### TOWN OF OLD ORCHARD BEACH TOWN COUNCIL MEETING Tuesday, December 3, 2014 TOWN HALL CHAMBERS 7:00 p.m.

A Town Council Meeting of the Old Orchard Beach Town Council was held on Tuesday, December 3, 2013. Chair O'Neill opened the meeting at 7:02 p.m.

The following were in attendance:

Chair Shawn O'Neill Vice Chair Bob Quinn Councilor Jay Kelley Councilor Malorie Pastor Councilor Joseph Thornton Councilor Roxanne Frenette Councilor Kenneth Blow Councilor Michael Tousignant Town Manager Larry Mead Assistant Town Manager V. Louise Reid

Absent:

Pledge to the Flag Roll Call

ACKNOWLEDGEMENTS:

COUNCILOR PASTOR: I would also like to thank Beverly Russell and the Community Watch Committee for all the good work they do especially for our seniors and their pets. This Friday, December 6<sup>th</sup> from 5:00 to 9:00 p.m. they will be conducting a Community Animal Watch Christmas Fair at the Elks in Saco, Maine, 68 Ocean Park Road. They have many vendors and craft tables that will be there to display their goods. Tables are still available to be rented for \$15 each. Please call Beverly Russell at 934-1677. She also thanked the Methodist Church Food Pantry for serving over 400 meals to about 85 families at Thanksgiving. She mentioned that our community takes care of each other.

VICE CHAIR QUINN: We wish to express our condolences to the family of William Southwick who passed away on November 24<sup>th</sup>. Bill was the Deputy Electrical Inspector for the Town of Old orchard Beach from 1986 to the present and his gentlemanly nature and professional expertise was always appreciated and recognized by all. Our prayers and thoughts go out to the family.

| PRESENTATION: | Presentation by the Republican Party |
|---------------|--------------------------------------|
|               | to Beverly Russell, Chair            |
|               | of the Old Orchard Beach             |
|               | Community Animal Watch               |

CHAIR: We are pleased to welcome to our meeting this evening, Jim Duclos, Mike Coleman and Dick Bayles, representatives of the Republic Party Committee. They are here this evening to present a check in the amount of \$100 to the Community Animal Watch Committee and to their Chair, Beverly Russell.

C:\Users\kmclaughlin\AppData\Local\Microsoft\Windows\Temporary Internet Files\Content.Outlook\Y0TT4TNR\12 3 13 minutes.doc Page 1 of 12 In additional a matching gift from Grand Slam Watch was also presented by Mike Coleman. Peg Bayles spoke up about the service, time and commitment that is given personally by Beverly Russell; hours of driving citizens to the vets; delivering food to them; hours of personal commitment of time and efforts.

ACCEPTANCE OF MINUTES: Canvass & Certification of Municipal Election Minutes of November 18, 2013; Inaugural Meeting Minutes of November 18, 2013; and Town Council Minutes of November 19, 2013.

MOTION: Councilor Pastor motioned and Councilor Kelley seconded to Accept the Town Council Minutes as read.

VOTE: Unanimous.

PUBLIC HEARINGS BUSINESS LICENSES AND APPROVAL:

CHAIR: I open this Public Hearing at 7:08 p.m.

<u>Milestone Foundation Inc.</u> (205-1-27), 28 Portland Avenue, Retail/Exterior of the building for selling woodworking items throughout the year; also Christmas items including wreaths and ornaments; requesting the waiving of the fee; and <u>Constantin Iloiu</u> (210-1-20-43), 39 Smithwheel Road, Unit #43, one year round rental.

Councilor Tousignant asked for an explanation about Milestone having to get a permit as they have been doing this for years. Planner, Jeffrey Hinderliter, explained that there was an ordinance issue and that he worked to make sure this permit could be issued. The Assistant Town Manager thanked the Planner for his efforts in this regard as Milestone does an enormous amount of good in our community.

CHAIR: I close this Public Hearing at 7:14 p.m.

**MOTION:** Councilor Tousignant motioned and Councilor Pastor seconded to Approve the Business Licenses as read.

VOTE: Unanimous.

### **PUBLIC HEARING AMUSEMENT PERMITS:**

CHAIR: I open this Public Hearing at 7:15 p.m.

