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**OGUNQUIT PLANNING BOARD MINUTES
MONDAY MAY 23, 2016**

REGULAR BUSINESS MEETING

A. ROLL CALL –

Members Present: Steve Wilkos (Chair)
 Muriel Freedman (Vice Chair)
 Don Simpson
 Jackie Bevins
 Rusty Hayes
 Rick Dolliver (1st Alternate)

Members Excused: Brian Aromando (2nd Alternate)

Also Present: Scott Heyland, Code Enforcement Officer
 Lee Jay Feldman, Town Planner, SMPDC
 Maryann Stacy, Recording Secretary

B. PLEDGE OF ALLEGIANCE -

C. MISSION STATEMENT – The Mission Statement was read by Mr. Simpson.

**D. MINUTES - May 9, 2016 Public Hearing and Regular Business Meeting.
Mr. Simpson Moved to Accept the Minutes of the May 9, 2016 Meeting as Submitted.
SIMPSON/BEVINS 5:0 UNANIMOUS**

E. PUBLIC INPUT – For any matter NOT already on this Agenda.

Mr. Wilkos asked if there was anyone who wished to be heard on any matter not on this meeting's agenda.

Judy Dennis asked to be heard. She was informed that her application was on the Agenda for this meeting and her comments would not come under Public Input.

F. UNFINISHED BUSINESS –

1. FINDINGS OF FACT FOR:

- 1. HARRY WINSTON REALTY/~~YOGT~~ ABBOTT'S CREAMERY – 237 Main Street – Map 7 Block 126 – DBD – Site Plan Review for a pre 1931 structure. Application for a Change of Use from night club to retail space.**

Mr. Wilkos noted that the Planning Board approved this Application on May 9, 2016.

**Mr. Simpson Moved to Approve the Findings of Fact for HARRY WINSTON REALTY/~~YOGT~~ ABBOTT'S CREAMERY – 237 Main Street.
SIMPSON/BEVINS 5:0 UNANIMOUS**

- 2. JUDY DENNIS/BANDITO'S MEXICAN GRILL – 68 Shore Road – Map 6 Block 69 – GBD1 – Application for an Amendment to a Site Plan Approved on July 29, 2013. Request to expand outside dining hours past 11:00 p.m.**

Mr. Wilkos noted that the Planning Board Denied this Application on May 9, 2016.

Ms. Dennis asked to be heard and Chairman. Wilkos agreed.

Ms. Dennis stated that she was appalled at the last meeting. She argued that she was not allowed to defend herself, and that the Board based its decision on police reports. Ms. Dennis went on to say that Mr. Simpson wouldn't take her evidence to prove that "these people" next door, were harassing her.

Ms. Dennis stated that both Mr. Simpson and Ms. Bevins were on the Planning Board when her hours were restricted. She expressed her belief that the Board did not have the right to do that. At that time Mr. Yurko repeated several times in the meeting that he wasn't sure the Board had the authority to do that. Ms. Dennis suggested that at that time the Board should have stopped questioning her son and discussed whether or not the Board had the authority to restrict her hours. There was absolutely no discussion by the Board.

Ms. Dennis stated that she has since found out that the Board does not have the right to put restrictions on her hours. Attorney Brad Moulton told her that the Planning Board does not have the right to put restrictions on business hours. Ms. Dennis argued that this Board's contention that the restriction was self imposed is not true. She stated that she was bullied into putting it on herself. After several requests for changes it was her son's opinion that if he didn't agree to the restricted hours, the application would have been denied.

Ms. Dennis demanded discussion which the Board declined.

Mr. Wilkos thanked Ms. Dennis for her input and stated that the Board would take her comments under consideration.

Ms. Dennis continued to argue that she wanted to defend herself.

Mr. Wilkos responded that she was out of order.

Ms. Wilkos asked Mr. Feldman to respond.

