

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 Tuesday, the sixth day of December, 1983 A.D. at seven-thirty o'clock in the evening then and there to act on Articles 1 through 15.

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

ARTICLE 2: Shall an ordinance entitled "Temporary Moratorium on Development", a copy of which is attached as Exhibit A, be enacted?

ARTICLE 3: Shall the Town vote to amend those parts of Chapter I, Sections VI through XIII of the Zoning Ordinance relating to Space Standards as set forth in Exhibit B attached?

ARTICLE 4: Shall the Town vote to amend those parts of Chapter I, Sections I, III and XIV and Chapter II, Section II D of the Zoning Ordinance relating to the definition of "Restaurant" and to Off-Street Parking Standards as set forth in Exhibit C attached.

ARTICLE 5: Shall the Town vote to transfer \$14,265.00 from Bond Payment Account, \$1,013.00 from General Fund Revenues, \$2,134.00 from Information Bureau Account, \$2,001.00 from Restroom Attendant Account, \$165.00 from Dog Officer Account and \$422.00 from Maintenance Lifeguard Account (total - \$20,000.00) to the Legal Fees Account?

ARTICLE 6: Shall the Town vote to transfer \$1,290.00 from Lifeguard Salaries Account, \$490.00 from Clerical Assistant Account, \$1,350.00 from Maintenance Lifeguard Account and \$90.00 from Parking Attendants Account (total - \$3,220.00) to the Communications Account to pay the 1982 Alarm Bill?

ARTICLE 7: Shall the Town vote to transfer \$600.00 from the Parking Attendants Account, \$500.00 from the Election Account, \$900.00 from the Planning Board Account and \$1,000.00 from Social Security Account (total - \$3,000.00) to the Perkins Cove Account to pay for 1982 engineering services?

ARTICLE 8: Shall the Town vote to transfer \$27,000.00 from Beach Surplus to the Highway Department to rebuild and repair a 300 foot section of the Marginal Way?

ARTICLE 9: Shall the Town vote to transfer \$1,000.00 from the General Fund and \$320.00 from the Highway Department to the Marginal Way? This money was donated to the Town for the purpose of Marginal Way improvement.

ARTICLE 10: Shall the Town vote to transfer monies collected from the sale of wood to the Obeds Lane Development Account and to authorize the fair exchange of excavated material for products of equal value.

ARTICLE 11: Shall the Town vote to transfer monies not to exceed \$1,000.00 from Beach Surplus to Beach Maintenance for the purpose of surveying, marking and preparing the Ocean Avenue access to the beach.

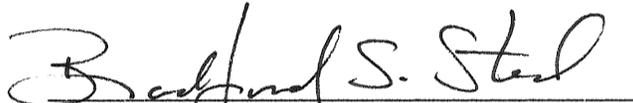
ARTICLE 12: Shall the Town vote to accept "Belm Lane" as a Town road?

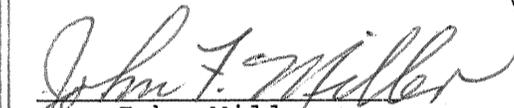
ARTICLE 13: Shall the Town discontinue its interest in a section of the Town Way known as Park Lane, and as described in an Order of Discontinuance filed with the Town Clerk with all costs of surveying, registry work and legal work to be borne by the abutters? This is an unpaved section of road not currently in public use.

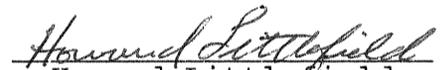
ARTICLE 14: Shall the Town authorize the Selectmen to sell and convey tax acquired property as they deem necessary or in the best interest of the Town; however, a delinquent taxpayer shall be given a sixty (60) day grace period after the lien's maturation date or the date of acceptance of this Article in which to redeem his property upon payment of all taxes, interest, penalties and costs. The Selectmen and Town Treasurer are hereby authorized to execute and deliver quit claim deeds without covenant and the furtherance of the same. Property not redeemed as provided above shall be sold only at public sale to be conducted in a manner to be determined by the Selectmen. In any event, however, the Selectmen may execute and deliver quit claim deeds at their discretion for the purpose of removing from public record tax liens which have not been discharged through inadvertence.

ARTICLE 15: To enact any other business that may legally come before said meeting.

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 twenty-ninth day of November, 1983, A.D.

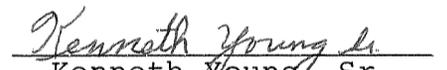

Bradford S. Sterl, Chairman


John Miller


Howard Littlefield

TOWN OF OGUNQUIT
BOARD OF SELECTMEN

William P. Hancock III

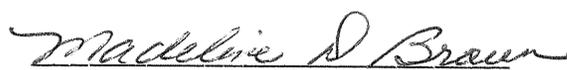

Kenneth Young, Sr.

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 twenty-ninth day of November, 1983, A.D. a copy of the within Warrant at the Dunaway Community Center, Ogunquit Post Office, Ogunquit Fire Station and Village Food Market, those being four public and conspicuous places in said Town.


