

TOWN OF OGUNQUIT
TITLE XI - HISTORIC PRESERVATION ORDINANCE

Chapter 3 Historic Sites, Historic Landmarks and Historic Structures

301 Criteria for Designation

The historic sites, historic landmarks and historic structures established in accordance with this Ordinance shall meet one or more of the following criteria, without limitation as to cultural or chronological period:

- 301.1** Structures or sites at which events occur or have occurred that contribute to and are identified with or significantly represent or exemplify the broad cultural, political, economic, military, social, or sociological history of the Town of Ogunquit, the State of Maine or the nation, including sites, structures and buildings at which visitors may gain insight or see examples either of particular items or of larger patterns in the North American heritage.
- 301.2** Structures or sites associated with historic personages, great ideas or ideals.
- 301.3** Structures or structural remains and sites embodying examples of architectural types or specimens valuable for study of a period, style, or method of building construction, of community organization and living, or of landscaping; or a notable structure or site representing the work of a master builder, designer, architect or landscape architect.
- 301.4** Structures contributing to the visual continuity of the Town.
- 301.5** Those sites or areas on or eligible for listing on the National Register of Historic Places or as a National Historic Landmark.

302 Designation of Historic Sites, Historic Landmarks and Historic Structures

- 302.1** Contents of Application. Historic sites, historic landmarks and historic structures shall be established and designated pursuant to Section 303 of this Ordinance. Any application for the designation of a historic site, landmark or structure shall be in writing, directed to the Chairman of the Historic Preservation Commission, and shall include the following:
- a. A description of the physical elements, qualities, architectural style, period and historical significance

represented by the proposed site, landmark or structure, including a consideration of scale, materials, workmanship and spatial qualities as relevant.

- b. A statement of how the proposed site, landmark or structure meets the qualifications of Section 301.
- c. A map showing the proposed boundaries, and a written justification of the boundaries.
- d. Photographs of the proposed site, landmark or structure illustrating the significant detail(s) described in Section 302.1(a).

The Historic Preservation Commission may require such additional documentation or evidence as it may determine to be necessary, including plans, drawings and elevations and, notwithstanding any time limit for any action or decision in this Ordinance, it may continue a proceeding for such additional time as it may reasonably take for the applicant or any other party to comply with the request for additional documentation.

302.2 Initiation of Application: An application for the establishment or designation of a historic site, historic landmark or historic structure shall be initiated only by the owner of the property or a qualified agent. An owner is anyone with 51% or more ownership of a property.

302.3 Review of Application for the Designation of Historic Sites, Historic Landmarks or Historic Structures

The Historic Preservation Commission shall review the applications for designation of historic sites, historic landmarks and historic structures. Before making the Historic Preservation Commission's recommendations to the Secretary, the Historic Preservation Commission shall conduct studies and research on the proposal. The Historic preservation Commission may appoint individuals or organizations to assist in the study. The Historic Preservation Commission shall forward a draft of the application to the Planning Board and the Maine Historic Preservation Commission for review and comment.

302.4 Public Hearing

- a. A public hearing shall be held within sixty (60) days of receipt of a completed application for designation. Written

notice of the application shall be given by certified mail, return receipt requested, thirty (30) days prior to the hearing date to the applicant(s), the owner of the property that is the subject of the proposed designation, owners of all property within one hundred (100) feet of the boundaries of the proposed historic site, landmark or structure, and all other persons found by the Historic Preservation Commission to have special interest in the application, including any historical organizations in the Town.

- b. Failure of any property owner to accept or receive notice of the hearing shall not constitute grounds for Objection by such property owner, and shall not invalidate any recommendations made by the Historic Preservation Commission.
- c. Notice of the hearing shall be included in a newspaper of general circulation at least ten (10) days prior to the hearing date.
- d. At the public hearing, the Historic Preservation Commission may call witnesses, including experts, as it deems necessary. The Commission may view the parcels at issue and direct the conduct of an independent investigation into the proposed designation.

302.5 Final Report

Within sixty (60) days after the public hearing, the Historic Preservation Commission shall report its findings on the application, including the views of affected and interested parties, and give its recommendations to the Selectmen.

302.6 Designation by Town Meeting

The designation of historic sites, historic landmarks and historic structures shall be enacted by Town Meeting conducted in accordance with State and Municipal laws.

303 **Historic Sites, Landmarks and Structures Designated**

The following described structure in the Town of Ogunquit is hereby designated a historic structure:

Perkins Cove Bridge
Winn House

304 Amendment and Rescission of Designation

Amendment or rescission of any designation shall be upon the request of a person or persons authorized to designate the property or structure affected, or upon request of the Selectmen, and shall follow the procedure set forth in Section 302 for designation. The designation may only be amended or rescinded by action taken at Town Meeting.

305 Addition to, or Removal From, Shoreland and Zoning Map

All approvals of the designation of a historic site, historic landmark or historic structure, amendments to such designations, or rescissions of such designations shall be designated as such on, or removed from, the Ogunquit Shoreland and Zoning Map.