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**OGUNQUIT PLANNING BOARD
REGULAR BUSINESS MEETING
MINUTES
DUNAWAY CENTER MAIN AUDITORIUM
JUNE 26, 2017**

A. ROLL CALL –

Members Present: Steve Wilkos (Chair)
 Rusty Hayes (Vice Chair)
 Muriel Freedman
 Jackie Bevins
 Mark MacLeod

Members Excused: Priscilla Botsford (1st Alternate)

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

B. PLEDGE OF ALLEGIANCE -

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

D. MINUTES –

1. May 22, 2017 Site Visit.

**Mr. Hayes Moved to Accept the Minutes of the May 22, 2017 Site Visit as Submitted.
HAYES/MACLEOD 4:0 (Ms. Bevins was not in attendance at the Site Visit)**

2. May 22, 2017 Workshop.

**Mr. Hayes Moved to Accept the Minutes of the May 22, 2017 Workshop as Amended.
HAYES/BEVINS 5:0 UNANIMOUS**

3. May 22, 2017 Public Hearing and Regular Business Meeting.

**Mr. Hayes Moved to Accept the Minutes of the May 22, 2017 Public Hearing and Regular
Business Meeting as Amended.
HAYES/BEVINS 5:0 UNANIMOUS**

E. **PUBLIC INPUT** – For any matter NOT already on this Agenda.

Mr. Wilkos asked if there was anyone who wished to be heard on any matter not on this meeting's agenda. There was no one.

F. **UNFINISHED BUSINESS** –

1. **FINDINGS OF FACT FOR RUPERT REALTY LLC / ROOST CAFÉ AND BISTRO – 262 Shore Road - Map 5 Block 28 – LB. Site Plan Review for a post 1930 structure. Application for change of Use from a Type 1 Restaurant to a Type 2 Restaurant with outside dining.**

**Mr. Hayes Moved to Accept the Findings of Fact for REALTY LLC / ROOST CAFÉ AND BISTRO – 262 Shore Road - Map 5 Block 28 as Submitted.
HAYES/BEVINS 5:0 UNANIMOUS**

G. **NEW BUSINESS** –

1. **ANN MCKEE – 632 MAIN STREET – Map 9 Block 80-81-4 – General Business District 2 (GBD2). Design Review for a pre-1930 structure. Application to remodel and repair: windows, siding, and roofing. Add a new front entry with roof, remove one front door and balance front window locations, add sliding door to rear of building, and change rear porch with two decks.**

Mr. Wilkos asked if there was anyone present to speak for the application. There was no one.

**Given that there was no one in attendance to speak for the Application Mr. Hayes Moved to Table the Application for ANN MCKEE – 632 MAIN STREET – Map 9 Block 80-81-4.
HAYES/BEVINS 5:0 UNANIMOUS**

2. **SHEPARD LANE LLC / CAFFE PREGO – 44 Shore Road – Map 6 Block 37 – General Business District 1 (GBD1). Design Review for a pre-1930 structure. Application for entrance to patio enclosure including an aluminum door.**

Jeffrey Porter addressed the Board.

Mr. Wilkos noted that the Board had received a memo from the Ogunquit Historic Preservation Commission within which they indicated that they are satisfied with the proposal. He asked if it is the Applicant's intent to remove the door during the summer season.

Mr. Porter responded that they will remove the door during the summer; and put it back up for the fall and spring.

Mr. MacLeod noted that it may be the perspective from which the photographs were taken; however it appears as if the remodeled patio area is larger than the original.

Mr. Porter responded that the area is the same size as the original, there has been no increase. In the past there was a retractable awning, now they have a standard awning.

Mr. MacLeod asked how the patio area is heated.

Mr. Porter responded that they have two gas heaters which are vented to the outside.

Mr. MacLeod asked if the storm door meets fire safety codes.

Mr. Heyland confirmed that the door is an out swinging door and that it is at least 36" wide. He is comfortable with it.

Ms. Freedman asked when Mr. Porter plans to take the door down.

Mr. Porter responded that they plan to remove it this weekend.

At this time the Board reviewed the Design Review Submission Checklist and found all items submitted or appropriately waived.

The Board reviewed the standards of Article 11.7.C of the Ogunquit Zoning Ordinance and found all standards to be satisfied, or not applicable to this application.

