

WARRANT FOR SPECIAL TOWN MEETING

OF THE

TOWN OF OGUNQUIT

TO: WILLIAM P. HANCOCK, JR., Chief of Police in the Town of Ogunquit, County of York and State of Maine.

GREETINGS:

In the name of the State of Maine, you are hereby requested to notify and warn the Inhabitants of the Town of Ogunquit, qualified by law to vote in Town affairs, to meet in the Dunaway Community Center in said Town on Thursday, the thirteenth day of June, 1985 A.D. at seven-thirty o'clock in the evening, then and there to act on Articles 1 through 37.

ARTICLE 1: To elect a Moderator to preside at said meeting.

ARTICLE 2: Shall the Town vote to authorize the Board of Selectmen to sign a Twenty (20) Year Put-Pay Agreement for Waste Disposal between the Town of Ogunquit and the Maine Energy Recovery Company of Biddeford, Maine?

NOTE: The signing of the above referenced Agreement is the first step in a two-step process. It will be necessary for the Town to enact a Waste Flow Control Ordinance prior to the actual start-up of the new facility.

ARTICLE 3: Shall the Town vote to accept an amended and restated Money Purchase Pension Plan and related Adoption Agreement for the Town of Ogunquit and to authorize the Chairman of the Board of Selectmen to sign the necessary papers on behalf of the Town?

ARTICLE 4: Shall the Town vote to transfer the sum of Nine Thousand, Eight Hundred Dollars (\$9,800) from Unappropriated Surplus to establish an Overtime Account in the 1985 Budget?

ARTICLE 5: Shall the Town vote to transfer the sum of Five Thousand, Three Hundred and Seventy-Five Dollars (\$5,375) from Unappropriated Surplus to prepay the final payment on the 1982 Highway Truck - which payment would otherwise be due on June 18, 1986?

ARTICLE 6: Shall the Town vote to transfer the following amounts from Unappropriated Surplus for the following purposes:

Cable Television Budget - 1985	-	\$ 450
Beach & Parking Expenses- 1985	-	1,510
Charter Commission Exps.- 1985	-	200

ARTICLE 7: Shall the Town vote to transfer the sum of Ten Thousand Dollars from the Capital Equipment Fund as previously voted by the Town and to use same to reduce taxation in 1985?

ARTICLE 8: Shall the Town vote to adopt the following amendment to Title IV, Chapter 4, Section 402.4 of the Ogunquit Municipal Code?

402.4 - "To designate separate areas for surf-boarding, windsurfing and small craft such as sailboats, hobiecats, canoes and kayaks."

ARTICLE 9: Shall the Town vote to authorize the municipal officers to use Town equipment on the following roads: Cedar Log Lane, Chestnut Road and Birch Lane for fire and police protection as authorized by 23 MRSA Section 3105?

ARTICLE 10: Shall the Town vote to appropriate the sum of Eight Hundred and Five Thousand, Seven Hundred and Fifty-Six Dollars (\$805,756) from Anticipated Revenues, undesignated Fund Balance and state and Federal Revenue Sharing as described below to reduce taxation in 1985?

Sale of Copies	200
Excise Taxes	85,000
Late Penalties & Interest	25,000
Miscellaneous Revenues	15,000
Planning Board	4,500
Appeals Board Hearing Fees	500
Dunaway Center Rental Fees	2,400
Sewer District Rental Fees	3,251
Pay Telephone Revenue	1,200
Clerk's Licenses/Fees	1,700
Liquor & Amusement Fees	4,000
Building & Plumbing Permit Fees	35,000
Business Registration Fees	4,500
Parking Fines & Court Fees	30,000
Alarm Fees	4,000
State Road Aid Block Grant	10,000
Summer Program Fees	4,530
Tennis Court Fees	1,752
Mooring Fees	23,000
Hauling Fees	2,000
Perkins Cove Tickets	300
Beach Parking Fees	250,000
Lower Lot Parking Fees	30,000
Obeds Lane Parking Lot Fees	10,000
Investment of Funds	50,000
Outside Police Duty	2,500
Clam Licenses	400
State Revenue Sharing	44,509
Undesignated Fund Balance Appropriation	150,000
Federal Revenue Sharing Transfer GF to FRS Fund	<u>10,514</u>
TOTAL	\$ 805,756

ARTICLE 11 : Shall the Town vote to accept parcels, easements, and interests in land as described on a list dated May 20, 1985, included as part of this Article?

