

OGUNQUIT PLANNING BOARD MINUTES

OCTOBER 27, 2014

A. **ROLL CALL –**

The Roll was called with the following results:

Members Present: Don Simpson, Chair
Jackie Bevins
Muriel Freedman

Members Excused: Rich Yurko, Vice Chair

Also Present: Scott Heyland, Ogunquit Code Enforcement Officer
Maryann Stacy, Recording Secretary

B. **PLEDGE OF ALLEGIANCE -**

C. **MISSION STATEMENT** – The Mission Statement was read by Mr. Simpson.

Mr. Simpson informed the applicants that there are only three Board members in attendance, which is a quorum, however it will take all three members to vote in the affirmative in order for any motion to pass.

D. **MINUTES** – **September 22, 2014 Regular Business Meeting** **October 6, 2014 Site Visit**

Ms. Freedman Moved to Approve the Minutes of the September 22, 2014 Meeting as Submitted.

FREEDMAN/BEVINS 3:0 UNANIMOUS

Ms. Freedman Moved to Approve the Minutes of the October 6, 2014 Site Visit as Submitted.

FREEDMAN/BEVINS 3:0 UNANIMOUS

E. **PUBLIC INPUT** –

Mr. Simpson asked if there was anyone who wished to be heard on any matter not on the agenda. There was no one.

F. **UNFINISHED BUSINESS** – None

G. **NEW BUSINESS** –

1. WISTERIA HOUSE LLC – 136 Pine Hill Road North – Map 2 Block 24 - Residential District. Design Review for a pre 1930 structure. Application to replace doors and windows of original structure, demolish and replace existing barn, and construct a new garage.

Gary Woods from Shoreline Construction addressed the Board as the Applicant's representative. Mr. Woods noted that the largest part of the application involves the demolition of the existing barn which is non conforming, and the construction of a new garage which would conform to side and rear setbacks. The rest of the project involves the changing of the windows and doors of the existing house while maintaining the historic character of the property.

Mr. Simpson asked if the barn is the structure on the right.

Mr. Woods confirmed this.

Mr. Simpson noted that due to construction of a new garage so near the abutting property he would like to hold a Public Hearing, also given the historic nature of the property he would like to see the garage conform to the historic look of the house as much as possible. He asked Mr. Woods if he could bring in samples of the siding, windows, doors, etc for the Public Hearing.

Mr. Woods agreed to do so, he also agreed to bring in the cut sheets for the windows on the house and a drawing of the garage.

Mr. Heyland asked what siding would be used on the new garage.

Mr. Woods responded it would be wood clapboard siding to match the house. He agreed that the new garage will match the house in appearance.

Mr. Heyland noted that the new barn will not be any larger than the existing barn. It is configured a bit differently but it will not be any larger.

Ms. Freedman Moved to Find the Application for WISTERIA HOUSE LLC – 136 Pine Hill Road North – Map 2 Block 24 Complete and to schedule a Public Hearing on November 10, 2014.

FREEDMAN/BEVINS 3:0 UNANIMOUS

Mr. Woods asked if the approval for the garage would happen that night.

Mr. Simpson agreed that it would, for the November 10th meeting.

Mr. Woods asked if the approval for the house and windows are done tonight.

Mr. Simpson responded "yes - the whole project" for the November 10th meeting.

2. 213 MAIN STREET, LLC/ABACUS – 213 Main Street – Map 7 Block 123 – Downtown Business District. Design Review and Site Plan Review for a pre 1930

structure. Application for an addition containing retail floor space, upper level mezzanine gallery, additional storage/stockroom, and second floor accessory space.

Caleb Johnson and Josh Brockman addressed the Board as representatives of the Applicants.

Mr. Johnson gave a brief overview of the project as described in the application packet.

Mr. Simpson asked if the new structure will be connected to the existing structure and if patrons will be able to move back and forth between the two.

Mr. Johnson confirmed this, and noted that he has been retained to make it all one retail space.

Mr. Simpson asked if the new addition would be rented out to another business

Mr. Johnson responded that this is not the applicant's intention however he can't confirm that would never happen.

Mr. Johnson noted that the goal is to create a traditional New England Main Street storefront character. The building will have natural shingles on the front and the base of the building will have white painted trim. The sides of the building will be white clapboards and the roof will be metal.

Mr. Simpson asked what type of roofing the existing two buildings have.

Mr. Johnson responded that they have 1980's asphalt shingles.

Mr. Johnson stated that the southern parking area will remain the same and the parking area currently to the north will be reconfigured as a drive for owner and delivery use only and will be posted with signage that states "exit only". Landscaping will involve hardscaping with a few planting beds in the front.

Mr. Simpson asked for the color of the new addition.

Mr. Johnson responded that the plan is to break up the building using three different roof lines and three different colors. The new addition will have natural cedar shingles with white trim and stone at the base.

Mr. Simpson asked if they have spoken with the Maine DOT regarding the Route 1 project.

Mr. Johnson responded that they are aware of the project and they don't see any conflict, however they will maintain contact with the DOT.