Mr. Heyland asked for a timeframe when the door would be removed and reinstalled.

Mr. Porter responded that they will remove the door on July 1st and replace it on, or after, Labor Day.

The Board agreed that neither a Site Visit nor a Public Hearing were required for this application.

Mr. Hayes Moved to Approve the Design Review Application for SHEPARD LANE LLC / CAFFE PREGO – 44 Shore Road – Map 6 Block 37 – General Business District 1 (GBD1). Design Review for a pre-1930 structure. Application for entrance to patio enclosure including an aluminum door.

HAYES/BEVINS

Mr. Wilkos called for discussion on Mr. Hayes' Motion. There being none he called for a vote.

Mr. Hayes Moved to Approve the Design Review Application for SHEPARD LANE LLC / CAFFE PREGO – 44 Shore Road – Map 6 Block 37 – General Business District 1 (GBD1). Design Review for a pre-1930 structure. Application for entrance to patio enclosure including an aluminum door.

HAYES/BEVINS 5:0 UNANIMOUS

3. LOVELEENA KALLA – 275 Shore Road - Map 5 Block 19 – LB. Design Review for a post 1930 structure. Application for a 14'x17' addition on rear of Unit #2.

Mr. Wilkos asked if there was anyone present to speak for the application. There was no one.

Given that there was no one in attendance to speak for the Application Mr. Hayes Moved to Table the Application for LOVELEENA KALLA – 275 Shore Road - Map 5 Block 19 – LB. Design Review for a post 1930 structure. Application for a 14’x17’ addition on rear of Unit #2.

HAYES/BEVINS 5:0 UNANIMOUS

Ms. Freedman asked Mr. Heyland if any work has been done at this location.

Mr. Heyland responded that to his knowledge nothing has been done.

H. CODE ENFORCEMENT OFFICER BUSINESS –

Mr. Wilkos asked what the rules are regarding A-Frame signs.

Mr. Heyland responded that if the A-Frame sign is attached to a building or post it is allowed. They are not allowed when they are freestanding. The original concern was that they would be placed in the public way and that they would blow over and become a safety concern. He agreed that if the Board so chooses they could schedule a workshop to revisit this issue.

Mr. Heyland noted that they tend to pop up during the weekend and he is always chasing them. He confirmed that there are some special exceptions: the OPA, Ogunquit Playhouse, and the Leavitt Theater are allowed to place A-Frame signs in the center of town and in front of the theater. He has received negative comments from business owners who want to know why these three entities are allowed to have A-Frames and they cannot. Mr. Heyland noted that the Ordinance might be changed to allow for the use of A-Frames by other businesses on their own property.

Ms. Bevins expressed her belief that they are unattractive and shouldn't be allowed all over town.

The Board agreed that this question should be work-shopped at some point.

Mr. Wilkos asked about the possibility of having a farmers' market in Ogunquit.

Mr. Heyland responded that it would require an amendment to the Ordinance, and it would require some work. He agreed that if there is interest from the public the Board might work-shop it.

Mr. Wilkos reminded the public that they can contact the Planning Board on the Town's website.

1. Schedule 2nd Single Family Home Rentals Workshop for July 10, 2017.

Mr. Heyland summarized that the goal was to develop a new rental registry application; as well as a document for property owners outlining things they need to do, and things they should do.

He noted that the ORA prepared a sample document which he reviewed for compliance with the Ordinance, State, and Municipal Codes.

He asked the Board what they want him to do: Discuss it at the workshop, present the ORA's sample document, or prepare a draft registration form.

The Board agreed that they would like to review the ORA sample document, as well as any other material regarding single family home rentals.

It was agreed that the 2nd Single Family Home Rental Workshop would be scheduled for July 10, 2017 at 4:00 p.m.

I. OTHER BUSINESS –

1. Discussion of SMPDC Annual Meeting topic Recreational Marijuana in Southern Maine: Concerns, Issues and Opportunities from the Municipal Perspective

Mr. Wilkos noted that this was a very productive meeting: Mr. Hayes, Mr. MacLeod, Mr. Heyland, Ms. Freedman, Ms. Stacy, and Mr. Wilkos attended. He asked if any of the Board members had anything they wanted to discuss. There was no one.