Pamela Given dba/Ocean Pizza & Pasta (210-2-51), 2 Ocean Park Road, Musician Inside – Friday & Saturdays – 7:00 p.m. to 10:00 p.m.

CHAIR: I close this Public Hearing at 7:16 p.m.

MOTION: Councilor Tousignant motioned and Councilor Pastor seconded to Approve the Amusement permit as read.

VOTE: Unanimous.

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### TOWN MANAGER'S REPORT:

The Town Manager reported that staff is now fully on duty including three new individual in the Code and Planning Department including Dan Feeney, Rod Belanger and Bill DiDonato. Thanks to all those who worked so hard these past few months to make it a smooth transition including Val Camire, Kathy Smith, Alan Borg, Tim Nelson, Bill DiDonato, Will Watson and Jeffrey Hinderliter. We have been working on the Library Renovation Project; working with the owners rep, architect and Library Director. We reviewed fourteen firms for pre-gualification. Updated the project cost estimate, value engineering; new estimate is slightly lower than previous. We are optimistic that we will stay within budget. The timeframe is to notify the firms of prequalification by the end of the week; Release the bid documents on December 27<sup>th</sup>; Receive the bids on January 24<sup>th</sup>; Make recommendation to the Council on February 24<sup>th</sup>; Award the bid by council on March 4<sup>th</sup> and begin construction in April. We are working with financial advisory on bond options, including Bond Bank. Bond Bank application is due February 5<sup>th</sup>. Preliminary engineering study is underway for the Police Department storage building including DEP storm water requirement. We will meet next week with engineering to discuss building requirements and options. Met with the Finance Committee Chair to discuss the CIP budget planning process. Working with the Finance Director on a budget development schedule for FY 15 with a goal of having the budget adopted at the May 20th Council meeting. We will bring it for your review at the next meeting.

### **NEW BUSINESS:**

# 6064 Discussion with Action: Accept the bid from SumCo Eco-Contracting for the dredging of Little River Marsh at the Davenport Condos in the amount of \$78,900 from Account Number 50002-50831 – CIP Stormwater Maintenance & Improvement, with a balance of \$269,187.55.

BACKGROUND: If the weather cooperates, the Public Works Director has indicated that a section of the Little River in Old Orchard Beach will be dredged in order to help alleviate chronic flooding in the Walnut Street area; a problem that has been going on for years. This item has been a discussion item on Council agendas for over seven years but now the funding is there to accomplish the goal. The Planner has indicated that the only thing that could stop the project at this point is if the Marsh does not freeze over the winter months as this is one of the requirements necessary to move forward with the project. The plan is to get started around February and it would take approximately six to eight weeks to complete as over 2,780 cubic yards of material would have to be removed from Little River and taken to the Town's transfer station where it will be processed for re-use. This project will re-open the stream's channel from Walnut Street out into the marsh which should alleviate the flooding and help protect private property and public infrastructure as well as protect the emergency evacuation routes which are needed during emergency times. During the past several years members of the Davenport Condominiums on Walnut Street have come before Council pleading for the dredging to be done because of the flooding that occurs, trapping residents and making Walnut Street impassable. The dredging would run from the existing culvert under Walnut Street, 950 feet out into the marsh. The goal is to widen the channel of the Little River to 20 feet and to increase the depth of the river to five feet. Again, the dredging must occur within three months of the start date which may mean that the contractor that is chosen would have to have multiple crews to ensure the time frame is met. The Public Works Department went out to bid in October for the Little River Dredging Project. A total of two bids were received. The lowest bid was submitted by SumCo Eco Contracting, LLC (SumCo) of Salem, Massachusetts in the amount of \$78,900. The second lowest bid was submitted by

C:\Users\kmclaughlin\AppData\Local\Microsoft\Windows\Temporary Internet Files\Content.Outlook\Y0TT4TNR\12 3 13 minutes.doc Page 3 of 12 Chesterfield Associates, Inc. of Westport Island, Maine in the amount of \$125,200. It was determined that the bid package received from SumCo was deemed complete and the five references checked produced positive experiences.

MOTION: Councilor Pastor motioned and Councilor Kelley seconded to Accept the bid from SumCo Eco-Contracting for the dredging of Little River Marsh at the Davenport Condos in the amount of \$78,900 from Account Number 50002-50831 – CIP Stormwater Maintenance & Improvement, with a balance of \$269,187.55.