EXPLANATION: The parcels, easements and other interests on the list were not formally or correctly accepted, or were purchased without an express Town meeting vote. This is a house-keeping measure to resolve any questions on procedure in acquiring land and interests which the Town uses and to prevent future questions and disputes on such acquisitions.

<u>GRANTOR</u>	<u>BOOK</u>	<u>PAGE</u>	<u>DATE</u>	<u>DESCRIPTION</u>
Benoni Haley	637	186	10/14/15	Walkway, Perkins Cove
Frances M J Perkins	658	256	5/08/17	Land in Square
Moses S. Perkins	722	556	5/05/17	Land in Square
Clement McCune, est.	743	391	4/30/25	Marginal Way
Craige M Snader et al	746	46	4/30/25	Marginal Way
Mabel S. Stonehill	789	416	9/20/28	Marginal Way
Hannah O. Littlefield	811	431	6/08/31	Sewer Easement - Ontio Hill
William R. Ferguson	1102	452	10/07/47	Drainage Easement - Off Obeds Lane
Mary J. Kennedy	1095	141	12/04/47	Sewer Easement - Off Shore Road
Constance M B Chase	1101	303	9/22/48	Frazier Pasture Road/ Marginal Way
Constance M B Chase	1142	273	2/10/50	Marginal Way
M Virginia Carroll	1430	185	10/30/59	Marginal Way
M Virginia Carroll	1430	186	10/30/59	Marginal Way
Jules Voignier, Jr.	1430	291	5/04/60	Marginal Way
Fred H. Winn	1430	471	7/22/60	Marginal Way
Grace C. Tower	1589	135	3/04/64	Lower Parking Lot
Elinor W. Smith	1589	137	3/04/64	Lower Parking Lot
Ogunquit Sparhawk Corp	1612	78	7/06/64	Marginal Way
Helen H. Carroll	1613	131	8/05/64	Lower Parking Lot
Alfred K. Fox	1615	31	8/20/64	Lower Parking Lot
Mrs. Ralph Pike	1625	233	10/29/64	Drainage Easement - Highland Avenue
Helen T. Graham	1689	207	11/15/65	Marginal Way
Robert O. Tillinghast	1310	135	4/02/56	Town Garage Lot
Edith H. Ware et al	1722	12	6/22/66	Marginal Way
A. Lester Staples	1742	216	10/19/66	R.O.W. - Perkins Cove
Constantine Andrews	1805	151	5/17/68	Lower Parking Lot
Margaret Halpin	1806	493	6/04/68	Marginal Way
Wilbert E. Sherburne	1806	494	6/04/68	Marginal Way
Helen T. Graham	1860	887	11/26/69	Marginal Way
John Laurent	2109	511	12/08/75	Perkins Cove
Leon C. Perkins	2109	514	11/14/75	Perkins Cove
Kenneth R. Young, Sr.	2109	516	11/10.75	Perkins Cove
Gustave A. Bochart	2109	518	11/13/75	Perkins Cove
Bessie P. Bradshaw	2109	520	11/19/75	Perkins Cove
K.K.W.W.D.	2274	157	8/23/77	Lease - Berwick Road

ARTICLE 12: Shall the Town vote to amend Chapter II, Section II, Paragraph D.2. of the Ogunquit Zoning Ordinance by adding the following:

"Floor area" and "floor space" as used in the statement of parking requirements for "Retail Stores, "Restaurants" and "Drive-in restaurants, snack bars and diners" shall include but not be limited to porch, patio, deck, floor, ground or other areas, whether inside or outside, which are available to customers for eating or drinking or use for retail display or sales.

ARTICLE 13: Shall the Town vote to replace the following Zoning Ordinance definition of "Mobile Homes" with the following definition:

Manufactured Housing - (Mobile Homes): Structural units or units designed for occupancy constructed in a manufactured facility and then transported on its own or other chassis to a building site, or modular homes constructed in sections and then transported. All manufactured housing shall be at least 14 feet in width, shall contain at least 650 square feet of living space, shall have a pitched roof and siding within the Ogunquit Building Code. The structure shall be placed on a permanent foundation, slab or cellar within the Building Code. The length shall be parallel with the road.