Mr. Feldman responded that the Planning Board has the ability to impose any conditions they feel they need in order to approve an application. This has been confirmed by the Town's Attorney, Natalie Burns. Mr. Feldman informed the Board that they can view the video tape of the July 29, 2013 Planning Board Meeting. He has reviewed that tape and he noted that there was discussion regarding the hours of outside operation. He agreed that Mr. Yurko did have conversation about it, however it was Mr. Yurko himself who made the approval motion with the condition.

Mr. Wilkos asked for confirmation that the restriction was only put on outside dining hours. The owner is still allowed to operate the inside restaurant and bar until 1:00 a.m.

Mr. Feldman confirmed this.

Ms. Dennis asked to be heard again and Mr. Wilkos agreed.

Ms. Dennis responded that she was never given the chance to defend herself which is unconstitutional. "these people bullied" her son into "doing the hours". Ms. Dennis also argued that if she restricted her own hours she should be able to unrestrict them. She also stated that it is not true that the Planning Board site plans can contain the hours of the business district". The business district has hours from 5:00 a.m. to 1:00 a.m. Ms. Dennis stated that there is not one other restaurant in town that has restrictions.

**Mr. Simpson Moved to Approve the Findings of Fact for JUDY DENNIS/BANDITO'S MEXICAN GRILL – 68 Shore Road – Map 6 Block 69.
SIMPSON/BEVINS 5:0 UNANIMOUS**

2. DAVID GIARUSSO – 661 Main Street – Map 13 Block 49 & 50 – General Business District 2 (GBD2). Site Plan Review for a new use of a paid parking lot.

Ms. Freedman, Ms. Bevins, and Mr. Dolliver were again recused and exited the auditorium.

Geoff Aleva from Civil Consultants addressed the Board as Mr. Giarusso's representative.

Mr. Aleva reiterated that a site visit had been held that afternoon. At that site visit he reviewed, the locations of one way in and out vehicle entrances and exits, signage, and traffic flow patterns. Mr. Aleva noted that there was input from the Planning Board members, abutters, Police Chief, Fire Chief, and Tom Errico from TYLIN Traffic Engineering.

Mr. Aleva stressed that the proposed plan seriously deals with pedestrian access and safety along the site. He noted the location of the proposed crosswalk as well as the confirmation that the DOT plans to install illuminated crossing signage. Mr. Aleva agreed that it was valuable for the Board to gain a "feel" for the site, the location of the one way in and one way out vehicle lanes,

the chance to see the sidewalks on both sides of Route One, and the general “openness” of the site.

Mr. Aleva confirmed which signage will be relocated or removed. There will be no pass through for vehicles moving from the Pizza Napoli parking area to the Angelina’s parking area. Vehicles will have to return to Route One and turn into the Angelina’s parking area.

Mr. Aleva indicated that the original trolley stop will probably be moved slightly south to declutter the crosswalk area.

Mr. Hayes asked how many spaces the plan was approved for, and how many spaces have been painted there now; and why there is a difference.

Mr. Aleva responded that there will be twenty-nine (29) spaces. The lines should have been painted to match the plan. He isn’t sure why they were not. Some of the parking lines will have to be blacked out to match the plan. There was a mistake and it needs to be corrected.

Mr. Wilkos summarized that the Board approved a parking plan and the parking lot was striped in a manner not according to that plan; and this was a mistake.

Mr. Aleva agreed; and he added that neither he nor Mr. Giarusso was present when the lot was striped.

Mr. Hayes asked for confirmation that Mr. Aleva would do an “as built plan” when the parking lot conforms with what the Board had approved.

Mr. Aleva agreed that he would.

Mr. Hayes asked about the restriction on the height of the lights.

Mr. Aleva responded that the light poles are twenty (20) feet and he agreed to check what the Board required regarding pole height.

Mr. Wilkos introduced Tom Errico who produced the traffic study peer review for the Board.

Mr. Aleva stated for the record, that he was never notified that Mr. Errico was going to be at the Site Visit and the Meeting. If he had been informed he would have asked his traffic engineer from Gorrell Palmer to attend as well.

