



Town of Ogunquit  
Planning Board  
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**OGUNQUIT PLANNING BOARD  
WORKSHOP  
MINUTES**

**DUNAWAY CENTER MAIN AUDITORIUM  
MAY 13, 2019  
5:00 to 5:30**

**DEVELOPING AND PRIORITIZING A LIST OF UPCOMING  
WORKSHOP TOPICS.**

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

Members Excused: Steve Wilkos (Chair)

Mr. Hayes opened the Workshop at 5:00 p.m.

Mr. MacLeod began with an overview of the 2004 Comprehensive Plan Action Items designated as the responsibility of the Planning Board. Mr. MacLeod stated that he and the Code Enforcement Officer had reviewed the list and concluded that many of the items have been addressed, some have been addressed and still may need some work, and a few may not have been addressed and need to be looked at by the Board. All of the following action items may be found in Chapter 8 – Implementation Strategy of the 2004 Ogunquit Compressive Plan.

**Allowing graphic and performing arts facilities in all designated growth areas.**

The Board agreed that this item has been addressed since 2004. This item is on the Land Use Table, and is restricted to three zones in Town.

**Allowing off-site directional signs for Non-profit community cultural facilities.**

This has been added; and is indicated in the recent approval of the use of A-Frame Signs.

**Requiring development in coastal areas be sited and designed to accommodate sea level rise.**

There have been several standards put in place in the Ordinance since 2004 which address this item; however the Board might come back and look at it in greater depth in the future.

**Requiring that all development (not just large scale development) provide information about natural resources including:**

- **Topography, slope and drainage**
- **Erosion and sedimentation controls**
- **Surface water management**
- **Groundwater hydrology**
- **Vernal pools**
- **Marine environments**
- **Vegetative resources**
- **Significant wildlife habitats**
- **Significant marine resource areas**
- **Rare species**
- **Scenic areas and resources.**

All of these items are included in Section 6.6 of the OZO for Site Plan Review and are questions asked during Site Plan Review. All of these items have been addressed since 2004.

**Requiring development activities to address the quality of storm water runoff.**

This item has also been addressed in Site Plan Review and has been discussed extensively during Planning Board Application reviews.

**Developing standards for the protection of vernal pools.**

This item is one of the standards which are covered in the Planning Board Site Plan Review Checklist. Language has been added to the Ordinance; however the Board may follow up to ensure that the language is tight enough.

**Requiring timber harvesting and clearing related to development activities to meet forestry “BMP”s.**

Mr. Heyland noted that a few years back the Town deferred to State Regulations for Timber Harvesting; and “BMP”s are a requirement.

**Requiring development activities to meet “BMP”s for stormwater management.**

This item has also has been deferred to State Regulations and has been extensively looked at by the Planning Board. “BMP”s are a requirement.

**Developing ordinance provisions that reward or provide incentives for conserving natural areas.**

Mr. MacLeod mentioned the Density Bonus for Cluster Housing. He noted that this item has been addressed; however the Board may want to discuss it in more detail at a later date.

**Requiring a visual impact analysis for all projects in sensitive areas and all major projects anywhere in town.**

This item is covered in the Planning Board Design Review Checklist; and is required for Major Projects of over \$2,000,000.

Mr. MacLeod suggested there may need to be more discussion regarding whether it covers “sensitive areas” enough; and may be a topic for a future review.

**Prohibit the expansion of existing hotels and motels in the Downtown Periphery and Limited Business areas.**

Mr. Heyland noted that this item is covered in Sections 3.5 and 9.8 of the current Zoning Ordinance.

**Requiring that new commercial or service uses be designed to be compatible with the community character and pedestrian friendly.**

It was agreed that Design Review and Site Plan Review cover most of this item; however the “pedestrian friendly” component needs addition work. It was generally agreed that the Planning Board might work with the Bike – Ped Committee on this item.

**Developing improved buffering, noise, and odor requirements.**

These items are covered throughout the current Code and were added since the 2004 Comprehensive Plan was approved.

**Liberalizing the treatment of small, low impact home businesses.**

The current Zoning Ordinance has added an entire section under Home Occupation.

**Adopting access management standards for local streets and roads.**

This item has been addressed under Article 10 of the Subdivision Standards; and Under 6.16.U and V of the OZO Site Plan Review Standards.

**Reviewing and upgrading access management standards for the Route One Corridor.**

Traffic Studies are often required during the Planning Board Review process; however this item

will likely have to be reviewed and updated again.

**Including areas with significant wildlife habitat value in the Resource Protection District.**

Language has been included in the current Code regarding the Resource Protection District.

**Creating density bonuses for projects that create affordable housing.**

Mr. Heyland noted that ten or more units in a subdivision requires that a percentage needs to be “affordable”. It was also noted that no large subdivisions have been built since the 2004 Comprehensive Plan was adopted.

**Allowing accessory apartments in newer single-family homes.**

Section 9.1 of the Code allows for this.

**Requiring a reconnaissance survey or potential archaeological sites prior to developments in areas with potential archaeological significance.**

It was suggested the Board might work with the OHPC and the State of Maine to develop a town wide map of likely archaeological impact sites. It was also noted that an archaeological Phase One survey of a site, prior to construction, may be required of an applicant, by the Board, in the same manner in which the Board requires other types of studies – Traffic Studies, soil erosion and impact studies, storm water management, Etc.

