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**OGUNQUIT PLANNING BOARD
REGULAR BUSINESS MEETING
MINUTES**

**DUNAWAY CENTER MAIN AUDITORIUM
NOVEMBER 13, 2017**

REGULAR BUSINESS MEETING

A. ROLL CALL –

Members Present: Steve Wilkos (Chair)
Rusty Hayes (Vice Chair)
Muriel Freedman
Jackie Bevins
Mark MacLeod
Priscilla Botsford (1st Alternate)

Also Present: Scott Heyland, Code Enforcement Officer
Lee Jay Feldman, SMPDC
Maryann Stacy, Recording Secretary

B. PLEDGE OF ALLEGIANCE -

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

D. MINUTES –

1. October 23, 2017 – Wood Burning Fire Pit Workshop.

Ms. Freedman Moved to Accept the Minutes of the October 23, 2017 Workshop as Submitted.

FREEDMAN/MACLEOD 5:0 UNANIMOUS

2. October 23, 2017 – Public Hearing and Regular Business Meeting.

Ms. Bevins Moved to Accept the Minutes of the October 23, 2017 Regular Business Meeting as Submitted.

BEVINS/MACLEOD 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: DUNELAWN CONDOMINIUM ASSOCIATION C/O BOB DIGENNARO – US Route One, Hoyts Lane, and River Road (Map 7 Block 79) General Business District 1 (GB1), Residential (R), and Shoreland Limited Residential (SLR). Application Approved on October 23, 2017.**

**Mr. MacLeod Moved to Accept the Findings of Fact for Dunelawn Condominium Association, Map 7 Block 79 as Submitted.
MACLEOD/FREEDMAN 5:0 UNANIMOUS**

G. **NEW BUSINESS** –

1. **Renata Moon LLC / Michele Tourangeau – 433 Main Street – Map 14 Block 16 - GBD2. Site Plan and Design Review Application for a pre 1931 structure. Application to construct a new 26’x36’ structure attached to existing garage / carriage house. Reduction of guest rooms from ten (10) to nine (9).**

Tracy Charpentier summarized the project as a 26’x36’ residential building, conventionally framed, on slab, on grade. It will have wood trim and be vinyl sided. The Applicant has met with the Ogunquit Historic Preservation Commission (OHPC) and presented their idea to bring the historic look of the existing building into the new building. They will use Anderson Windows with SDL Lighting to further carryover the antique look of the building.

Mr. Feldman reviewed his November 3, 2017 Memo to the Board (*a copy of which will be maintained in the Applicant’s Planning Board File*).

Mr. Heyland explained the waiver requests. He pointed out that Note 12 on the Site Plan includes five waiver requests, some of which may not be required or are not applicable. The two items he (Mr. Heyland) did not find “not applicable” are:

- 6.6.C.3.H - Existing & Proposed: Two-Foot contours.
- 6.6.C.3.Y - Stormwater Management Plan.

The Board agreed to accept the waiver request letter from the applicant at the meeting.

Applicant Michele Tourangeau submitted the waiver request letter dated 11-10-17. She stated that the lot is already developed and there would be no change to the topographic contours or the stormwater management plan.

Mr. MacLeod asked whether the project would result in the dumping of additional stormwater into the storm drains on the street or onto an adjacent lot. He noted that the topographic grade

and stormwater management plan are related. He pointed out that the proposed plan seems to indicate no change, and, if that is the case, there may not be any reason to deny the waiver requests.

Mr. Hayes agreed that these two items are related. If the Board doesn't know about the placement of water or sewer lines, or whether or not there will need to be any ledge removal, they can't make a determination about the need for the two submission items which the Applicant wants waived.

Mr. Charpentier responded that the rear of the applicant's property is relatively flat. In addition, there is a drainage swale along the abutting Georges Grant property where most of the water collects and drains naturally into the earth. He confirmed that there will be hammering on the left side of the new building in order to add parking. They will be adding parking spaces to the east of the Inn which is where the water and sewer lines come out of the main building. This is where the new building will be tied in.

Mr. Hayes asked if the topographical contours will change.

Mr. Charpentier responded that they will be the same as they are now except for the lawn of the inn which will be raised and flattened to meet the foundation height of the new building and the original structure. The original carriage house structure will remain the same. He noted that the inn is approximately 12 inches lower than the pavement. This project will make the area flat.

Mr. Wilkos asked if the topographical contours will change.

Mr. Charpentier responded that they will change very slightly along the lawn area where they need to add gravel for the parking.

Mr. Hayes noted that at the last site visit there was a ledge area to the left of the driveway.

Mr. Charpentier responded that they will have to take down a bit of ledge, to bring it down to the existing elevation, which is where the finished elevation will stay.

Mr. Hayes asked where the water and sewer lines will run.