William P. Hancock, Jr.
Chief of Police
Town of Ogunquit

A TRUE COPY
ATTEST:


Madeline D. Brown, Clerk
Town of Ogunquit

Shall an ordinance entitled "Temporary Moratorium On Development", a copy of which is attached as Exhibit A, be enacted?

EXHIBIT A

Temporary Moratorium On Development

Section 1: Necessity - On August 9, 1983 the Selectmen enacted an emergency moratorium on development as a result of a significant number of development proposals, both actual and anticipated, which threatened to seriously exacerbate the already existing serious traffic and parking problems in Town and which threatened to place a severe strain upon public services. The purpose of the moratorium was to enable a select committee to examine the problems, to examine the Town's ordinances and to recommend changes to existing ordinances and enactment of new ones so as to alleviate these problems. While the moratorium was to be effective for 120 days, the Selectmen noted that ordinance revisions to meet these problems could perhaps take longer than 120 days. While the select committee timely reported the results of its study and made suggestions for numerous ordinance changes, the 30 days left to the Selectmen and the public to study, consider and debate the many suggestions of the committee is clearly inadequate.

Since the problems identified by the Selectmen in their emergency ordinance of August 9, 1983 still remain and since there has not been adequate time for public study, consideration and debate of the many suggestions of the committee, it is necessary to extend or re-enact the terms of the moratorium for a period of an additional 88 days or until the annual town meeting on March 3, 1984.

Section 2: Purpose - The purpose of this ordinance is to permit the citizens of Ogunquit a meaningful and reasonable amount of time to examine and debate the many suggestions of the select committee concerning revisions to Ogunquit's ordinances, particularly the zoning ordinance, aimed at meeting Ogunquit's problems so that they may cast intelligent and informed votes when these ordinance amendments are offered at the annual town meeting in March of 1984.

Section 3: Moratorium - Effective immediately and for a period of 88 days, no Town Official or Municipal Board or agency shall accept any application which, if approved, would be likely to result in the functional or actual subdivision of land or would result in the construction or expansion of existing buildings or would result in the intensification of use of any land or buildings or which would result in increased demand for public sewer or public water or which would result in increased traffic or demands upon parking facilities within the Town or which would result in increased demands upon the Town's fire and police services. If any applicant contends that his proposal would not result in any of the activities listed herein, the burden shall be on such applicant to prove his contention.

Effective immediately and for a period of 88 days, no Town Official or Municipal Board or agency shall review any application, on file with it on the effective date of this Ordinance, for a proposal which, if approved, would result in any of the

activities listed herein, if, as of the effective date of this Ordinance, such application is not "pending" as defined below. An application is "pending" before an official, board or agency if, on the effective date of this Ordinance, that official, board or agency has begun substantive review of the application. Applications pending before any one official, board or agency are not pending before any other official, board or agency which itself has not begun substantive review. Provided, however, the Code Enforcement Officer shall review and act upon all requests for plumbing, building and occupancy permits for projects which have received required Planning Board and/or Board of Appeals review and approval.

It is intended by this Ordinance that all applications for building or development proposals filed but not yet having received substantive review from those officials, boards or agencies whose approval is necessary and applications filed after the effective date of this Ordinance shall be subject to the provisions of any ordinance enacted or revised before substantive review of such applications has begun.

Section 4: Exemptions - Notwithstanding anything contained in this Ordinance to the contrary, the provisions of this Ordinance shall not apply to any application to the Code Enforcement Officer for a building permit, plumbing permit or certificate of occupancy for the construction of a new single family residence in a freestanding building containing only one

single family dwelling unit or for the construction of an accessory structure to a new or existing single family residence in a freestanding building containing only one single family dwelling unit or for the expansion of an existing single family residence in a freestanding building containing only one single family dwelling unit so long as such construction or expansion does not require any other permit from any other Town Official, board or agency and so long as such proposed construction or expansion will meet all requirements of all other applicable ordinances.

Section 5: Effective Date - This Ordinance shall become effective when enacted.

Shall the Town vote to amend those parts of Chapter I, Sections VI through XIII of the Zoning Ordinance relating to Space Standards as set forth in Exhibit B attached.

EXHIBIT B

	<u>ORDINANCE</u>	<u>REFERENCE</u>	<u>AMENDMENT</u>		
p. 30	Chapter I	Section VI	E.2)	Under "SPACE STANDARDS" <u>Add:</u>	
p. 32	Chapter I	Section VII	E.2)	Minimum area of land <u>open to the sky</u> and	
p. 34	Chapter I	Section VIII	E.2)	not including land used for parking or	
p. 36	Chapter I	Section IX	E.2)	building or swimming pools or awnings or	
p. 40	Chapter I	Section XI	E.2)	structures	40%
p. 42	Chapter I	Section XII	E.3)	Minimum amount of said land open to the sky	
p. 45	Chapter I	Section XIII	E.7)	massed in one location and not used pri- marily as a buffer strip	50%
				Maximum area of land that may be used to support required parking	30%
p. 40	Chapter I	Section XI	E.2)	Under "SPACE STANDARDS" <u>Add:</u>	
p. 42	Chapter I	Section XII	E.3)	Minimum land area required for a hotel, motel, "time-share" and/or apartment building 40,000 sq. ft.	
				Minimum land area required per hotel unit, motel unit, "time-share" unit and/or single apartment 2,000 sq. ft.	
p. 40	Chapter I	Section XI	E.2)	Under "SPACE STANDARDS" <u>Add:</u>	
				Maximum building coverage	30%
				<u>Change existing standard by inserting after</u> "between": "principal", to read "Minimum distances between principal buildings..."	
p. 42	Chapter I	Section XII	E.3)	Under "SPACE STANDARDS" <u>Change:</u> "Maximum building coverage" <u>from 40% to 30%</u>	
				<u>Add:</u> Minimum distances between principal build- ings on the same lot = Equivalent to the height of the tallest building	

