



Town of Ogunquit  
Planning Board  
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**OGUNQUIT PLANNING BOARD  
PUBLIC HEARINGS and REGULAR BUSINESS MEETING  
MINUTES**

**DUNAWAY CENTER MAIN AUDITORIUM  
FEBRUARY 25, 2019**

**PUBLIC HEARINGS**

**1. Ogunquit Playhouse Foundation / Proposed Amendment to the Ogunquit Zoning Ordinance to Create a “Route One Southern Corridor General Development District III”**

Attorney John Bannon and Scott Wilson, the Applicant’s representatives, gave a Power Point presentation outlining the proposed ordinance language changes as well as the possible changes to the Ogunquit Playhouse buildings and property.

Mr. Wilkos reviewed a letter to the Planning Board from the Chamber of Commerce expressing the Chamber’s support of the proposed Ordinance Amendment.

Mr. Wilkos reviewed correspondence from the public.

Peter Kahn asked if this type of ordinance amendment could be precedent setting.

Attorney Bannon responded that it could not.

Doug Mayer from the Conservation Commission asked if the proposed changes would weaken the Resource Protection or Stream Protection restrictions.

Mr. Bannon responded that they would not.

Brad Kenney, Artistic Director for the Ogunquit Playhouse reviewed the importance of the Playhouse’s historic, cultural, and environmental stewardship of the area.

Laura Brogan from the Conservation Commission expressed concern about the increase in paved surfacing and the effect it would have on the quality of the Josias River.

Mr. Wilkos asked if there was anyone else who wished to be heard. There was no one and the Public Hearing was closed at 7:42 p.m.

- 2. ABALONIA/ELIVIA III – 268 Main Street – Tax Map 7 Block 66 – GBD1. Site Plan Review Application for a pre 1930 Type 4 Hotel / Motel. Application to construct an in-ground hot tub with privacy fence, which will not be visible from a public way.**

Applicant Ken Holmes informed the Board that he is happy to comply with all of the abutters' requests.

Mr. Wilkos asked if there was any member of the public who wished to be heard. There was no one and the Public Hearing was closed at 7:44 p.m.

- 3. DICAMILLO ASSOC. LLC / GRASSHOPPER INN – 2 Grasshopper Lane - Tax Map 8 Block 40 – GBD2. Site Plan and Design Review Application to remove a single family dwelling; and construct a new 9 room inn with caretaker's unit.**

Tom Greer and Chris Vance give a Power Point review of the proposed project.

Mr. DiCamillo noted that this project is the work of a family business. He gave a brief overview of why DiCamillo Assoc. wants to build in Ogunquit. He noted that the property has been vacant for twelve years.

Joseph Palladino (7 Green Needle Lane) expressed concern about the drainage problem on his street as well as the possible problems of traffic entering and exiting the proposed site via Green Needle. Mr. Palladino also stated that the property was last occupied in the mid 1990's.

Kathy Kotakis (25 Grasshopper Lane) expressed her concern over the amount of building on such a small lot. She is worried about safety as vehicles enter and exit the proposed inn and suggested the property be accessed via Route One instead.

Ms. Kotakis pointed out that the original address for this property was 212 Main Street, and she asked when, and how, it came to be reassigned as 2 Grasshopper Lane.

Ms. Kotakis also asked about lighting for the new inn.

Bill Sawyer (58 Grasshopper Lane) stated that the property has not been used as a working inn since 2000, and he also expressed concern over the proposed location of the vehicle access. He agreed with Ms. Kotakis that the driveway entrance and exit should be off of Route One and not Grasshopper Lane. Mr. Sawyer was also concerned about increase in traffic on Grasshopper Lane.

Pam Sawyer (58 Grasshopper Lane) expressed her concern over the proposed stormwater management plan; and the impact this project will have on the drainage onto Grasshopper Lane.

Lynne Freeman Sour informed the Board that her elderly mother lives at 29 Grasshopper Lane. Ms. Freeman Sour informed the Board that the area of the proposed inn is primarily sandy soil with a great deal of clay. She noted that stormwater runoff will be a problem and she asked the Planning Board to look carefully at the proposed plan to deal with water.

