



**SELECT BOARD
MEETING MINUTES
MARCH 16, 2010**

1.0 CALL TO ORDER – 6:00PM

Meeting called to order at 6:00pm.

Members present: Donato Tramuto, Chairman
Phil Cavaretta, Vice Chairman
Jacqueline Bevins
Michael Score

Members absent: John Abbott

Motion made by Jacqueline Bevins and second by Phil Cavaretta to excuse the absence/lateness of John Abbott; approved 4-0.

2.0 PLEDGE OF ALLEGIANCE

Those in attendance recited the pledge of allegiance.

3.0 REQUEST TO APPROVE SELECT BOARD MINUTES

3.1 **March 2, 2010** – Motion made by Phil Cavaretta and second by Jacqueline Bevins to approve the minutes of the March 2, 2010 Select Board meeting as amended: approved 3-0, with Abbott absent (Chairman Tramuto was not present at the March 2, 2010 meeting).

4.0 APPOINTMENTS, RESIGNATIONS, PROCLAMATIONS, RESOLUTIONS

4.1 Appointment of Election Clerks 2010-2012 - Judy Shaw-Kagiliery, Town Clerk

031610-01 Motion made by Michael Score and second by Phil Cavaretta to approve the following as Election Clerks for 2010-2012:

<u>Democrat</u>	<u>Republican</u>	<u>Green Independent</u>	<u>Unenrolled</u>
Frances Clark	Cynthia Douglass	No one has indicated	Tracy Leach
Blanche Feinberg	Marjorie Esau	interest	Bettina Virgin
Nancy Fording	Frederica Hart		
Norman Fording	Alan Kupper		
Frances Holland	Leila Kupper		
Eva Nudelman	Mary Littlefield		
David Sullivan			

Approved 4-0, Abbott absent

4.2 Appointment of Warden – Judy Shaw-Kagiliery, Town Clerk

031610-01 Motion made by Michael Score and second by Phil Cavaretta to approve the appointment of Judy Shaw-Kagiliery as Warden during 2010-2012; approved 4-0, Abbott absent.

5.0 PUBLIC HEARINGS, PRESENTATIONS

Motion made by Michael Score and second by Phil Cavaretta to open the Public Hearing at 6:07pm, approved 4-0, Abbott absent.

5.1 Frills, LLC – Application for Malt, Spirituous and Vinous License

031610-02 Motion made by Michael Score and second by Jacqueline Bevins to approve the Malt, Spirituous and Vinous License renewal for Frills, LLC; approved 4-0, Abbott absent.

5.2 MaineStreet – Application for Malt, Spirituous and Vinous License

031610-03 Motion made by Michael Score and second by Phil Cavaretta to approve the Malt, Spirituous and Vinous License renewal for MaineStreet; approved 4-0, Abbott absent.

5.3 MaineStreet – Application for an Amusement License

031610-04 Motion made by Michael Score and second by Phil Cavaretta to approve the Amusement License renewal for MaineStreet; approved 4-0, Abbott absent.

5.4 Proposed Amendments to the Ogunquit Zoning Ordinance - Ogunquit Planning Board

- a. Shall an Ordinance entitled “An Ogunquit Zoning to Amend Title X, (Ogunquit Zoning Ordinance) *To Allow Additional Extensions to Site Plan and Design Review Approvals for Circumstances Beyond the Control of the Applicant*” be enacted?

Tim Pinkham, Planning Board Chair and Richard Yurko, Planning Board Vice Chairman were in attendance to answer any questions the Board may have regarding the proposed amendment.

Public comments/questions made by:

Charles Dahill

Muriel Freedman

John Mixon

Rick Dolliver

John Bannon on behalf of Steve Lorusso, Ogunquit Motel Corp.

5.5 Parks & Recreation Director Funding – Gordon Lewis, Chair, Parks & Recreation Committee

Gordon Lewis, Chairman of the Parks & Recreation Committee and members of the committee (Deborah Driscoll, John Mixon, Bob Winn, Eva Nudelman and Gary Latulippe) were in attendance to give a presentation regarding the past years functions and future functions of the committee.

John Daly, chairman of the Budget Review Committee, stated that the committee supports the Recreation Director position.

Public Comments:

Sharma Damren

Jason Damren

A show of hands indicated that the majority of those in attendance were in favor of the Recreation Director position.