- VOTE: Unanimous.
- # 6065 Discussion with Action: Approve the purchase of road salt from Eastern Salt Co., in the amount of exceed \$50,000, from Account Number 20151-50515 Public Works Road Salt Winter Account, with a balance of \$50,000.

## **BACKGROUND:**

The Southern Maine Regional Planning Commission (SMRPC) conducted a bidding process for road salt purchases for this fiscal year. The low bid submitted was for \$49.63/ton from International Salt. In July of this year, Eastern Salt Company provided the Public Works Department a quote to match this bid price (see attached). The Department prefers to work with Eastern Salt as the provider because the company has a local supply of product and is able to provide product on short notice. Since the price quoted is equal to the low price obtained in the SMRPC bid, the Department is recommending that the Town utilize Eastern Salt as the provider of road salt. The bulk salt will be delivered to the Public Works required location. Prices quoted are firm until June 30, 2014.

MOTION: Councilor Tousignant motioned and Councilor Blow seconded to Approve the purchase of road salt from Eastern Salt Co., in the amount of exceed \$50,000, from Account Number 20151-50515 – Public Works Road Salt – Winter Account, with a balance of \$50,000.

- VOTE: Unanimous.
- # 6066 Discussion with Action: Approve the purchase of 2,400 linear feet of 12 inch HDPE drainage pipe through Portland Plastic Pipe for \$5.01/linear foot for a total of \$12,024 from Account Number 50002-50831 CIP Stormwater Maintenance & Improvement, with a balance of \$269,187.55.

BACKGROUND: The Public Works Director is asking for approval to purchase 2,400 linear feet of 12 inch HDPE drainage pipe through Portland Plastic Pipe with direct shipment from their manufacturer for \$5.01/linear foot versus \$6.80 per linear foot if brought directly from Portland Plastics Pipe with a 10% discount (\$6.80 – 10% of \$0.68 = \$6.12 versus \$5.01 for a savings of \$1.11/linear foot or \$2,664. Therefore approval is asked to purchase 2,400 linear feet of 12 inch HDPE drainage pipe for \$12,024 from Account Number 50002-50831 with a balance of \$269,187.55. Quotes were received by Public Works in April 2013 for drainage pipes and Portland Plastic Pipe submitted the lowest priced quotes across all dimensions of pipe.

MOTION: Councilor Tousignant motioned and Councilor Blow seconded to Approve the purchase of 2,400 linear feet of 12 inch HDPE drainage pipe through Portland Plastic Pipe for

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\$5.01/linear foot for a total of \$12,024 from Account Number 50002-50831 – CIP Stormwater Maintenance & Improvement, with a balance of \$269,187.55.

- VOTE: Unanimous.
- # 6067 Discussion with Action: Approve the Special Event Permit application for the Recreation Department to hold their annual Frozen 4-miler Road Race on Sunday, January 19<sup>th</sup>, 2014, with a snow date of Sunday, January 26<sup>th</sup>, 2014, starting at 12:30 p.m.; two Old Orchard Beach police officers required; and a request to waive the fee.

**MOTION:** Vice Chair Quinn motioned and Councilor Pastor seconded to Approve the Special Event permit as read.

- VOTE: Unanimous.
- # 6068 Discussion with Action: Approve the Special Event Permit application for 5k Sports Race Management to hold "Beat Santa 4 miler" on Sunday, December 8<sup>th</sup>, 2013, starting at 11:00 a.m. Runners must not be on Saco Avenue between Heath Street and Old Orchard Street beyond 12:15 p.m., and two Old Orchard Beach police officers are required; Insurance, listing the Town of Old Orchard Beach as additionally insured, to be provided to the Town Clerk's Office by December 4<sup>th</sup>, 2013.

**MOTION:** Councilor Tousignant motioned and Councilor Blow seconded to Approve the Special Event Permit as read.

VOTE: Unanimous.

# 6069 Discussion with Action: Appoint Jean Leclerc as an alternate member of the Conservation Commission, term to expire 12/31/2016.

MOTION: Councilor Pastor motioned and Councilor Tousignant seconded to Appoint Jean Leclerc as an alternate member of the Conservation Commission, term to expire 12/31/2016.