Mr. Errico from TYLIN International from Falmouth addressed the Board. Mr. Errico’s comments at the site visit centered on: signage, and impacts on sight lines. He expressed his understanding that there is a sign with a supplemental message board in front of Angelina’s and that the supplemental “specials” sign would be moved to the other side of the main sign to clear vehicle line of sight. There is another sign which is a Town owned sign, in the public right-of-way, which should be relocated due to its impact on line of sight. This is due to the nature of this very busy, confusing, complicated area.

Mr. Errico agreed that the sign between the two properties needs to be relocated, as Mr. Aleva has already agreed to do.

Mr. Errico expressed concern regarding better delineation of vehicle entrance and exit points. He agreed that the planters will help. His other concern was the crosswalk which is a DOT project, however it does impact the Applicant because the landing is on the frontage of his site. Mr. Errico reviewed the DOT plans and informed the Board that they are not clear as to what exactly is going on in that area, or how the detectable warning panels will be designed and integrated into the site. He agreed that the inclusion of flashing lights as part of the crosswalk “rectangle rapid flash beacons” will be very safe and beneficial. They are very effective. However it was difficult for him to determine where and how these units will be placed.

Mr. Wilkos stated for the record that the flashing warning lights were approved by the Town Manager and the Board of Selectmen.

Mr. Simpson noted that Wells uses these flashing lights and they are very highly visible.

Mr. Errico agreed and added that they have 90% compliance by motorists.

Mr. Hayes asked when a “traffic count” is required? How many spaces are required to trip the traffic count requirement? He noted that this project involves fewer than thirty parking spaces and the Applicant provided a traffic study.

Mr. Errico responded that some communities have their own ordinances. From a DOT standpoint 100 vehicles trigger a traffic study. The City of Portland’s threshold is fifty trips. This applicant did a traffic assessment which he (Mr. Errico) feels is appropriate. He (the Applicant) did the things he needed to do: trip generation, safety analysis, and site review.

Mr. Hayes made reference to the Fire Chief’s memo to the Board dated May 20, 2016 wherein he stated that:

“The area in front of this property is very congested within 150’ of this entrance. You have Riverbank road, Ocean street, Footbridge motel, Beach Fire grille, Pizza Napoli, a residence behind, The Fall’s motel all very close to each other. In the middle of all this you have a cross walk.

This is a 35MPH zone on route 1 and has a long straight way both directions which invites faster speeds. The fire department has been to this area for many accidents including a fatal years ago and most recently a bad 3 car accident about 2 months ago. That isn’t even in the summer when this lot would be used. We also had a person hit by a bus there last summer.

What about delivery trucks try to get in for the restaurant when the lot is full. Where will they park? Hopefully not on the side of route 1. I know most deliveries are in the early morning but some are later in the day.

What are the 5 spots out back and on south side of building? Are they for workers and the apartment and will they be rented if no one is in them creating more cars?

Will we have issues with car owners and business owner if their cars are not out by 4pm?

These are my concerns and it seems like an unsafe place to increase foot traffic across an already busy road and many entrances around it.'

Mr. Hayes expressed his concern that there seem to be many “unknowns”. Mr. Hayes stated that Mr. Aleva has done everything he can in the parking lot to make things safe for pedestrians and vehicles, the DOT has done a great job with the sidewalks and cross walk, and the use of the flashing pedestrian light will make things safer, however he isn't sure this is enough. At this point the Board doesn't know how the congestion is going to be. It may be fine, but it isn't finished enough for him to make a decision.

Mr. Errico agreed that there are still some unclear details about this site. He suggested the Board may make conditions of approval which would allow the applicant to move forward with monitoring of conditions.