6.0 ADMINISTRATIVE ITEMS – UNFINISHED BUSINESS

- 6.1 Petition for a Resolution – *Selectwoman Jacqueline Bevins*
Petition to add a resolution to the Annual Town Meeting Warrant

031610-05 Motion made by Jacqueline Bevins and second by Phil Cavaretta to accept the Resolution Petition and present it as a warrant article; approved 4-1, Tramuto in opposition.

- 6.2 Finalization of Warrant for the April 6, 2010 Special Town Meeting – *Judy Shaw-Kagiliery, Town Clerk*

031610-06 Motion made by Phil Cavaretta and second by Jacqueline Bevins to accept the Warrant for the April 6, 2010 Special Town Meeting as written; approved 5-0.

- 6.3 Proposed Amendment to the Ogunquit Zoning Ordinance - *“To Strengthen Dumpster and Trash Receptacle Screening Requirements”*

031610-07 Motion made by Michael Score and second by John Abbott to accept the zoning change for dumpsters as submitted to this Select Board for inclusion on the warrant article in June; approved 3-2, Bevins and Cavaretta in opposition.

- 6.4 Proposed Amendment to the Ogunquit Zoning Ordinance – *“To Allow Additional Extensions to Site Plan and Design Review Approvals for Circumstances Beyond the Control of the Applicant”*

031610-08 Motion made by John Abbott and second by Jacqueline Bevins to move the proposed amendment to the Ogunquit Zoning Ordinance (for inclusion on the Annual Town Meeting warrant); approved 5-0.

7.0 ADMINISTRATIVE ITEMS – NEW BUSINESS

- 7.1 Petition Submission – *Seth Driggin, Carla Bashaw and Richard Dolliver*
Petition to add “Type 2 Restaurants” to the list of permitted uses permitted within the LB (Limited Business District), subject to Site Plan Review and subject to certain specified restrictions.

031610-09 Motion made by John Abbott and second by Phil Cavaretta to move the petition to a warrant article; approved 4-1, Score in opposition.

8.0 MISCELLANEOUS BUSINESS – ORAL & WRITTEN COMMUNICATIONS – FOLLOW-UP

8.1 Public

Comments were made by the following people:

Bobbie Treen – read a letter from a Citizen’s Group

Letter was signed by Ryna Lipkind, Bobbie Treen, Jay Lipkind, Winnie Mason, Paul Mason, Jack Leary, Nancy Breen, Eileen Dahill, Charlie Dahill, Stuart Nudelman, Eva Nudelman, Anita Schein, Debbie Warshovsky, Harriet Jaffe, Alan Jaffe, David LaFortune, Cathy Anderson, Bob Joyner, Jeremy Griffin, Sue Michaelson and Diana Joyner.

“It is to the Select Board, it is from the citizens of Ogunquit”

“We the undersigned voters and residents of Ogunquit remind the Board of Selectmen that according to the Charter, the duty of the Select Board is to execute the will of the people, to manage town affairs, to protect and maintain the assets of the town and to provide leadership and oversight on issues of importance to the town in serving its constituents. Many voters believe that the galloping interests of the Chamber of Commerce and very enthusiastic approval and encouragement from the Select Board are diminishing our sense of place and the Ogunquit brand. In fact, there are those who believe that the fusion between the Chamber and the Board is the leadership of the town. We bring this to your attention as the Chamber’s ability to hold events happens only with your approval. The Town of Ogunquit has reached the tipping point between commercial interests and the residential quality of life. The voice of the residents is not being heard. We’ve been good hosts to volumes of people since the discovery of this fabulous community with its arts, natural beauty, prominent restaurants, wonderful shops and its unique sense of serenity. The number of special events continues to expand each year threatening the town’s natural endowments, the Marginal Way, the beach, Perkins Cove, to focus on the increasing drive to offer small monthly off-season events in the hopes of attracting a few more tourists could ultimately detract from the core ambiance and style that makes Ogunquit a special community. It’s critical to retain the character of Ogunquit and not emulate other destinations towns that are extremely commercial and no longer enjoy and special character. Once the special character and ambiance go away, you may find a different type of visitor who’s attracted to the more commercial side which may be less desirable for all of us, as well as potential residents to be here. Everyone in town benefits April to October from tourists and the affiliated parking revenue. Those who chose to live here and tourists that come off-season are drawn to a quaint seaside community with great uncluttered natural spaces. Many tourists are attracted to the town’s cultural and environmental activities as was noted in the Comprehensive Plan summary of the visioning session. We must also not forget that while residents pay 80% of the property taxes, we have no proportionate balance in decision making with the business interests of this town, other than our elected representatives, you. We are possibly moving into the situation outlined in the Comprehensive Plan describing the trend for older retirees moving to town having different priorities than that of the tourist industry. The writers of the comp plan were aware of this potential conflict and it would be helpful if this Select Board is also aware of conflicting views on some of their actions. The second tier of resident concerns in the comp plan survey including retaining Ogunquit’s small town character and apprehension of over crowding in the summer. Thus, we believe, there exists a significant resident tension about the issues noted above. The Chamber has stated that they have

