Raising in Memorial Park from 6 p.m. to 6:30 p.m. each evening, seven days a week from Friday, May 27<sup>th</sup> to Wednesday, December 7, 2011; and a request to waive the fee.** **Vice Chair Michael Tousignant**

**# 5409 Discussion with Action: Set a Public Hearing Date of June 7, 2011 to Amend To Amend Chapter 54, Traffic and Vehicles, Sections 54-32 through and including 54-46, 54-102 through and including 54-115, and Adding Sections 54-142, 54-144, 54-146, 54-153, 54-154, 54-160, 54-186, 54-187.** Chair Bob Quinn

**# 5410 Discussion with Action: Approve the Liquor License Renewal of The Whaler Inc. dba/The Whaler (206-31-17), 20 Staples Street, s-m-v in a Class A Lounge; William & Lesa Watson dba/Pierre's Restaurant (305-4-4), s-m-v in a Restaurant; Oceanside Investment Group dba/Myst Restaurant (306-1-2-I), 1 East Grand Avenue, s-m-v in a Restaurant/Lounge; Good Tunes Dance Club Inc. dba/Referee's (206-31-19-B), 4 First Street, s-m-v in a Class A Lounge; Good Tunes Dance Club Inc. dba/Strike Zone Restaurant & Pub (205-4-1), 1 Reserve Street, s-m-v in a Restaurant; and Patricia Brennan & Thomas Gilles dba/Fatt Patties (307-3-4), 2 West Grand Avenue, 2-m-v in a Restaurant.** Chair Bob Quinn

**# 5411 Discussion with Action: Poll the Town Council to determine consensus, pending approval by the voters of Saco, Biddeford and Old Orchard Beach, to include monies in the fiscal 2011/2012 budget, in the amount of \$200,000, as a grant to RSU23 to be used exclusively for the repair and renovation of the Old Orchard Beach High School Stadium and Tennis Courts; such repairs shall include the replacement of Bleachers. RSU23 will agree to undertake and oversee these projects and make appropriate progress reports to the Town Council.** Chair Bob Quinn

**GOOD AND WELFARE**

**ADJOURNMENT**