Ms. Freeman Sour also asked that the vehicle entrance and exit be moved from Grasshopper Lane to Route One. She expressed concern over emergency vehicle accessibility to Grasshopper Lane.

Mr. Wilkos asked if there was anyone else who wished to be heard. There was no one and the Public Hearing was closed at 8:22 p.m.

**A. ROLL CALL –**

Members Present: Steve Wilkos (Chair)  
Jackie Bevins  
Muriel Freedman  
Mark MacLeod  
Priscilla Botsford (1<sup>st</sup> Alternate)  
Brian Aromando (2<sup>nd</sup> Alternate)

Members Excused: Rusty Hayes (Vice Chair)

Also Present: Scott Heyland, Code Enforcement Officer  
Lee Jay Feldman, SMPDC Town Planner

**Mr. MacLeod Moved to excuse Mr. Hayes.  
MACLEOD/BEVINS 5:0 UNANIMOUS**

Mr. Wilkos noted that due to Mr. Hayes' excused absence Mr. Aromando would be moved to full voting position for the duration of this meeting.

**B. PLEDGE OF ALLEGIANCE -**

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

**D. MINUTES – ~~January 11, 2019 Public Hearing and Regular Business Meeting.~~  
**Unavailable****

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

Elaine Cooper (23 Spring Street) asked the Board to schedule workshops to discuss the need for a gas station in Ogunquit as well as the question of allowing food trucks at the beaches.

**F. UNFINISHED BUSINESS –**

**Mr. MacLeod Moved to hear Item F-4 first.  
MACLEOD/ BEVINS 5:0 UNANIMOUS**

- 4. THOMAS & ANNE MCMONIAGLE / TIM & LAUREN ROONEY – 43 and 53 Ocean Heights Lane (Tax Map 12 Blocks 17-10 and 17-A) RR2. Application to Amend a Previously Approved Subdivision to adjust a common property line between two abutters to match properties' current development.**

Geoff Aliva from Civil Consultants reviewed the proposed lot line movement and the reasons for the change.

Mr. Heyland recommended a licensed surveyor place pins on the property indicating the location of the new lot line. He also suggested the Board hold a Public Hearing because this is an amendment to a previously approved subdivision.

Mr. Aromando asked if both affected lots are conforming and if they would both remain conforming after the change.

Mr. Aliva confirmed that they are; and they will.

**Mr. MacLeod Moved to find the application complete for THOMAS & ANNE MCMONIAGLE / TIM & LAUREN ROONEY – 43 and 53 Ocean Heights Lane (Tax Map 12 Blocks 17-10 and 17-A) RR2.  
MACLEOD/FREEDMAN 5:0 UNANIMOUS**

Mr. Heyland asked Mr. Aliva to provide two mylars for the next meeting, and that they contain signature blocks for the Board to sign.

Mr. Aliva agreed to do so.

The Board scheduled a Public Hearing to take place on March 11, 2019.

- 1. SCOTT VOGEL – 16 Beach Street – Map 7 Block 98 & 100 – DBD – Design Review for a pre 1930 Structure. Application to relocate access from the Front Porch corner to the side of 16 Beach Street.**

Jerry DeHart, the Applicant's representative informed the Board that he has been working with the Town's Public Works Director and that he obtained a traffic study conforming to her request; and that the Board also has its peer review of that study. He reminded the Board that it also held a Site Visit.

Mr. Heyland reviewed his Memo to the Board dated February 19, 2019. He noted that he has spoken to the engineers as well as the peer reviewer, the Public Works Director, and the DOT. He asked for confirmation from the Applicant that the current existing driveway would be permanently closed and that there would be no access to the property from that location.

Mr. DeHart informed the Board that the existing driveway, next to the Front Porch Restaurant, will be closed.

Ms. Bevins suggested the Town should have input regarding the re-vegetation of Veterans Park.

Mr. DeHart responded that he met with the Town's Public Works Director who told him to get a landscaper.

Ms. Bevins stated that she is satisfied with that.

Ms. Botsford asked if the Veterans Park revegetation plan would need to be approved by the Select Board.