ARTICLE 14: Shall the Town vote to replace the present Zoning Ordinance exclusion and allow mobile homes in the One-Family Residence District, Residence District, Rural Residence District 1, Rural Residence 2, Perkins Cove Residence District and Perkins Cove Limited Business District.

ARTICLE 15: Shall the Town vote to delete the present definition of Awning on Page 10 of the Ogunquit Zoning Ordinance and replace with the following:

"A temporary, retractable cover and frame that is attached to the exterior wall of a building. Awnings shall not be subject to setback requirements."

ARTICLE 16: Shall the Town vote to add the definition of Deck to Page 12 of the Ogunquit Zoning Ordinance as follows:

Deck: A flat-floored roofless and wall-less area adjoining a structure. An awning-covered deck shall not be construed as a porch.

ARTICLE 17: Shall the Town vote to add the definition of Porch to Page 14 of the Ogunquit Zoning Ordinance as follows:

Porch: A flat-floored roofed area attached to the exterior of a building.

ARTICLE 18: Shall the Town vote to add the definition of Roof to Page 14 of the Ogunquit Zoning Ordinance as follows:

Roof: A permanent protective overhead exterior cover of a structure. An awning shall not be construed as a roof.

ARTICLE 19: Shall the Town vote to amend the definitions of Yard Front, Yard Rear, and Yard Side by deleting the phrase: "An open space on the same lot with the building," at the beginning of each definition?

ARTICLE 20: Shall the Town vote to amend Section III, Definitions of Height of Building of Page 12 of the Ogunquit Zoning Ordinance to read:

"The height of a building is the vertical measurement from the structure's highest point to the arithmetic average of the original ground level on all four (4) sides. This height shall not include features of the building or structure such as chimneys, decorative cupolas, towers or spires, or similar non-habitable appurtenances?"

ARTICLE 21: Shall the Town vote to amend the first sentence of Section IV.D. Building Permit as follows:

ARTICLE 21: (Continued)

The Code Enforcement Officer shall be consulted before any buildings or other structure is erected, demolished, moved or additions are made if the cost of such changes exceed Five Hundred Dollars (\$500) of fair market value as determined by the Code Enforcement Officer. This includes work done both internally and externally. The Code Enforcement Officer will determine whether a building permit is required, as well as the fair market value, or whether the proposed alterations are routine maintenance.

ARTICLE 22: Shall the Town vote to add the following sentence to Page 21, Section IV Administration - Enforcement Officer:

H. Performance Bond - Construction of any residence, commercial or industrial building or other structure requires the posting of a Performance Bond in an amount to be specified by the Code Enforcement Officer. The Code Enforcement Officer's determination shall be based upon consultation with the Road Commissioner, Police Chief, Fire Chief, Town Manager and utility companies. The Performance Bond amount shall be based on an estimate of the potential responsibility and/or liability affecting town property and town services and those aspects of the development which are anticipated to be open to the public.

ARTICLE 23: Shall the Town vote to add the definition of Dwelling Unit Time-Shared after the definition of Dwelling Unit in Section III, Page 12, of the Ogunquit Zoning Ordinance as follows:

Dwelling Unit Time-Shared: A dwelling unit which is strongly analogous to that of hotels, motels, rooming houses and other dwellings in which there are frequent changes in occupants and is operated for profit.

ARTICLE 24: Shall the Town vote to permit "Dwelling Units Time-Shared" only in the General Business District, Limited Business District, and Perkins Cove Limited Business District?

ARTICLE 25: Shall the Town vote to add the following sentence to the definition of Dwelling Unit, on Page 12, Section III of the Ogunquit Zoning Ordinance?

"This definition shall be deemed to include efficiency units, studio units, and other similar units excluding trailers and recreational vehicles."

ARTICLE 26: Shall the Town vote to add the definition of "Patio" to Section III, Page 14 of the Ogunquit Zoning Ordinance as follows:

Patio: For the purpose of this Ordinance, a patio is a structure.

ARTICLE 27: Shall the Town vote to add the measurement "(10 ft. x 20 ft.)" to the current definition of parking space on Page 14 of the Ogunquit Zoning Ordinance?

ARTICLE 28: Shall the Town vote to replace the present definition of "Half-Story" on Page 12 of the Ogunquit Zoning Ordinance with the following:

"Shall mean one-half ($\frac{1}{2}$) of the habitable floor area of the floor beneath a pitched roof. The ridge line shall be along the center axis of the floors below; and fifty percent (50%) of the half-story shall be located on one side of the ridge line with the remaining fifty percent (50%) on the other side of the ridge line. The height of any knee wall adjacent to an eave shall not be more than four feet (4') in height."