Mr. Hayes responded that the Board did put conditions of approval on the number of parking spaces on the last plan and he is very concerned that the existing number of spaces exceeded that condition of approval. He suggested if the Board had not done a site visit this error may not have been caught. He wants to be fair to the applicant however he suggested this application should be tabled until the applicant has complied with everything and the Board has an as-built plan, the sidewalk is finished and the Board can see how the whole thing works.

Mr. Errico responded that he has worked on projects where minor things were allowed to move forward. In this case an understanding of what is happening with the crosswalk needs to take place. He agreed it is a “tricky little spot” and he is unclear what is happening there. He does not think that what happens there impacts the Applicant's site plan alot. He suggested there are two key pieces of the picture that require better understanding: the crosswalk and the trolley stop. These are the two unknowns. He noted past discussion that the lot can't be operational until the crosswalk is completed and fully compliant with warning signage in place. The application might be approved; and not allowed to be operational until a field review is performed; and all conditions are confirmed. He noted that some of the issues are not the Applicant's, some of the questions involve the DOT and the Trolley Company and are out of the Applicant's control.

Mr. Hayes again expressed concern that the company that was painting the parking lines didn't have an accurate plan as approved by the Board. This concerns him. He noted that there were suppose to be two parking spaces in the back of the lot and he counted seven, there were suppose to be eight parking spaces in the center and he counted ten, there are suppose to be eight along the building – including two handicapped and he counted ten.

Mr. Errico suggested the Applicant wouldn't get a user occupancy permit until the site is fully compliant with the approved plan.

Mr. Hayes responded that this applicant has made a comment that whether the application is approved or not he is going to open his parking lot. This upsets him a great deal.

Mr. Giarusso interrupted, was gaveled by the Board Chairman, and informed that any more disturbances would result in the tabling of the application. Mr. Giarusso returned to his seat.

Mr. Wilkos asked Mr. Errico how he would address the unknown location of the trolley stop.

Mr. Errico suggested they reach out to the trolley company. He agreed that the trolley stop and the parking lot can coexist however without any details as to the trolley needs regarding space and where the trolley stop will be located he can't render a conclusion.

Mr. Aleva responded that the existing trolley stop is directly where the crosswalk is located. It is his understanding that the trolley stop may be moved slightly south of its present location. He has a call into the trolley company.

Mr. Errico added that the DOT design plans indicate a termination of the curbing in the area just to the south of the proposed crosswalk location. This may be for the trolley stop location.

Mr. Aleva reiterated that they know the crosswalk is coming, it is marked out, and this it out of the Applicant's control. He added that the plans will have one way vehicle entrance and exits and "do not enter" signage. He agreed that he will include on the plan, one way, and do not enter sign, parking layout as indicated on the approved plan. There will also have to be verification that the crosswalk and signage is installed as required. That the site plan is in conformance with what is constructed.

Mr. Simpson agreed that the termination of the curb cut is probably to allow for the trolley to pull out of the traffic stream.

Mr. Wilkos noted that the Ogunquit Police Chief was at the Site Visit and was asked if she believed the plan was safe and she replied in the affirmative.

Fire Chief Mark O'Brien was also at the Site visit and he expressed concerns, as referenced in his memo (noted above). He also stated that the Fire Department has been to this location for several accidents including a fatal accident a few years ago, a three car accident three months ago, and a person who had been hit by a bus last summer. Chief O'Brien agreed that the flashing signage would be helpful. The Applicant was able to respond to the Chief's concerns about delivery trucks and the back parking spaces.

Mr. Wilkos asked if Mr. Heyland and Mr. Feldman had any more comments.

Mr. Hayes asked Mr. Aleva if the parking spaces as striped now are wide enough.

Mr. Aleva responded that he hasn't measured the width, however everything that will be out there will be done per the approved site plan.

Mr. Heyland reminded the Applicant that he had asked for renderings of the proposed sign. He suggested that a condition of approval be that any signage regarding the direction of traffic follow Article 8.12 of the Ogunquit Zoning Ordinance and that they contain no Universal P parking symbol which suggests municipally owned parking areas.