Mr. Heyland responded that it will be up to the Applicant to work with someone other than the Planning Board regarding adjustments to Veterans Park and other Town owned property.

The Board reviewed the requirements of Article 11.7.C of the Ogunquit Zoning Ordinance and found all standards to be satisfied.

Mr. Heyland suggested a notation be added to the Site Plan that the existing driveway opening at 9 Shore Road will be permanently closed.

Mr. DeHart agreed and suggested a fence or vegetation be placed at the current driveway opening; he will agree to whatever the Town wants. He noted that the sidewalk area belongs to the Town and either he or the Town can do whatever is needed to it.

Mr. Heyland suggested that the area would look something like the sidewalk corner in front of Bessie's Restaurant. He agreed that the Applicant has no control over what the Town wants to do there.

Mr. Aromando pointed out that the Applicant owns three feet out from the building, anything beyond that belongs to the Town.

Mr. MacLeod asked about a "no parking" sign on the Front Porch building.

Mr. Heyland agreed.

Mr. DeHart agreed to put up a temporary no parking sign on the building which will come down when the existing driveway is removed.

**Mr. MacLeod Moved to Approve the Application for SCOTT VOGEL – 16 Beach Street – Map 7 Block 98 & 100 – DBD – Design Review for a pre 1930 Structure. Application to relocate access from the Front Porch corner to the side of 16 Beach Street with the requirement that the existing driveway at 9 Shore Road be abandoned; and a temporary "No Parking" sign be placed there until it is.**

**MACLEOD/BEVINS 5:0 UNANIMOUS**

Mr. DeHart confirmed that a No Parking sign would be put on the Front Porch building; and that no fence is required.

Mr. Wilkos agreed.

- 2. ABALONIA/ELIVIA III – 268 Main Street – Tax Map 7 Block 66 – GBD1. Site Plan Review Application for a pre 1930 Type 4 Hotel / Motel. Application to construct an in-ground hot tub with privacy fence, which will not be visible from a public way.**

Mr. Wilkos noted that the Site Visit was cancelled due to weather conditions and it would need to be rescheduled.

Applicant Ken Holmes informed the Board that he is happy to comply with the abutters' requests regarding lighting, hours of operation, and installing a fence. He asked the Board to waive the Site Visit.

Mr. Wilkos asked the Board members if they felt a Site Visit was needed.

After some discussion the Board agreed 3:2 that a Site Visit would be helpful

Mr. Heyland suggested that the parking spaces, indicated on the Site Plan, should be numbered: and he informed the Applicant that the Town requires one handicapped parking space which should be posted on site and be noted on the Site Plan.

The Board rescheduled the Site Visit for 4:30 on March 11, 2019

**Mr. MacLeod moved to table the application for ABALONIA/ELIVIA III – 268 Main Street – Tax Map 7 Block 66 – GBD1. Site Plan Review Application for a pre 1930 Type 4 Hotel / Motel. Application to construct an in-ground hot tub with privacy fence, which will not be visible from a public way pending the March 11<sup>th</sup> Site Visit.**

**MACLEOD: BEVINS 5:0 UNANIMOUS**

The Board agreed that the Applicant will need to submit an updated Site Plan which includes the numbering of the parking spaces as well as the location of the handicapped parking space.

- 3. DICAMILLO ASSOC. LLC / GRASSHOPPER INN – Tax Map 8 Block 40 – GBD2. Site Plan and Design Review Application to remove a single family dwelling; and construct a new 9 room inn with caretaker's unit.**

Mr. Greer responded to the comments made during the Public Hearing. He agreed to provide a "lighting plan". He also agreed to review the proposed drainage plan with regard to the concerns expressed by the residents of Grasshopper Lane and Green Needle Lane.

Mr. Aromando stressed the importance of limiting non point pollution to the Ogunquit River. He noted that people clam and swim there.

Mr. Greer agreed.

Pam Sawyer informed the Board that there is an existing swale between the back of Grasshopper Lane and the back of Green Needle Lane and during rain evens it turns into a river. She asked for anything that can be done to mitigate water runoff to the back of those properties. Ms. Sawyer also confirmed that there are several “dead end”; “no beach access” signs on the roads and no one pays any attention to them. She asked the Applicant to reconsider relocating the vehicle access location from Grasshopper Lane to Route One.