ARTICLE 29: Shall the Town vote to delete Section IV-a-5-c, Page 68, (Clustered or Planned Unit Residential Development) "Water Supply", and replace with the following:

"c) Water Supply: The primary source of water shall be the public water district system.

ARTICLE 30: Shall the Town vote to add the following sentence to Chapter II, Section IV, Paragraph A-5-h, Page 68, (Clustered or Planned Unit Residential Development):

"h) Sewage Disposal: Sewage will be discharged only into the Ogunquit Sewer District system."

ARTICLE 31: Shall the Town vote to eliminate the opening phrase: "When reasonably available," of Chapter II, Section V, Paragraph C-6, Page 74, (Clustered or Planned Unit Residential Development).

ARTICLE 32: Shall the Town vote to add the following statement as Chapter II, Section V, Paragraph c-7, Page 74, (Clustered or Planned Unit Residential Development):

"7) A public sewer main of at least eight inches (8") in diameter must exist for the use of buildings, residents and occupants of the street to be accepted."

ARTICLE 33: Shall the Town vote to amend the first sentence of the second paragraph of Section II, c.3, Non-conforming Structures, Enlargements Controlled, on Page 6 of the Ogunquit Zoning Ordinance to read:

"The addition of an open patio with no structure elevated above ground level shall constitute the expansion of a non-conforming structure."

This Ordinance currently reads the same except the word "not" has been eliminated after the word "shall".

ARTICLE 34: Shall the Town vote to substitute the present definition of Structure on Page 15 of the Ogunquit Zoning Ordinance and replace with the following:

Structure: Any object which requires location on the ground, which utilizes ground area, or which is attached to something having location to the ground.

ARTICLE 35: Shall the Town vote to amend Section VII, Residence District, D-3, Page 30 (Special Exceptions) to read as follows:

"Open space recreational uses exclusive of drive-in theaters or similar public intensive use facilities operated for profit."

ARTICLE 36: Shall the Town vote to standardize the wording "Public Utility Installation" in each of the zoning districts where "Public Utility, etc." appears under Special Exceptions, and add it to Special Exceptions in all districts where it has been omitted.

ARTICLE 37: Shall the Town vote to amend Chapter I, Section II, C.6, Page 7 (Non-conforming Structures - Lack of Required Parking or Loading Space) of the Ogunquit Zoning Ordinance to read as follows:

"A structure or use which is non-conforming as to the requirements for off-street parking space shall not be enlarged or altered unless off-street parking space is provided for the original structure or use sufficient to satisfy the requirements of this Ordinance and unless additional off-street parking space is provided for such enlargement or alteration of the original structure or use sufficient to satisfy the requirements of this Ordinance."

"A structure which is non-conforming as to requirements for off-street loading space shall not be enlarged or altered unless off-street loading space is provided for the original structure or use sufficient to satisfy the requirements of this Ordinance and unless additional off-street loading space is provided for such enlargement or alteration of the original structure or use sufficient to satisfy the requirements of this Ordinance."

The Board of Selectmen hereby give notice that the meeting will be held at seven-thirty o'clock in the evening of said day. Given under our hands this fifth day of June, 1985.

John F. Miller
John F. Miller, Chairman

Thomas Dillon

Thomas Dillon

Thomas J. Bresnahan

Thomas J. Bresnahan

TOWN OF OGUNQUIT
BOARD OF SELECTMEN

Anthony Tucceri
Anthony Tucceri

Kenneth Young, Sr.
Kenneth Young, Sr.

In the Town of Ogunquit, County of York, and State of Maine, as:

Pursuant to warrant to me as directed, I have notified and warned the Inhabitants of the Town of Ogunquit herein named to meet at the time and place for the purpose herein stated by posting upon the thirteenth day of June, 1985, A.D. a copy of the within warrant at the Dunaway Community Center, Ogunquit Post Office and Village Food Market, those being three (3) public and conspicuous places in said Town.

William P. Hancock, Jr.
William P. Hancock, Jr.
Chief of Police
TOWN OF OGUNQUIT

A TRUE COPY
ATTEST:

Madeline D. Brown
Madeline D. Brown, Town Clerk