EXHIBIT B CONT'D

ORDINANCE REFERENCE

AMENDMENT

p. 44	Chapter I Section XIII D. 5)	After "Motels and hotels" <u>Add:</u> ". Standards established in Chapter I Section XII E. shall apply."	
p. 45	Chapter I Section XIII E. 3)	a) <u>Change to read:</u> "having a front yard, side yard, and rear yard setback of less than 15 feet," c) <u>Change</u> "50 feet" to "75 feet," <u>Add:</u> "d) Maximum building coverage <u>Add:</u> "e) Minimum distances between principal buildings on the same lot = Equivalent to the height of the tallest building."	30%"

(In all Zones, the wording should be changed in the STANDARDS Section to
(read:

("Equivalent to the height of the tallest building"

(

(Changes to be made, as follows: p. 30 Chapter I Section VI E.2
p. 32 Chapter I Section VII E.2
p. 34 Chapter I Section VIII E.2
p. 36 Chapter I Section IX E.2
p. 40 Chapter I Section XI E.2

Shall the Town vote to amend those parts of Chapter I, Sections I, III and XIV and Chapter II, Section II D of the Zoning Ordinance relating to the definition of "Restaurant" and to Off-Street Parking Standards as set forth in Exhibit C attached.

EXHIBIT C

ORDINANCE REFERENCE

AMENDMENT

p. 46	Chapter I Section XIV A. 7th Line	After "...no structures" <u>Insert</u> : "or parking spaces" will be ...
p. 2	Chapter I Section I D. 4)	<u>Delete</u> last sentence: "Parking may be ..."
p. 14	Chapter I Section III after "Public Utility"	<u>Add</u> : " <u>Restaurant</u> " = "An establishment where meals are prepared and served to the public for consumption on the premises, entirely within a completely enclosed building; and where no food or beverages are served directly to occupants of motor vehicles or directly to pedestrian traffic from an exterior service opening or counter, or any combination of the foregoing; and where customers are not permitted or encouraged by the design of the physical facilities, by advertising, or by the servicing or packaging procedures to take out food or beverages for consumption outside the enclosed building. A "restaurant" shall include cafeterias, coffee shops, diners, and snack bars."
p. 61	Chapter II Section II D. 2)	<u>Delete</u> opening Paragraph and replace with: "2) a. No use of premises shall be authorized or extended, and no building or structure shall be constructed or enlarged unless there is provided for such extension, construction or enlargement, off-street automobile parking space in accordance with the following schedule of parking requirements. An area of two hundred (200) square feet (10' x 20') appropriate for the parking of an automobile, exclusive of maneuvering space, shall be considered as one off-street parking space. Larger dimensioned spaces may be required to suit particular uses. All spaces shall be accessible from lanes of adequate size and location

EXHIBIT C CONT'D

ORDINANCE REFERENCE

AMENDMENT

Chapter II Section II D. 2 Cont'd)

No required parking space shall, for the purposes of this Ordinance, serve more than one use. No off-street parking facility shall have more than two (2) points of access on the same street, and no entrance or exit shall exceed twenty-six (26) feet in width. Parking areas with more than two (2) parking spaces shall be so arranged that vehicles can be turned around within such areas and are prevented from backing into the street. Required parking areas shall be subject to setback requirements."

Insert:

"b. Minimum Off-Street Parking Requirements"

Make the following changes in categories:

"Motels, hotels,
tourist homes..."

Page 62

Delete the present requirement and Change to read:

"1 parking space for each sleeping room plus 1 space for each 2 employees, and adequate spaces for delivery vehicles."

"Theatres, auditoria,
churches..."

Page 62

Delete the present requirement and Change to read:

"1 parking space for every 3 seats or for every 50 square feet, or major fraction thereof, of assemblage space if no fixed seats, plus 1 space for each 2 employees, and adequate spaces for delivery vehicles."

"Restaurants"

Page 63

Delete the present requirement and Change to read:

"1 parking space for every 3 seats plus 1 space for each 2 employees, and adequate spaces for delivery vehicles."

EXHIBIT C CONT'D

ORDINANCE REFERENCE

AMENDMENT

p. 64

Chapter II Section II D. 4)

1st Line

Delete the word "six" and change to "two"

3rd Line

After "apply" Delete: ":" and Add: "and be
presented to the Planning Board for review:"

Chapter II Section II D.4)a)

Delete the last sentence