Mr. Charpentier responded that they will go from the existing inn, across the front of the existing carriage house and will link up to the new building as indicated on the submitted plans. He noted that some of it will have to be field located. They may come across ledge at installation; however the two hook up locations will not change.

Mr. Wilkos noted that this applicant had previously submitted another application, however this current application is new and very different.

Ms. Freedman asked if the Board could review the other Department Head memos.

Mr. Heyland responded that before the Board begins discussion on the merits of the application it needs to find the application complete.

Mr. MacLeod Moved to Accept the submission waivers for:

- 6.6.C.3.H Existing & Proposed: Two-Foot contours.
- 6.6.C.3.Y Stormwater Management Plan.

MACLEOD/BEVINS

Mr. Wilkos stated that he would like to conduct a site visit. He would like to see for himself what the landscape is like before he can decide whether or not the Board needs the contours and /or stormwater management plan.

Mr. MacLeod withdrew his motion.

It was determined that without granting the waivers the Board could not find the application complete. And without finding it complete they cannot schedule a site visit.

Mr. Feldman stated that if the Board is not comfortable finding the application complete they cannot set a date for a Site Visit or a Public Hearing. The Board could continue to discuss the application with the understanding that it is going to be tabled; and the Applicant will be sent away to provide the information the Board isn't waiving. The Board cannot proceed on an incomplete application, they cannot act on the application until the waivers have been addressed.

Mr. Feldman stated that the Board could table the application, conduct a site visit, and then act on the waiver requests after the site visit.

Ms. Freedman asked if the Board can discuss the other memos at this meeting.

Mr. Feldman responded that until the Board finds the application complete they cannot move forward on deliberation. When the Board visits the site the members will evaluate the topography of the site and be able to determine whether or not the waivers will be granted.

Mr. Charpentier stated that they are only looking at eleven parking spaces. The inn is the highest point on the property and all of the stormwater will be retained on the Applicant's property.

Mr. Heyland noted that these two waiver requests were submitted in response to Mr. Feldman's November 3, 2017 Memo to the Board.

Mr. Heyland reminded the Board that while the Applicant received approval for an earlier application, this is a very different proposal; and the Board should not make any determination based upon the first application. The reason the Board might conduct a site visit is to determine whether or not it needs the topographic and stormwater management information.

Ms. Freedman noted that the application involves the construction of a new building. This will have an effect on the amount of water runoff and the topography.

Mr. Feldman reiterated that if the reason the Board wants to hold a site visit is to gather information needed to make a determination about the waiver requests, they should table the application, conduct a site visit, and at the next meeting act on the waiver requests and make a determination regarding application completeness. He also confirmed that once a table motion is

made discussion must end. The Board members may ask whatever questions they like at the site visit.

Mr. MacLeod Moved to Table the Application for Renata Moon LLC / Michele Tourangeau – 433 Main Street – Map 14 Block 16 - GBD2. Site Plan and Design Review Application.

MACLEOD/BEVINS 4:1 (Mr. Hayes Dissenting)

The Board scheduled a Site Visit to take place on November 20, 2017 at 9:00 a.m. The Applicant's representative was instructed to flag the corners of the proposed new structure as well as the parking area.

Mr. Charpentier noted that the Applicants will not be available on that day however he (Mr. Charpentier) will be there to represent them.

Ms. Tourangeau agreed to allow Mr. Charpentier to represent her at the Site Visit.

Ms. Freedman asked if the Board could go inside the existing building at the site visit.

Mr. Charpentier responded that the site plan application doesn't involve the other rooms.

Mr. Wilkos confirmed that the Site Visit will take place on Monday November 20th at 9:00 and the Application will come back before the Board at the following meeting on November 27, 2017 at 6:00 p.m.

H. CODE ENFORCEMENT OFFICER BUSINESS –

1. A-Frame Sign Ordinance Discussion from 9-11-2017 Workshop.

The Board made one small change to the language in Item H by adding the word “or” to the last line. The Board approved the language as amended

I. OTHER BUSINESS –

1. Discussion of After the Fact Submittals of Planning Board Applications Workshop.

Mr. Wilkos noted that a workshop had been held earlier in the evening.

Mr. Heyland summarized that the proposal is to double the fee structure similar to the doubling of the fees for an after-the-fact building permit. He and Mr. Feldman will work on drafting similar language which will result in the doubling of the Planning Board Application Fee for after-the-fact Planning Board applications.

Mr. Heyland and Mr. Feldman also informed the Board that a new waiver request form had been created which the Board members will be seeing in their packets in the future. All waiver requests will be applied for on separate forms.

When an application comes in Mr. Heyland makes a determination on each submission requirement, as to whether or not it is applicable. If he finds a submission is required, and the applicant disagrees, the applicant may request a waiver from the Board.

J. ADJOURNMENT –

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

Respectfully Submitted

Maryann Stacy
Town of Ogunquit
Planning Board
Recording Secretary

Approved on November 27, 2017