

**OGUNQUIT PLANNING BOARD
REGULAR BUSINESS MEETING
June 13, 2011 6:00 p.m.**

PUBLIC HEARING

ROBERTO’S / KATHY CAMMAROTA – 200 Shore Road – Map 6 Block 112 – Site Plan Review and Design Review for a pre 1930 structure. Application to construct an addition to the rear of an existing building.

Mr. Pinkham asked if there was anyone who wished to speak for, or against this application. There being no one the Public Hearing was closed at 6:01 pm.

A. ROLL CALL –

The roll was called with the following results:

Members Present: Tim Pinkham, Chairperson
 Richard Yurko, Vice Chairperson
 Hank Hokans
 Greg Titman
 Craig Capone
 Robert Coles (1st Alternate)

B. MISSION STATEMENT – The Mission Statement was read by Mr. Capone.

C. MINUTES – May 23, 2011 Regular Business Meeting.

The Minutes from the May 23, 2011 Meeting were Accepted as Submitted.

D. PUBLIC INPUT – None

E. UNFINISHED BUSINESS –

1. Acceptance of Findings of Fact for 98 PROVENCE BISTRO / EVERETT MINK – 262 Shore Road – Map 5 Block 28. Approved on May 23, 2011.

Mr. Yurko absented himself from the room. As a direct abutter to this applicant he had previously recused himself from sitting on this matter.

**Mr. Capone Moved to have Mr. Coles sit as a full voting member for the purpose of hearing this application in Mr. Yurko’s absence.
CAPONE/TITMAN 4/0 UNANIMOUS**

Mr. Hokans stated that the Board had required this applicant come back before the Board and show them that the line of sight problem had been solved. Mr. Hokans felt the Board could not approve / sign the Findings of Fact until this was done.

Mr. Pinkham asked if there had been a time frame imposed on the applicant's return to the Board.

Mr. Hokans moved to table the signing of Findings of Fact until this issue has been resolved and the applicant reappears before the Board.

Mr. Lockman responded that the Board left the impression with the Applicant that he had two options open to him for solving the line of sight problem and that either option was OK with the Board, and that he had been granted Final Approval and did not have to reappear before the Board.

Mr. Pinkham asked the Board Members for their input.

Mr. Coles agreed with Mr. Lockman's interpretation of events and did not feel this matter needs to be tabled.

Mr. Titman agreed. He noted that the line of sight obstruction was on another person's property and he wondered if there happened to be an accident, who could be held liable?

Mr. Lockman responded that liability after an accident wouldn't be based on the Land Use Office's decisions about this driveway. The Board did make a condition that if the applicant is going to use the north driveway he will have to obtain rights, to trim the hedges, from the abutting property owner. If he can not gain those rights the Board left him the opportunity to close the north driveway and use the south drive for both entrance and exit.

Mr. Pinkham agreed.

Mr. Hokans noted that he still had a motion on the table and he would like to see it resolved before the Board gives final approval to the project.

Mr. Pinkham called for a second to Mr. Hokans motion. There being none the motion failed for lack of a second.

The Board reviewed the Finding of Fact for 98 PROVENCE BISTRO / EVERETT MINK – 262 Shore Road – Map 5 Block 28.

Mr. Hokans again objected to accepting the findings of fact until the line of sight issue has been resolved, citing Conclusion #1 which states that: "The Board found that the proposal will satisfy applicable standards of the Ogunquit Zoning Ordinance when deficiencies regarding the line of sight for traffic on Shore Road at the parking area's north entrance/exit have been corrected". Mr. Hokans stated that they have not corrected the problem and that accepting the Findings of Fact is out of order.

Mr. Hokans again Moved to table the acceptance of Finding of Fact until the line of sight issue has been corrected.

Mr. Pinkham called for a second, there being none the motion again failed for lack of a second.

Mr. Capone Moved to Accept the Findings of Fact for 98 PROVENCE BISTRO / EVERETT MINK – 262 Shore Road – Map 5 Block 28.

CAPONE/TITMAN 4/1 (Mr. Hokans Dissenting)

2. ROBERTO’S / KATHY CAMMAROTA – 200 Shore Road – Map 6 Block 112 – Site Plan Review and Design Review for a pre 1930 structure. Application to construct an addition to the rear of an existing building.

Mr. Pinkham confirmed that a Public Hearing had been held earlier this evening and that no one spoke for, or against, this application.

Jerry DeHart addressed the Board as the Applicant’s representative. Mr. DeHart summarized that the proposal is to construct an 18’x22’ addition to the rear of the building.

Mr. Yurko noted that the owners had already renovated the lounge which took away some of the seating, and they are now adding a small bump-out to restore some of that lost seating.

Mr. DeHart confirmed this and added that they will have a gain of about eight seats.

Mr. Yurko asked about Mr. Lockman’s concerns over the two parking spaces directly behind the new addition.

Mr. Lockman responded that his concern involves the two parking spaces about 17’ behind the addition. He suggested the elimination of these two spaces which would not effect the Applicant’s ability to meet the parking requirements.

Mr. DeHart responded that they are going to remove the two perpendicular parking spaces and replace them with one parallel parking space.

Mr. Yurko Moved to Approve the Site Plan Review for ROBERTO’S / KATHY CAMMAROTA – 200 Shore Road – Map 6 Block 112 with the proviso that the plans as submitted be modified to eliminate the two parking spaces closest to the proposed additions and replace them with a single parallel parking space.