VOTE:

# 6070 Discussion with Action: Accept the Interlocal Agreement between the Town of Old Orchard Beach and City of Sanford to provide the services of its Assessor on a cost sharing basis and Authorize the Town Manager to sign that Agreement.

BACKGROUND:

#### INTERLOCAL AGREEMENT January 1, 2014

WHEREAS, the City of Sanford ("Sanford") has a need for the services of a municipal assessor; and

WHEREAS, the Town of Old Orchard Beach ("Old Orchard Beach") is willing to provide the services of its Assessor to Sanford on a cost sharing basis;

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# NOW THEREFORE, Sanford and Old Orchard Beach agree as follows:

- 1. <u>Appointment of Sanford Assessor</u>. Sanford acting through its Town Council and Town Manager, as appropriate, shall appoint the Old Orchard Beach Assessor, with the consent of Old Orchard Beach, to be the Sanford Assessor.
- 2. <u>Scope of Employment</u>. The Old Orchard Beach Assessor shall perform all duties and responsibilities imposed by law on the Sanford Assessor, including assessing property taxes and committing the same for collection, hearing and deciding abatement requests, providing information to municipal officials and citizens, state agencies, vendors and other persons with interest in activities pertaining to the assessing functions of Sanford.
- 3. <u>Employer</u>. The Old Orchard Beach Assessor shall remain an employee of Old Orchard Beach during the term of this Agreement for all purposes including without limitation, pay, benefits and workers' compensation coverage.
- 4. <u>Sanford Employment</u>. The Old Orchard Beach Assessor shall be an agent of Sanford for the purposes of statutory authorization (in the case of the Assessor) and for all functions and duties of the assessing office including without limitation, establishing taxable valuation assessments, determination of abatement requests, exemption funding, certification of ratios, and listing of property and equipment. Sanford shall be responsible for providing office space, furniture, equipment and support, legal counsel and assessment defense costs, independent appraisals, mass valuations and reviews as needed and appeals processes. Sanford shall provide such additional support for mapping, computer systems, printing, mailing and other necessary resources and functions as Sanford shall deem necessary and prudent for the proper administration of the assessing function in its community. The Old Orchard Beach Assessor shall not perform any assessments for any municipality other than Old Orchard Beach and Sanford.
- 5. <u>Cost.</u> Sanford agrees to reimburse Old Orchard Beach, on the first day of each month, 58% of the total annual compensation paid by Old Orchard Beach to the Assessor. Compensation shall include wages, employee benefits, travel stipend (travel between Old Orchard Beach and Sanford) and other direct and indirect personnel costs attributable to the Assessor paid by Old Orchard Beach. This amount may be changed annually beginning on July 1, 2014 as provided in the explanation of cost attached hereto as Exhibit A.
- 6. <u>Training.</u> The Parties recognize the value of regular training by the Assessor. The cost of any training for the Assessor will be shared on the same percentage basis as agreed to in section 5 above. Training costs will be reconciled and remitted one time per year, prior to June 30 of each fiscal year.
- 7. <u>Indemnification</u>. Should a claim be brought against Sanford arising out of, or within the scope of, the services performed by the Old Orchard Beach Assessor for Sanford, Sanford shall defend, indemnify and hold harmless Old Orchard Beach and its officials, agents and employees in their public and individual capacities from and against all such claims, damages, losses and expenses, including attorney fees. This section shall not be interpreted to waive the

monetary limits and substantive areas of immunity under the Maine Tort Claims Act.

- 8. <u>Term.</u> This Agreement is effective January 1, 2014 and shall remain in effect indefinitely unless terminated in accordance with Section 9 of this Agreement.
- 9. <u>Termination of Agreement</u>. Either party may terminate this Agreement for any reason by giving ninety (90) days advance notice in writing.
- 10. <u>Default.</u> In the event a party defaults under this Agreement, the other party shall have those remedies available to it at law and in equity; provided it shall first give the defaulting party written notice and a reasonable time to cure.
- 11. <u>Entire Agreement</u>. This Agreement constitutes the entire agreement between the parties, and replaces any prior agreement between the parties for Assessor services. If any clause, section or provision is held to be invalid or unenforceable, that shall not affect the entire agreement and the parties agree to meet and negotiate a new clause, section, provision or agreement.

## <u>Exhibit A</u>

With the merit increase effective <u>July 1, 2012</u> the Assessor will be paid an annual salary in the amount of \$80,621.32, an annual travel stipend in the amount of \$1500.00, plus benefits.