interviewed tourists who visit here as a basis for deciding their upcoming events. This is not consistent with the comp plan. None of us signed on to live in an amusement park. Kiosks, races at Perkins Cove, street side sales, exploitation of natural resources, walking tours and the prospect of outside dining in residential neighborhoods, etc., all serve to dumb-down the town. Interviewing residents who have shown that we feel that it is critical to maintain the unique character of Ogunquit. It's interesting to note that while the Planning Board toils over exacting building regulations and carefully crafted and executed architectural details all their work pales once the town streets become a sideshow with increasing frequency. The Planning Board's mission also states "to maintain the character of Ogunquit for future generations". Residents should have more input as to the town's direction than tourists who may or may not come back here. You should be aware that the community survey conducted for the Comprehensive Plan notes that residents top issues are: traffic, commercial overdevelopment, residential overdevelopment and parking. None of these concerns expressed in the resident survey remotely suggests expanding the tourist season or events. We love our town. We respect your commitment, we appreciate shopping and dining in our businesses, but we submit that the focus should be to preserve what originally brought our people here not exploitation of our place. There is an expressed interest in developing an independent citizens group which would provide advice and counsel to the Select Board who are elected by the people. We urge you to be mindful of our desires. Ogunquit is not a business, it is our home. Respectfully submitted.

Bob Glidden – responded to letter read by Ms. Treen

Steve Lorusso – responded to letter read by Ms. Treen

Diana Joyner – commented on the Chamber of Commerce

Charles Dahill – commented on letter read by Ms. Treen

Michael Horn – commented on LBD/type 2 outdoor seating

Rick Dolliver – commented on LBD/type 2 outdoor seating

Muriel Freedman - commented on LBD/type 2 outdoor seating

John Mixon –commented on the prior public comments

John Mixon – comments regarding the petition resolution

Rick Dolliver – commented on outdoor seating

Miles Freeman – commented on the petition resolution

Steve Lorusso – commented on Site Plan and Design Review amendment

Helen Horn – commented on outdoor dining in the LBD zone

Carla Bashaw – Chairman of the Chamber of Commerce Board of Directors, commented on citizen's committee letter

Rick Dolliver – additional comments on outdoor dining in the LBD

Norm Hebert – commented on outdoor dining in the LBD zone

Richard Yurko – commented on the trash/dumpster ordinance amendment

Lesley Mathews – commented on LBD zone lines

Bobbie Treen – supports the citizens committee, need to preserve aesthetics of the town

Diana Joyner – good open dialogue, find grey areas together

Carla Bashaw – stated that the Chamber of Commerce and the Board of Directors have an "open door policy"

8.2 Select Board

Selectman Score

- brief update on the school bill (LD 1747)
- thank you to all present for the open and honest dialogue tonight

Selectman Abbott

- announced that he would not be running for re-election for the position of Ogunquit Select Board in the upcoming election

Selectman Cavaretta

- reminded all residents of the town to get out and vote

Selectman Tramuto

- budget meeting on March 23, 2010
- Special Town Meeting on April 6, 2010

8.3 Town Manager

Not present

9.0 ADJOURNMENT

Motion made by John Abbott and second by Phil Cavaretta to adjourn the meeting at 8:30pm; approved 5-0.

Respectfully submitted,

Cheryl L. Emery, Administrative Assistant to the Town Manager