Mr. Wilkos noted that the representative for LOVELEENA KALLA – 275 Shore Road - Map 5 Block 19 – LB. Design Review for a post 1930 structure. Application for a 14'x17' addition on rear of Unit #2 had arrived.

Mr. Hayes Moved to place LOVELEENA KALLA – 275 Shore Road - Map 5 Block 19 – LB. Design Review for a post 1930 structure. Application for a 14'x17' addition on rear of Unit #2 back on the table.

HAYES/BEVINS

Mr. Wilkos asked if there was any discussion. There was none and he called for a vote.

Mr. Hayes Moved to place LOVELEENA KALLA – 275 Shore Road - Map 5 Block 19 – LB. Design Review for a post 1930 structure. Application for a 14'x17' addition on rear of Unit #2 back on the table.

HAYES/BEVINS 5:0 UNANIMOUS

Dennis Lamonica addressed the Board as Ms. Kalla's representative. He summarized that the proposal involves the construction of a 14'x17' bedroom addition off the rear of the existing structure. He believes that he can meet the setbacks. There is an existing patio which is the location of the proposed addition.

Mr. Lamonica noted that the building was converted from a one family to a two family dwelling. The original surveyor will again survey the property to confirm that the current proposal meets all setbacks and other Ordinance standards.

Mr. Heyland confirmed that this application is before the Board because it involves a material change, in the Limited Business District, and it will be seen from a public way, i.e. Stearns Road.

Mr. Heyland reminded everyone that prior to the issuance of a building permit; any structure within five feet of the setback must be pinned by a licensed surveyor to confirm that it will meet all setback restrictions.

The Board reviewed the Design Review Submissions Checklist and found all required items submitted or waived.

Mr. Hayes suggested that a site visit might be helpful to confirm what can be seen from Shore Road and Stearns Road.

Mr. Lamonica added that there is an existing L-Addition which blocks the view of the proposed addition. He acknowledged that the addition will extend about five feet beyond the L-Addition.

The Board members agreed that a site visit would be helpful.

Mr. MacLeod noted that the packet does not contain any side view drawing of the proposed changes.

The Board agreed that in addition to the Site Visit the Board would hold a Public Hearing.

The Site Visit was scheduled for 3:00 p.m. on July 10, 2017 and the Public Hearing was scheduled for 6:00 p.m. that same night.

Mr. Heyland asked Mr. Lamonica to have the corners of the proposed addition staked out, and to also have some sort of pole in place to indicate the height of the new addition.

Mr. Lamonica agreed to both.

Mr. Hayes Moved to Table the Application for LOVELEENA KALLA – 275 Shore Road - Map 5 Block 19 – LB. Design Review for a post 1930 structure. Application for a 14'x17' addition on rear of Unit #2
HAYES/BEVINS

Mr. Wilkos called for a discussion, there being none he called for a vote on Mr. Hayes' motion:

**Mr. Hayes Moved to Table the Application for LOVELEENA KALLA – 275 Shore Road - Map 5 Block 19 – LB. Design Review for a post 1930 structure. Application for a 14'x17' addition on rear of Unit #2
HAYES/BEVINS 5:0 UNANIMOUS**

The Board agreed that they would be interested in a tour of a local cannabis growing facility.

The Secretary agreed to contact Glenn Peterson, Executive Director of Canuvo, Inc. to arrange a tour. And to extend an invitation to the Select Board and the Town Manager.

Mr. Wilkos reviewed a recent e-mail which came into the Board from Amanda Melnick regarding recreational and medical marijuana.

Mr. Heyland reminded everyone that the Board was headed toward a recommendation to the Select Board and eventually the voters to make Ogunquit a “dry town”. He noted that any restrictions may be loosened up in the future should the town decide to go that way.

Mr. Hayes noted that some Towns have changed their “no smoking” signs to include vaping and marijuana smoking. He noted that the State will make the signs available to the Town.

The Board confirmed that there would be a 2nd Single Family Home Rental Workshop at 4:00 p.m. on July 10, 2017.

J. ADJOURNMENT –

**Mr. Hayes Moved to Adjourn at 7:05 p.m.
HAYES/BEVINS 5:0 UNANIMOUS**

Respectfully Submitted
Maryann Stacy
Maryann Stacy
Ogunquit Planning Board
Recording Secretary

Approved on July 10, 2017