## **Calculation of costs**

Sanford pays OOB \$62,590.20 annually in twelve equal monthly installments of \$5,215.85. This is based on Sanford assuming 58% of the Assessor's salary, allowances and benefit costs, calculated as follows: \$80,621.32 (current base salary) + \$1500.00 (annual car allowance) + \$25,792.90 (33.07% benefits and overhead) = \$107,914.22

The division of costs was arrived at by establishing the percentage share for each community of the total valuation of the two communities (55/45), establishing the percentage share for each community of the total property parcel count (61/39), and then averaging the two factors. The percentage share of cost is 58% Sanford, and 42% Old Orchard Beach through June 30, 2014. Beginning July 1, 2014 through June 30, 2015 the percentage share of cost will be 46% Old Orchard Beach (41/51), and 54% Sanford (59/49) based on the updated calculation relative to parcel count and valuations. Beginning in 2014 the percentage share of cost will be reconfigured in December to determine the appropriate cost share percentages for the subsequent fiscal year budget appropriation.

MOTION: Councilor Tousignant motioned and Councilor Kelley seconded to accept the Interposal Agreement between the Town of Old Orchard Beach and City of Sanford to provide the services of its Assessor on a cost sharing basis and authorize the Town Manager to sign that Agreement.

VOTE: Unanimous.

Below is the chart that was presented to the Council related to the above issue?

### George Greene Wages & Benefits FY 2014

|                        | <br>Annual<br>Salary | Benefits<br>33.07% | Car<br>Allowar | nce   | <br>TOTAL        |
|------------------------|----------------------|--------------------|----------------|-------|------------------|
| George Greene          | \$<br>80,621.32      | \$ 25,792.90       | \$ 1,5         | 00.00 | \$<br>107,914.22 |
| Monthly amount due OOB |                      |                    |                |       | \$<br>5,215.85   |

Reimbursement from Sanford 58%

| Breakdown of Reimbursement |               |    |          |        |                   |           |  |  |  |
|----------------------------|---------------|----|----------|--------|-------------------|-----------|--|--|--|
| 20106-50101                | Salary        | \$ | 3,896.70 |        |                   | Annual    |  |  |  |
|                            |               |    |          |        | ER Share Benefits |           |  |  |  |
| 20106-50201                | FICA          | \$ | 256.25   | 7.65%  | \$                | 5,301.64  |  |  |  |
| 20106-50214                | WC            | \$ | 77.93    | 2.00%  | \$                | 1,612.43  |  |  |  |
| 20106-50210                | Health Ins    | \$ | 581.39   | 14.92% | \$                | 12,028.70 |  |  |  |
| 20106-50211                | Dental        | \$ | 38.19    | 0.980% | \$                | 790.09    |  |  |  |
| 20106-50212                | IPP           | \$ | 39.62    | 1.02%  | S                 | 819.66    |  |  |  |
| 20106-50202                | Retirement    | \$ | 253.29   | 6.50%  | \$                | 5,240.39  |  |  |  |
| 20106-50123                | Car Allowance | \$ | 72.50    |        |                   | -,        |  |  |  |
|                            |               | \$ | 5,215.85 | 33.07% | \$                | 25,792.90 |  |  |  |

Prepared by: Diana H. Asanza

# 6071 Discussion with Action: Amend the Zoning District Amendment: Expand the Campground Overlay District over a single parcel zoned R-1 located at 9-11 St. John Street, MBL – 206-26-7 (Ne're Beach Campground), owned by Pay LLC.

### **BACKGROUND:**

The Town Planner, Jeffrey Hinderliter, has indicated that the purpose of this proposal is to extend the existing Campground Overlay District to a 0.23 acre lot. The current district is Residential 1 (R1) and this district will remain. What will change is the lot will, in addition to R1, have the Campground Overlay zoning designation and which allow the lot to take advantage of the Campground Overlay (CO) standards.

Alan Weinstein (Pay LLC) approached me last year about what he could do concerning a blighted building on property he owns adjacent to the his campground, We're Beach. I visited the site and the building was a safety hazard and in my opinion, could not be rehabbed- it needed to be demolished. To move forward, Mr. Weinstein and I discussed several options and the best appeared to be removing the building and extending his campground. Mr. Weinstein brought a proposal to landscape and adds 4 camp sites. I could see this was to be a considerable improvement to the property (as well as surrounding area) and I approved this as an administrative site plan review.