YURKO/HOKANS 5/0 UNANIMOUS

Mr. Yurko Move to Approve the Design Review for ROBERTO’S / KATHY CAMMAROTA – 200 Shore Road – Map 6 Block 112.

YURKO/HOKANS 5/0 UNANIMOUS

F. NEW BUSINESS –

1. ADMIRAL’S INN – ELIVIA II, LLC – 95 Main Street – Map 6 Block 4 – Site Plan Review and Design Review for a post 1930 structure. Application to enclose pool and hot tub with a 52’ x 27’6” building.

Ken Holmes addressed the Board. Mr. Holmes gave a brief summary of the proposed project.

Mr. Yurko asked if this is the property which was once the White Rose Inn.

Mr. Holmes confirmed that it is.

Mr. Yurko asked for confirmation that the project will not involve any changes to the parking layout or number of parking spaces, or changing the pool design, it will only involve an enclosing of the existing pool.

Mr. Holmes confirmed this and added that it will be a “real” enclosing. The building design and materials will be the same as the existing buildings so all the buildings will have the same look. There will be no bubble or anything of that nature.

Mr. Lockman noted that there are no zoning issues and this application appears complete and ready for Public Hearing.

Mr. Hokans Moved to Find the Application Complete and schedule the Public Hearing, and to Approve the Design Review.

HOKANS/YURKO 5/0 UNANIMOUS

Mr. Pinkham noted that the Public Hearing would take place on June 27th at 6:00 p.m.

2. DOROTHY CAPEZZUTO / FOOTBRIDGE REALTY TRUST – 659 Main Street – Map 13 Block 50 – Site Plan Review and Design Review for a post 1930 structure. Application to demolish building and hot top space to create additional parking spaces.

Mr. Lockman noted that his only concern was the water flow over that property and whether the grass area between the Deli and the Beauty Shop serves any water collecting purpose, and when the building is removed, and everything is paved over, how will the water flow change? He noted there was no detail on the plans regarding drainage issues. He agreed that there may not be any problem, however the impervious surface area will increase when the project is complete.

Ms. Capezzuto responded that the grass area will not be removed, only the building up to the grass will be removed, the grass area will remain unchanged. There is a small yard in the back which will remain. She also noted that they have never had any water problems.

Mr. Yurko asked if the properties involve one, or two, parcels.

Ms. Capezzuto responded that it is one parcel (the Deli and the Hair Dresser) and she will retain ownership, Mr. Giarusso owns the property where Angelina’s is however he will be leasing the property where the Deli currently sits for parking for Angelina’s.

Mr. Capone noted that the parking spaces were labeled on the plans as being 13’ wide and 17.5’ along the diagonal. However the Code requires the 17.5’ be perpendicular to the 13’, and he suggested the layout is a little narrower than it needs to be.

Mr. Lockman responded that on a 45 degree space the width along the parking bumper is correct at 13’, and the 17.5’ should be measured down and needs to be increased. The layout can still fit but it will have to be reconfigured. Mr. Lockman suggested the plans be redrawn so that the length of the painted lines conforms to the diagram on Page 95 of the Zoning Ordinance.

Mr. Yurko asked when the applicant planned to demolish the building.

Mr. Giarusso responded that they would like to remove the building this week. The parking problem has become a hazard because people are parking all over Route One, and while the hotel next door lets him

use fifteen parking spaces, and the police have been cooperative in not giving out tickets, it is still an immediate problem.

Mr. Hokans asked if there would only be one way traffic through the parking area, and, if so, that will only require a 12' separation between the parking rows.

Ms. Capezutto responded that he is correct about the one way traffic flow through the parking lot.

Mr. Lockman did some calculations and determined that the drawing may not have been done wrong however it may have been labeled incorrectly.

Mr. Capone agreed and stated that the entire width of the parking, plus the driving lane, needs to be 47' (17.5' for the parking spaces plus 12' for the driving lane). He noted that the plans indicate that it is very close however it appears that they need an additional 2' from parking curb to parking curb perpendicular to the building.

Mr. Giarusso responded that they could move things around if it only involves a few inches.

Mr. Yurko suggested that since this application will require a public hearing in two weeks, and rather than try to do the math tonight, they deem the application complete subject to the applicant providing a revised plan that shows corrected dimensions for the parking area. This gives the applicant a week to do the calculations.

Ms. Capezutto asked if she should bring the engineer to the next meeting.

The Board agreed this would be unnecessary.

Mr. Giarusso asked if a public hearing is required to demolish a building.

Mr. Lockman responded that it is.

Ms. Capezutto asked when she has to submit the revised drawing.

Mr. Yurko responded that she should submit it to the Land Use Office as soon as it's done, but no later than Monday June 20th.

Mr. Lockman added that she should submit 15 copies.

Mr. Yurko Moved to Deem the Application complete subject to the Applicant providing a revised drawing within seven days, and that they schedule the Public Hearing for two weeks from this meeting.

YURKO/HOKANS 5/0 UNANIMOUS

Mr. Pinkham scheduled the Public Hearing for June 27, 2011 at 6:00 p.m.

Mr. Giarusso asked if the application is approved on June 27th can he demolish the building on June 28th.

Mr. Lockman responded that he has to obtain a building permit before demolishing but that should be a fast turn around.

G. CODE ENFORCEMENT OFFICER BUSINESS – None

H. OTHER BUSINESS – None

I. ADJOURNMENT -

**Mr. Hokans Moved to Adjourn at 6:56 p.m.
HOKANS/YURKO 5/0 UNANIMOUS**

Respectfully Submitted

Maryann Stacy
Recording Secretary

Approved June 27, 2011