Mr. Aleva agreed, and added that there is a notation on the plan that any onsite signage other than the required traffic safety signs need to meet the Ordinance with a maximum size. He agreed to the relocation of the “specials” sign.

Mr. Hayes Moved to Table the application until the project is 100% complete, the Board has an as-built plan, the Building Department has measured the spaces, that everything is in compliance, that the sidewalk is finished, that the trolley stop location is determined, where the bench is going to be located. He based his motion on the many unknowns and to give the Applicant time to move forward and not be denied.

HAYES/WILKOS

Mr. Feldman informed the Board that according to Robert’s Rules there is no discussion on a tabling motion.

Mr. Wilkos called for a vote.

HAYES/WILKOS 1:2 (Mr. Simpson and Mr. Wilkos Dissenting)

Mr. Simpson noted that with only three sitting Board members it would take a unanimous vote for a motion to pass.

Mr. Feldman summarized the conditions of approval as discussed by the Board:

1. The Applicant eliminate the four (4) parking spaces currently striped in the middle of the lot; and the parking layout to comply with the plan dated 4/18/16;
2. Remove the “Specials” sign on the south of the property and relocate it to the inside of the existing sign;
3. The parking lot cannot be operated until the crosswalk on Route One is fully functional;
4. The applicant provide an as-built plan;
5. The parking lot not operate until all of the conditions have been addressed to the satisfaction of the Ogunquit Code Enforcement Officer;
6. All signage on the site to comply with section 8.12 of the Ogunquit Zoning Ordinance; and the Universal “P” for parking not be used in the signage.

Mr. Simpson asked if they could include the relocation of the Town’s sign.

Mr. Feldman responded that they really can’t make that a condition for the applicant to address. The sign is a town sign and it might be up to the Code Enforcement Officer to see to its relocation.

Mr. Feldman pointed out that the trolley stop location involves three parties: the Town, the Ogunquit Trolley Corp. and the Applicant. He noted that the trolley stop location is not in the Applicant’s control.

Mr. Simpson Moved to Approve the Application for DAVID GIARUSSO – 661 Main Street – Map 13 Block 49 & 50 – General Business District 2 (GBD2). Site Plan Review for a new Use of a paid parking lot; with the following conditions:

1. The Applicant eliminates the four (4) parking spaces currently striped in the middle of the lot; and the parking layout to comply with the plan dated 4/18/16;
2. Remove the “Specials” sign on the south of the property and relocate it to the inside of the existing sign;
3. The parking lot cannot be operated until the crosswalk on Route One is fully functional;
4. The applicant provide an as-built plan;
5. The parking lot not operate until all of the conditions have been addressed to the satisfaction of the Ogunquit Code Enforcement Officer;
6. All signage on the site to comply with section 8.12 of the Ogunquit Zoning Ordinance; and the Universal “P” for parking not be used in the signage.

SIMPSON/WILKOS

Mr. Aleva asked for clarification on some of the conditions of approval:

1. parking lot shall be striped as indicated on the approved plan;
2. There is already a notation on the plan indicating that the “specials sign” will be removed.

Mr. Aleva also agreed to have a conversation with the Ogunquit Trolley Corp. to work out the details of where the trolley stop needs to be.

Mr. Feldman responded that the rewording of condition one is fine, regarding the redundancy of condition two – Mr. Feldman noted that this condition was included in the previous application’s conditions of approval and was never addressed. Mr. Feldman felt it would be beneficial to reiterate it as part of this current approval.

Mr. Wilkos summarized that the Planning Board gave approval several months ago and the relocating of that sign was a condition of that approval. The sign was never relocated. He wanted to know why.

Mr. Aleva responded that the original project is still underway, and the relocation of that sign is on the current plan.

Mr. Wilkos stated that Mr. Hayes has a concern regarding the striping of the parking lot in a manner not according to plan. Now the Board is being asked to grant another approval when one of the conditions of the first approval was not met.