Mr. Simpson asked for a time frame for construction.

Mr. Johnson responded that they would like to have concrete in the ground before winter.

Mr. Simpson expressed concern that the new addition could be used as a separate business. He asked the Code Officer if this would pose a problem.

Mr. Heyland responded that there would be no violation of the Zoning Ordinance if the addition turned out to be a separate business unless it was to be used as a restaurant then there would be some fire separation requirements and this would be handled at a permitting level.

Mr. Heyland confirmed that nothing will change to the left of the ell. The entrance will stay the same and the new addition will have another entrance.

Mr. Johnson confirmed that nothing will change with the original portion of the building.

Ms. Freedman asked if the entrance to the left will be the main entrance.

Mr. Johnson agreed, he added that the new doorway may be left open for ventilation however the existing doorway will be the primary entrance.

Ms. Freedman responded that her concern is with the crosswalk.

Ms. Freedman asked if the new addition will be the same size as the existing deck.

Mr. Johnson responded that there will be a change.

Mr. Heyland added that the proposed structure will meet setbacks.

Mr. Johnson responded that they will put pins in the footings before construction begins.

The Board reviewed the Applicant's requested waivers:

6.6.C.3.1: There are no applicable wetlands or water bodies on or adjacent to our site.

Ms. Freedman Moved to Approve the Waiver Request for Section 6.6.C.3.1 for the reasons stated by the Applicant.

FREEDMAN/BEVINS 3:0 UNANIMOUS

6.6.C.3.J: This project does not require a soils survey because it is on a developed site with water and sewer.

Ms. Freedman Moved to Approve the Waiver Request for Section 6.6.C.3.J for the reasons stated by the Applicant.

FREEDMAN/BEVINS 3:0 UNANIMOUS

6.6.C.3.L: As noted on the boundary survey, the site is not located near a flood hazard zone as indicated by current maps. The survey as currently drawn is based upon a previous survey's datum, which is not known to be consistent with the datum of the flood elevation maps. The surveyor could return to the site and establish the relationship between the survey datum and

the flood map datum if deemed necessary, but this would incur additional expense to the client.

Ms. Freedman Moved to Approve the Waiver Request for Section 6.6.C.3.L for the reasons stated by the Applicant.

FREEDMAN/BEVINS 3:0 UNANIMOUS

6.6.C.3.M: There are no existing or proposed deed restrictions.

Ms. Bevins Moved to Approve the Waiver Request for Section 6.6.C.3.M for the reasons stated by the Applicant.

BEVINS/FREEDMAN 3:0 UNANIMOUS

6.6.C.3.N.ii: Septic Design is not required, as the project is within sewer service area.

Ms. Bevins Moved to Approve the Waiver Request for Section 6.6.C.3.N.ii for the reasons stated by the Applicant.

BEVINS/FREEDMAN 3:0 UNANIMOUS

6.6.C.3.O.ii: Water supply is not required, as the project is within water service area.

Ms. Bevins Moved to Approve the Waiver Request for Section 6.6.C.3.O.ii for the reasons stated by the Applicant.

BEVINS/FREEDMAN 3:0 UNANIMOUS

6.6.C.3.P: The project is on a developed site and makes no alterations to the surrounding area.

Ms. Freedman Moved to Approve the Waiver Request for Section 6.6.C.3.P for the reasons stated by the Applicant.

FREEDMAN/BEVINS 3:0 UNANIMOUS

6.6.C.3.Q: There are no streets, public improvements, or open space included within the project site.

Ms. Freedman Moved to Approve the Waiver Request for Section 6.6.C.3.Q for the reasons stated by the Applicant.

FREEDMAN/BEVINS 3:0 UNANIMOUS

6.6.C.3.R: There are no open spaces to be preserved as a part of this project.

Ms. Bevins Moved to Approve the Waiver Request for Section 6.6.3.R for the reasons stated by the Applicant.

BEVINS/FREEDMAN 3:0 UNANIMOUS

6.6.C.3.S: This does not apply as the project is within public water and sewer service areas.

Ms. Bevins Moved to Approve the Waiver Request for Section 6.6.C.3.S for the reasons stated by the Applicant.

BEVINS/FREEDMAN 3:0 UNANIMOUS

6.6.C.3.U: A parking study is not required, because the project does not require any parking in the DB zone, and is not projected to generate 50+ trips per day.

Ms. Bevins Moved to Approve the Waiver Request for Section 6.6.C.3.U for the reasons stated by the Applicant.

BEVINS/FREEDMAN 3:0 UNANIMOUS

Mr. Simpson noted that the Board has received a traffic study which indicated that there would not be more than 50 trips per day.

6.6.C.3.V: This requirement does not apply, the attached IFW and DEP maps do not show any high or moderate value wildlife habitat within or adjacent to the project site.

Ms. Bevins Moved to Approve the Waiver Request for Section 6.6.C.3.V for the reasons stated by the Applicant.

BEVINS/FREEDMAN 3:0 UNANIMOUS

6.6.C.3.W: Our research found no historic designation for the property or any adjacent properties, a request for additional review was sent to Newell Perkins/Ogunquit Historic Preservation but we have not yet received a response.