As party of my review, I checked all the normal items, including the zoning district, and my interpretation of the zoning map was that the parcel was in the CO District. Since that time, a few zoning district discrepancies came up and I decided to work with our GIS consultant to update the maps to make sure the zoning districts were correctly represented by using the most recent, Council signed zoning map and to make the districts more clear by adding different colors and hatching for the overlay districts. When this was completed, sure enough, we found that Mr. Weinstein's redeveloped lot was not in the CO District- the CO District ended at the abutting lot.

So, to correct this mistake, it is in my opinion that the best way to move forward was to extend the existing CO District associated with Ne're Beach Campground to include this 0.23 Acre lot. If you look at the areas of We're Campground currently zoned CO, this appears to be a natural extension that makes complete sense.

Because the proposal is a zoning change and part of Chapter 78, it first requires a public hearing to be held by the Planning Board (PB) as well as the PB to offer a recommendation to the Council (see below). On 12 September, the PB held a public hearing and provided a recommendation that the Council approve the proposed zoning change. On 1 October, the Council scheduled a public hearing to be held on 19 November. Abutter's within 100' of the property associated with the proposed zoning change have been notified of the 19 November public hearing.

### Sec. 78-31. - Amendments to chapter.

(a) This chapter may be amended from time to time as the needs of the town require after public hearing on a proposed amendment held by the planning board and following posting and publishing of notice of the hearing.

(b) Such notice shall be posted in the town office at least 14 days before the public hearing and shall be published at least two times in a newspaper of general circulation in the town. The date of the first publication must be at least 14 days before the hearing, and the date of the second publication must be at least seven days before the hearing.

C:\Users\kmclaughlin\AppData\Local\Microsoft\Windows\Temporary Internet Files\Content.Outlook\Y0TT4TNR\12 3 13 minutes.doc Page 9 of 12 (c) Amendments to this chapter shall be adopted only after favorable vote of a majority of the members of the town council.

One of the primary tests for zoning changes- is it consistent with the adopted comprehensive plan. Our most recent adopted comp plan is from 1993. I reviewed the Community Goals and Policies and found "campgrounds should be allowed to expand as a conditional use with standards to assure their operation as good neighbors." Therefore, in my opinion, this proposal is in consistent with the adopted comprehensive plan.

Mr. Weinstein has made considerable improvements to this lot and surrounding area and it was my misinterpretation of the zoning boundary that allowed the proposal to move forward.

MOTION: Councilor Tousignant motioned and Councilor Thornton seconded to Amend the Zoning District Amendment: Expand the Campground Overlay District over a single parcel zoned R-1 located at 9-11 St. John Street, MBL – 206-26-7 (Ne're Beach Campground), owned by Pacy LLC.

VOTE: Unanimous.

# 6072 Discussion with Action: Amend the Zoning District Amendment: Expand the Campground Overlay District over a single parcel zoned GB-1 located at 17 Ocean Park Road, MBL 210-10-4 (OOB Campground) owned by RBD Inc.

### **BACKGROUND:**

The Planner, Jeffrey Hinderliter, has indicated that the purpose of this proposal is to extend the existing Campground Overlay District to a 1 acre lot. The current district is General Business 1 (GB1) and this district will remain. What will change is the lot will, in addition to GB1, have the Campground Overlay zoning designation and which allow the lot to take advantage of the Campground Overlay (CO) standards.

Last year, Mike Daigle approached me and discussed his desire to improve his property, the OOB Campground. We met several times and reviewed several concepts. The proposal was to be done in several phases over a few years. The first phase was to create a safer, new entrance/exit to Ocean Park Road, reconfigure the interior front vehicle circulation patterns and landscaping. To do this (and to make the entire project work), Mr. Daigle had to purchase a 1 acre triangle-shaped lot (which is the lot associated with the proposed CO District) that included the Vacancy Pub and several overnight cabins. At the time this work was done, it was permissible in the GB1 District; therefore, a zoning change was not necessary. As many of you have probably seen, the first phase is close to completion.