Mr. Giarusso responded that the specials sign was not a part of the last approval. It was a part of this application because of all the beach traffic coming in and out during the day. It was his understanding that it was not part of the last approval.

Mr. Wilkos asked if the conditions on the previous Planning Board approval were all complied with.

Mr. Giarusso responded that they were, with the exception of the parking lot striping and he does not know why she striped the parking lot in the manner she did. He indicated that she had special education in parking lot striping .

Mr. Hayes asked if she had a plan to go by.

Mr. Giarusso responded that she did have a plan, he agreed she did not follow it.

Mr. Hayes stated that he is trying to give the Applicant a fair hearing.

Mr. Giarusso responded that he did not feel that he was.

Mr. Hayes responded that he is giving Mr. Giarusso the opportunity to have this application tabled so that he can comply with everything. Mr. Hayes indicated that once it's complied with he could probably move forward with the application. Mr. Hayes indicated that Mr. Giarusso has not complied with conditions of approval, he also pointed out that there are no special rules for this parking lot.

Mr. Wilkos again asked if the conditions of approval placed on the Applicant's previous application, were complied with.

Mr. Aleva responded that the project is still ongoing and isn't complete yet. The landscaping is still going in and the parking lot striping needs to be corrected. The Applicant is before the Board now for an additional use and to correct any issues, and take care of the problems prior to any kind of use of the property.

Mr. Heyland agreed with Mr. Aleva.

Mr. Aleva added that the conditions noted by Mr. Feldman are very similar to what Mr. Hayes stated previously: not being able to operate the paid parking until the crosswalk is finished and Code Enforcement has a chance to verify compliance, and until the as-built plan is produced. This gives the Applicant the time to move forward, take care of any issues and be ready to go so that when all items are in place Code Enforcement can conduct his verification inspection and give authorization to begin the daytime parking use. Mr. Aleva agreed that until the Code Enforcement Officer grants approval the paid parking use cannot occur.

Mr. Wilkos asked Mr. Heyland what the procedure would be to confirm compliance and allow the Applicant to begin the paid parking lot use.

Mr. Heyland responded that when the as-built plan is complete and he confirms all conditions are in compliance, he would sign off in the form of a letter, and allow the use to commence.

Mr. Wilkos asked for the Applicant's assurance that he will comply with any conditions imposed on the application.

Mr. Heyland responded that if the use commences before he sign's off, it becomes an enforcement issue for a use that was not granted.

Mr. Wilkos reminded everyone that the Applicant has stated that he will operate the paid parking lot without Planning Board approval. Mr. Wilkos asked how the Board can have confidence in moving this application forward.

Mr. Heyland responded that it's up to the Board.

Mr. Giarusso responded that, out of frustration, he made the statement that if the Board denies the application he will still run the parking lot. It would become a code enforcement issue, and he would go to court, and that is how they would deal with it.

Mr. Giarusso also stated that if approval is granted at this meeting, with the conditions as stated, he will not operate his parking lot until the conditions are approved. He agreed that the conditions are not crazy, however making him come back again is crazy. He again confirmed that if the Board approves the application with the conditions, he will not run his parking lot until they are all met. When the Code Enforcement Officer checks it and says he (Mr. Giarusso) is good to go, then he will begin business.

Mr. Wilkos asked Mr. Giarusso for confirmation that if the Planning Board moves forward with approval at this meeting that he (Mr. Giarusso) will comply with all the conditions placed upon the application; and he will not operate a paid parking lot until the Code Enforcement Officer signs off on the parking lot.

Mr. Giarusso responded "correct", with the conditions as noted tonight, and as long as new conditions aren't added a month from now. He will not run the parking lot until the Code Enforcement Officer signs off.

Mr. Hayes asked what the difference would be from tabling the application until he (Mr. Giarusso) meets all the conditions.

Mr. Giarusso responded that he wants to move forward and doesn't want to come back again.

Mr. Hayes responded that the Board may need to come back as many times as it takes to do it right.