Mr. Heyland agreed that the vehicle access to the property should be off of the road least traveled; however that is up to the Board.

Mr. Heyland suggested the Board needs to consider whether or not the proposed application requires eleven parking spaces: and if so can the Applicant reserve the existing two parking spaces in place from the previous use.

There was discussion regarding the Applicant’s assertion that there are two existing parking spaces on the property which are retained from the previous use. The Board members questioned whether or not those parking spaces are preserved once the existing building is removed and the site is leveled.

Mr. Wilkos asked if there has been any situation where parking spaces have been preserved for a building that no longer exists.

Mr. Heyland responded that he does not think there has been.

Mr. MacLeod suggested the Board should ask the Town Attorney if the two existing parking spaces may be credited for future development.

Mr. Heyland confirmed that parking requirements may not be waived for a hotel/inn.

The Board agreed that the question of the best/safest location of vehicle egress and exit should be peer reviewed.

Mr. Aromando asked if the use of the property will be changing from a dwelling to an inn; and if this is a change of use.

Mr. Greer responded that they are saving the dwelling unit use and expanding it with the inn. The new structure will be located over the footprint of the existing dwelling unit which will be demolished.

Mr. MacLeod confirmed that the proposed use is a conforming use.

There was discussion regarding the requirement of a traffic study due to the need for eleven parking spaces for a nine room inn with manager's apartment.

Mr. Greer responded that if the Applicant can't meet the Town's traffic requirements the project will fail.

Mr. Heyland noted that a reduction of the number of guest rooms from nine to seven would eliminate the requirement for a full traffic study; as well as the consideration of the project's proximity to any failed intersection.

Mr. Wilkos noted that the site visit for this application was cancelled due to weather conditions.

The Board agreed that it should be rescheduled; and would be held on March 11, 2019.

**Mr. MacLeod Moved to Table the Application for DICAMILLO ASSOC. LLC / GRASSHOPPER INN – Tax Map 8 Block 40 – GBD2. Site Plan and Design Review Application to remove a single family dwelling; and construct a new 9 room inn with caretaker's unit, pending input from the Town Attorney regarding the parking requirements; and based upon that input the Board will determine whether or not a full traffic study is needed.**

**MACLEOD/BEVINS 5:0 UNANIMOUS**

- 4. THOMAS & ANNE MCMONIAGLE / TIM & LAUREN ROONEY – 43 and 53 Ocean Heights Lane (Tax Map 12 Blocks 17-10 and 17-A) RR2. Application to Amend a Previously Approved Subdivision to adjust a common property line between two abutters to match properties' current development.**

*See discussion under Item 1 above.*

#### **H. CODE ENFORCEMENT OFFICER BUSINESS –**

The Board and Mr. Heyland reviewed topics for future workshops: gas stations, food trucks at the beaches, 2004 comprehensive plan review, and minimum lot sizes.

#### **I. OTHER BUSINESS –**

- 1. Ogunquit Playhouse Foundation / Proposed Amendment to the Ogunquit Zoning Ordinance to Create a "Route One Southern Corridor General Development District III".**

The Board agreed that a Public Hearing had been held.

**Mr. MacLeod Moved to send the proposed Ordinance Amendment regarding the creation of a "Route One Southern Corridor General Development District III" to the Select Board with a recommendation that it be included on the June 2019 Town Warrant for the Town Meeting.**

**MACLEOD/ BEVINS 5:0 UNANIMOUS**

**J. ADJOURNMENT –**

**Ms. MacLeod Moved to Adjourn at 10:00 p.m.  
MACLEOD/WILKOS 5:0 UNANIMOUS**

Respectfully Submitted

Maryann Stacy

Maryann Stacy  
Town of Ogunquit  
Planning Board  
Recording Secretary

*Approved on March 11, 2019*

*Note: All Planning Board meetings are video archived, and may be viewed at any time, on the Town of Ogunquit's website at [www.townofogunquit.org](http://www.townofogunquit.org).*