Mr. Daigle would like to begin the second phase which includes significant updates to the campground sites. As part of this proposal, the campground will extend into a portion of the former Vacancy Pub lot. Since this lot is zoned GB1, the campground lots are not permissible. To make the proposal work, we are proposing to include the CO as an overlay zone. If you look at the areas of OOB Campground currently zoned CO, this appears to be a natural extension that makes complete sense.

C:\Users\kmclaughlin\AppData\Local\Microsoft\Windows\Temporary Internet Files\Content.Outlook\Y0TT4TNR\12 3 13 minutes.doc Page 10 of 12 Similar to the Ne're Beach CO proposal, because the proposal is a zoning change and part of Chapter 78, it first requires a public hearing to be held by the Planning Board as well as the PB to offer a recommendation to the Council (see below). On 12 September, the PB held a public hearing and provided a recommendation that the Council approve the proposed zoning change. On 1 October, the Council scheduled a public hearing to be held on 19 November. Abutter's within 100' of the property associated with the proposed zoning change have been notified of the 19 November public hearing.

Sec. 78-31. - Amendments to chapter.

(a) This chapter may be amended from time to time as the needs of the town require after public hearing on a proposed amendment held by the planning board and following posting and publishing of notice of the hearing.

(b) Such notice shall be posted in the town office at least 14 days before the public hearing and shall be published at least two times in a newspaper of general circulation in the town. The date of the first publication must be at least 14 days before the hearing, and the date of the second publication must be at least seven days before the hearing.

(c) Amendments to this chapter shall be adopted only after favorable vote of a majority of the members of the town council.

One of the primary tests for zoning changes- is it consistent with the adopted comprehensive plan. Our most recent adopted comp plan is from 1993. I reviewed the Community Goals and Policies and found "campgrounds should be allowed to expand as a conditional use with standards to assure their operation as good neighbors." Therefore, in my opinion, this proposal is in consistent with the adopted comprehensive plan.

Mr. Daigle has made considerable investment and improvements in this property and, according to his vision, will continue to do so.

MOTION: Vice Chair Quinn motioned and Councilor Blow seconded to Amend the Zoning District Amendment: Expand the Campground Overlay District over a single parcel zoned GB-1 located at 17 Ocean Park Road, MBL 210-10-4 (OOB Campground) owned by RBD Inc.

**VOTE:** Unanimous.

# 6073 Discussion with Action: Approve the Liquor License Renewal for <u>Pamela Given</u> <u>dba/Ocean Pizza & Pasta (210-2-51), 2 Ocean Park Road, m-s-v in a Restaurant.</u>

MOTION: Councilor Pastor motioned and Councilor Kelley seconded to Approve the Liquor License Renewal as read.

VOTE: Unanimous.

GOOD AND WELFARE:

GUY FONTAINE: He asked if when Police Officers are required at a special event, who pays for the Police coverage and the Town Manager indicated that the group conducting the Special Event pays for the Police coverage.

C:\Users\kmclaughlin\AppData\Local\Microsoft\Windows\Temporary Internet Files\Content.Outlook\Y0TT4TNR\12 3 13 minutes.doc Page 11 of 12 JEROME BEGART: He asked who would be speaking at the Workshop on FEMA – flood maps and was told that an individual from Ransom Engineering who has been representing us will be present. The Town Manager also indicated that we would be partnering with Scarborough on some of these studies and issues because of interrelationships between us and issues alike to both communities.

CHAIR O'NEILL: There are two very important Workshops coming up. On Wednesday, December 4<sup>th</sup>, tomorrow night, at 6:30 p.m., here in the Town Council Chamber there will be Workshop on issues relative to the Old Orchard Beach Ballpark. On Wednesday, December 11<sup>th</sup> at 6:30 p.m., here in the Town Council Chamber, there will be Workshop on FEMA maps. This is a vitally important Workshop to many citizens. Both Workshops will be televised.

### ADJOURNMENT:

MOTION: Councilor Thornton motioned and Councilor Blow seconded to adjourn the Town Council Meeting at 7:40 p.m.

**VOTE:** Unanimous.

**Respectfully Submitted,** 

V. Louise Reid Town Council Secretary

I, V. Louise Reid, Secretary to the Town Council of Old Orchard Beach, Maine, do hereby certify that the foregoing document consisting of twelve (12) pages is a copy of the original Minutes of the Town Council Meeting of December 3, 2013. V. Louise Reid