Mr. Giarusso confirmed that he agrees to all the conditions of approval, he will do his job, and the Code Enforcement Officer will check and confirm all conditions are met, and that should be good enough.

Mr. Hayes responded that people in town don't always do what they say they are going to do. Enforcement issues end up with fines being imposed which add up and up and finally are renegotiated to a lower fine. This is a poor way to do business. Mr. Hayes stated that he was in construction for over forty years and his projects were never approved until his engineers brought an as-built plan. Mr. Hayes again stated that he is trying to move this application forward.

Mr. Giarusso again stated that he would agree to all the conditions of approval.

Mr. Hayes expressed doubt, he stated that Mr. Giarusso has demonstrated to the Board that he has not done that in the past.

Mr. Hayes again stated that he is giving Mr. Giarusso an opportunity to table the application instead of his (Mr. Hayes) voting against it. He stated that he was uncomfortable with what has happened.

Mr. Giarusso agreed that he isn't comfortable with what has happened, and he stated he would rather have a vote.

Mr. Wilkos noted that there is a motion on the floor and called for a vote.

Mr. Simpson Moved to Approve the Application for DAVID GIARUSSO – 661 Main Street – Map 13 Block 49 & 50 – General Business District 2 (GBD2). Site Plan Review for a new Use of a paid parking lot; with the following conditions:

- 1. The Applicant eliminates the four (4) parking spaces currently striped in the middle of the lot; and the parking layout to comply with the plan dated 4/18/16;**
- 2. Remove the “Specials” sign on the south of the property and relocate it to the inside of the existing sign;**
- 3. The parking lot cannot be operated until the crosswalk on Route One is fully functional;**
- 4. The applicant provide an as-built plan;**
- 5. The parking lot not operate until all of the conditions have been addressed to the satisfaction of the Ogunquit Code Enforcement Officer;**
- 6. All signage on the site to comply with section 8.12 of the Ogunquit Zoning Ordinance; and the Universal “P” for parking not be used in the signage.**

SIMPSON/WILKOS

Mr. Wilkos called for discussion. There being no discussion he called for a vote on Mr. Simpson's Motion.

SIMPSON/WILKOS 2:1 (Mr. Hayes Dissenting)

The Motion failed due to a non-unanimous vote per direction of the Planning Board By-Laws Article III section 3.1.6 & 3.1.7.

Ms. Freedman, Ms. Bevins, and Mr. Dolliver rejoined the Board.

G. NEW BUSINESS – None

H. CODE ENFORCEMENT OFFICER BUSINESS –

Mr. Heyland asked for a workshop to discuss Design Review Zones and where Design Review is applicable.

A workshop regarding Design Review Application was scheduled to take place on June 20, 2016 at 4:00 p.m.

I. OTHER BUSINESS –

It was confirmed that the next Planning Board Meeting would take place on June 6, 2016. This change in the regular schedule is due to the Town Meeting on June 14, 2016.

The following meeting will take place on June 20, 2016.

Mr. Simpson stated that Ogunquit has a superb Code Enforcement Officer. Over the past year there have been some very difficult cases before the Code Officer and the Planning Board.

Mr. Simpson Moved that the Planning Board unanimously vote to show their support to the Code Enforcement Officer, Scott Heyland, and that the Board strongly encourage the Town Manager to provide the necessary legal assistance to support the Code Enforcement Officer when dealing with the rare flagrant code violators and to seek the necessary court enforcement when deemed appropriate.

SIMPSON/WILKOS 5:0 UNANIMOUS

Mr. Wilkos asked the Recording Secretary to arrange to have this motion presented to the Select Board at their next meeting.

J. ADJOURNMENT -

Ms. Freedman Moved to Adjourn at 7:15 p.m.

FREEDMAN/BEVINS 5:0 UNANIMOUS

Respectfully Submitted

Maryann L Stacy

Maryann Stacy

Planning Board

Recording Secretary

Approved on June 6, 2016