Ms. Bevins Moved to Approve the Waiver Request for Section 6.6.C.3.W for the reasons stated by the Applicant.

BEVINS/FREEDMAN 3:0 UNANIMOUS

Mr. Johnson informed the Board that he had since received a response from Mr. Perkins which confirmed that the property has no historic designation.

6.6.C.3.AA: This requirement is not applicable, no streets, public improvements, or open spaces are located within the site.

Ms. Bevins Moved to Approve the Waiver Request for Section 6.6.C.3.AA for the reasons stated by the Applicant.

BEVINS/FREEDMAN 3:0 UNANIMOUS

6.6.C.3.BB: This requirement is not applicable, no parcels of land are proposed to be dedicated to public use as part of this project.

Ms. Bevins Moved to Approve the Waiver Request for Section 6.6.C.3.BB for the reasons stated by the Applicant.

BEVINS/FREEDMAN 3:0 UNANIMOUS

6.6.C.3.DD: This requirement is not applicable, because all construction activity is contained within a private parcel.

Ms. Bevins Moved to Approve the Waiver Request for Section 6.6.C.3.DD for the reasons stated by the Applicant.

BEVINS/FREEDMAN 3:0 UNANIMOUS

6.6.C.3.EE: The only required state or federal permit will be submitted to the state Fire Marshall's office concurrently with the building permit application, upon completion of construction drawings.

Ms. Freedman Moved to Approve the Waiver Request for Section 6.6.C.3.EE for the reasons stated by the Applicant.

FREEDMAN/BEVINS 3:0 UNANIMOUS

The Board reviewed the Site Plan and Design Review Submissions Checklists and found all submittals to be complete with the exception of those items which had been waived.

Mr. Johnson noted that the dumpster should be located in the southwest corner of the parcel.

Mr. Heyland agreed that this is the best location and Mr. Johnson's statement on the record is enough, and no written confirmation would be required.

Mr. Johnson noted that the Historic Preservation Commission has asked for drawings of all the corners of the building. Mr. Johnson is reluctant to spend more of the client's money on drawings of the rear and sides of the existing building since there will be no changes.

Mr. Simpson responded that the Historic Preservation Commission has no responsibility for new construction. However this new addition is attached to a pre 1930 structure. He does not believe that the portion of the building not visible from the street should require elevation drawings.

Mr. Heyland asked if the overall height of the building would exceed 35 feet.

Mr. Johnson responded that the new addition would not exceed the height of the existing building which is at approximately 27-28 feet.

Mr. Simpson expressed his opinion that the design of the new addition appears to him to be very contemporary and unappealing and looks like a storefront design. He stated that the Planning Board does review architectural design and compatibility with surrounding buildings.

Mr. Johnson respond that he needs to know how seriously to take Mr. Simpson's comment. He noted that the applicant's have worked on the design for over a year and it meets their needs and desires. He wanted to know if he should redesign the addition before the Public Hearing.

Ms. Freedman agreed with Mr. Simpson and added that the new addition looks like a different building and has a contemporary character.

Mr. Johnson also added that the "storefront" appearance is similar to other Main Street structures such as the Village Food Market and other storefronts in that area. The addition is intended to reflect the character of old dry goods stores and the large windows are designed to display goods. He agreed to present photographs of other storefronts to illustrate that it will be similar to other storefronts in Ogunquit.

Ms. Bevins expressed her opinion that the addition is attractive and fits in.

Ms. Freedman Moved to Find the Application complete and Schedule the Public Hearing for November 10, 2014.

FREEDMAN/BEVINS 3:0 UNANIMOUS

H. CODE ENFORCEMENT OFFICER BUSINESS –

Mr. Heyland informed the Board that Mr. Feldman has some grant money which he will use to work on Ogunquit's Traffic Ordinance at no cost to the Town.

Ms. Freedman expressed concern that the Historic Preservation Commission does not have enough time to review incoming applications for 1930 or older structures.

It was suggested that applicants will have the responsibility to contact the Historic Preservation Commission and obtain a memo from them prior to submitting the application to the Planning Board. The Board will not meet to discuss the application without that memo as part of the application package.

Ms. Freedman Moved that all future Planning Board applicants submitting applications involving 1930, or older, structures must provide the Historic Preservation Commission with a detailed application packet, and the Planning Board will not meet to discuss the application without a memo from the Historic Preservation Commission.

FREEDMAN/BEVINS 3:0 UNANIMOUS

1. OTHER BUSINESS -

1. Boarding House Regulation in Ogunquit.

Mr. Simpson noted that the Board held a workshop on this issue earlier this evening and that they have a plan in place. This matter will come back before the Board when Mr. Feldman has submitted revised ordinance language.

J. ADJOURNMENT -

Ms. Freedman Moved to Adjourn at 7:10 pm

FREEDMAN/BEVINS 3:0 UNANIMOUS

Respectfully Submitted

Maryann Stacy
Planning Board Recording Secretary