The Board agreed this may be a topic for a future workshop, perhaps with the OHPC.

**Requiring development applications to address historic and archaeological resources on or adjacent to the site.**

This has been addressed in the Site Plan Review Checklist; and the Board may work further on it in conjunction with the OHPC.

**Revising the zoning district standards as recommended in the Future Land Use Plan designations.**

It was agreed that this item will require a future workshop. It may require a look at future lot sizes, among other standards.

**Encouraging development to incorporate alternative energy use.**

It was agreed that this is another topic which needs to be discussed in greater deal; and should be a topic of a workshop.

## **UNDER SUBDIVISION REGULATIONS**

### **Requiring development in coastal areas be sited and designed to accommodate sea level rise.**

Mr. Heyland noted that Section 9.5 of the Ordinance requires elevated structures; among other things.

### **Requiring development activities to address the quality of stormwater runoff.**

It was agreed that the current ordinance contains extensive language addressing this item.

### **Developing ordinance provisions that reward or provide incentives for conserving natural areas.**

Mr. MacLeod noted that an attempt to address this item has been included in the Cluster Housing language in the Code; however the Board may want to discuss this item in more depth at a workshop.

### **Requiring that all development (not just large scale development) provide information about natural resources including:**

- **Topography, slope and drainage**
- **Erosion and sedimentation controls**
- **Surface water management**
- **Groundwater hydrology**
- **Vernal pools**
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- **Significant wildlife habitats**
- **Significant marine resource areas**
- **Rare species**
- **Scenic areas and resources.**

It was noted that this is the same item indicated above; however this particular item refers to the Subdivision Requirements and it is also well covered under the Site Plan Review Standards Checklist.

### **Requiring all Subdivisions west of Route One set aside common open space.**

There is language for this in the Subdivision Regulations Section of the Ordinance.

### **Requiring that 10% of units in subdivision with ten or more units be affordable.**

It was noted that this language has been included in the Code since the 2004 Comprehensive Plan was adopted.

**Requiring a reconnaissance survey of potential archaeological sites prior to development in areas with potential archaeological significance.**

It was suggested the Board might work with the OHPC and the State of Maine to develop a town wide map of probably archaeological impact site. It was also noted that an archaeological Phase One survey of a site prior to construction may be required of an applicant, by the Board, in the same manner in which the Board requires other types of studies – Traffic Studies, soil erosion and impact studies, stormwater studies, Etc.

The Board agreed this may be a topic for a future workshop, perhaps with the OHPC.

**Requiring development applications to address historic and archaeological resources on or adjacent to the site.**

It was agreed that this item was discussed earlier and might be a good topic for a workshop with the OHPC.

**Periodic review of the rate and pattern of residential growth and its impact on services and facilities and land use goals.**

It was agreed that this may never have been done and should be looked at.

Mr. Heyland agreed to research the issues. He also suggested it may be linked to the question of lot sizes. Mr. Heyland will bring some statistical information back to the Board: police, fire, transfer station, water, sewer and other things that may be impacted by the development of more homes.

Mr. MacLeod agreed that this is an overarching question that looks at everything that is impacted by a change in residential growth.

**Encouraging the Maine Geological Service to map bedrock and surficial geology, marine environments, vegetation, and marine resources.**

It was suggested that these things may have been done outside the Town; and the Town may only need access to the information.

Mr. Heyland noted that during some Planning Board Applications applicants are required to provide pieces of this item. He also suggested that the Complete Streets Policy, which has been sent to the Select Board, may cover parts of this item.

Mr. MacLeod agreed to do some work to see if any of these things are available from outside agencies.

Peter Kahn informed the Board that the Complete Streets Policy was advisory; it was not law or made part of the ordinance.

Mr. Heyland agreed and questioned whether or not it would be enforceable. He noted that the Board has required sidewalks, bike lanes, etc for subdivision developments.

The Board agreed that this would be a good topic for a joint workshop with the Select Board and the Bike Ped Committee.

Peter Kahn suggested several workshop topics:

The impact of single family house rentals on the Town:

- Effect on Town Character
- Code Enforcement Fees
- Life Safety
- Adherence to Seven Day Rule
- Parking Enforcement.

Town Zoning Map – Explanation to the public where what zones are where. What the map represents.

Barbara Farraro suggested Contract Zoning as a workshop topic. She suggested looking at Kennebunkport’s Contract Zoning process.

Elaine Cooper suggested that some of the topics discussed tonight should be reviewed in conjunction with the Comprehensive Plan update, the Select Board, Bike Ped, OHPC, and other Town Departments.

Ms. Freedman suggested a workshop regarding the need for a gas station in Town.

The Board agreed to schedule a workshop to discuss Residential Growth, which may include several of the other topics discussed tonight. The Workshop will take place on May 29, 2019 at 4:00 p.m.

The Workshop was adjourned at 5:45 p.m.

Respectfully Submitted

Maryann Stacy

Maryann Stacy  
Town of Ogunquit  
Planning Board  
Recording Secretary

*Accepted as Amended: May 29, 2019*

*Note:*

- *All Planning Board meetings/workshops 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).*
- *These minutes are not a transcript.*