



Town of Ogunquit
Planning Board
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**OGUNQUIT PLANNING BOARD
PUBLIC HEARING and REGULAR BUSINESS MEETING
MINUTES
DUNAWAY CENTER MAIN AUDITORIUM
JANUARY 13, 2020**

Mr. Wilkos noted that the Public Hearing for York River LLC/Marley Subdivision would be held at a later point in the meeting; just prior to the Board’s discussion of that application.

REGULAR BUSINESS MEETING

A. ROLL CALL –

Members Present: Steve Wilkos (Chair)
Mark MacLeod (Vice-Chair)
Muriel Freedman
Priscilla Botsford
Elaine Cooper (2nd Alternate)

Members Excused: Jackie Bevins
Brian Aromando (1st Alternate)

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

**Mr. MacLeod Moved to Excuse Ms. Bevins.
MACLEOD/FREEDMAN 4:0 UNANIMOUS**

**Mr. MacLeod Moved to Excuse Mr. Aromando.
MACLEOD/BOTSFORD 4:0 UNANIMOUS**

Mr. Wilkos noted that, in Ms. Bevins’ absence, Ms. Cooper would be a full voting member for the duration of this meeting.

B. PLEDGE OF ALLEGIANCE -

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

D. MINUTES – December 9, 2019

**Mr. MacLeod Moved to Accept the Minutes of the December 9, 2019 Meeting as Amended.
MACLEOD/FREEDMAN 5:0 UNANIMOUS**

E. PUBLIC INPUT – For any matter not 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. PUBLIC HEARING - Preliminary Plan for YORK RIVER LLC/MARLEY SUBDIVISION - 15, 25, & 29 Autumn River Lane – Map 20 Blocks 15-C2, 15-C3, and 16 – RR2. Request for a lot line adjustment with abutting lot to the north; and the creation of three new lots from the remaining acreage.**

Mr. Wilkos asked if there was anyone who wished to speak for, or against this application; or had any questions for the Board or the Applicant. There was no one; and the Public Hearing was closed at 6:08 p.m.

- 1.A YORK RIVER LLC/MARLEY SUBDIVISION - 15, 25, & 29 Autumn River Lane – Map 20 Blocks 15-C2, 15-C3, and 16 – RR2. Request for a lot line adjustment with abutting lot to the north; and the creation of three new lots from the remaining acreage.**

*** Preliminary Plan Application.**

Mr. Feldman reviewed his December 23, 2019 Memo to the Board. He noted specifically that Section 7.1.10 of the Subdivision Regulations allows for the Board to not hold a Public Hearing during Final Plan review; and to allow the Board to hear and decide on the Final Plan at this meeting as long as the Board finds all required submissions satisfied.

At this time the Board acted on the Applicant's waiver requests; and after discussion, granted all requested waivers with the following motions:

**Mr. MacLeod Moved to grant a waiver for Subdivision Final Plan Submission Item 7.1.12.
MACLEOD/COOPER 5:0 UNANIMOUS**

**Mr. MacLeod Moved to grant a waiver for Subdivision Final Plan Submission Item 7.3.9.
MACLEOD/BOTSFORD 5:0 UNANIMOUS**

**Mr. MacLeod Moved to grant a waiver for Subdivision Final Plan Submission Item 7.3.15.
MACLEOD/BOTSFORD 5:0 UNANIMOUS**

**Mr. MacLeod Moved to grant a waiver for Subdivision Final Plan Submission Item 7.3.16.
MACLEOD/BOTSFORD 5:0 UNANIMOUS**

**Mr. MacLeod Moved to grant a waiver for Subdivision Final Plan Submission Item 7.3.16.
MACLEOD/COOPER 5:0 UNANIMOUS**

It was pointed out that Submission Item 7.3.16 is structured as two separate items on the Submissions Checklist Form; however they are both covered under Article 7.3.16 in the Subdivision Regulations.

The Board unanimously agreed that all Preliminary and Final Plan submittals were satisfied.

Mr. Wilkos reviewed the Maine Historic Preservation Commission's October 1, 2019 application review letter;

Mr. Wilkos reviewed the Ogunquit Police Chief's December 31, 2019 Memo to the Board;

Mr. Wilkos reviewed the Ogunquit Fire Department's December 4, 2019 Memo to the Board;

Mr. Wilkos reviewed the Ogunquit Public Works Director's December 26, 2019 Memo to the Board;

Mr. Wilkos reviewed the Compac Pump and Well LLC November 15, 2019 letter confirming sufficient water for domestic use. This letter also confirmed water quality within EPA Guidelines.

(copies of all memos will be maintained in the Applicant's Planning Board File in the Ogunquit Land Use Office).

**Mr. MacLeod Moved to Approve the Preliminary Plan for YORK RIVER LLC/MARLEY SUBDIVISION - 15, 25, & 29 Autumn River Lane – Map 20 Blocks 15-C2, 15-C3, and 16 – RR2. Request for a lot line adjustment with abutting lot to the north; and the creation of three new lots from the remaining acreage.
MACLEOD/FREEDMAN 5:0 UNANIMOUS**

*** Final Plan Application.**

Mr. Wilkos noted that normally the Board does not approve the Final Plan on the same night as the Preliminary Plan; however the Board has agreed that the Final Plan Application is complete and the Board will move forward with the Final Plan Review. He also noted that a Public Hearing had been held earlier at this meeting for the Preliminary Plan and no one from the public wished to be heard or had any questions. The Board has also agreed that no Public Hearing would be held for the Final Plan Application.

Mr. MacLeod noted that the only change he could see between the originally submitted plan and the Final Plan was Notation #12 regarding sprinkler and alarm systems.

Mr. Plante added that he wanted to make it clear that all three plans are being considered for approval tonight (Sheet 1 of 3 – Cover Page & Overlay Plan, Sheet 2 of 3 – Marley Subdivision Amendment, and Sheet 3 of 3 – Erosion and Sedimentation Control Plan & Details all dated December 16, 2019). He noted that ultimately it is only the Final Plan (Sheet 2 of 3) which is

recorded at the YCRD. He reminded everyone that there is an Erosion Control Plan which is part of the final approval.

Mr. Heyland agreed.

Ms. Cooper asked if there will be monuments marking the edges of the plot.

Mr. Plante responded that there will be; and their locations are indicated on the Final Plan.

Mr. MacLeod Moved to Approve the Final Plan for YORK RIVER LLC/MARLEY SUBDIVISION - 15, 25, & 29 Autumn River Lane – Map 20 Blocks 15-C2, 15-C3, and 16 – RR2. Request for a lot line adjustment with abutting lot to the north; and the creation of three new lots from the remaining acreage.

MACLEOD/FREEDMAN 5:0 UNANIMOUS

G. NEW BUSINESS –

- 1. OGUNQUIT PROPERTIES PARTNERSHIP LLC – 731 Main Street, Suite 4 – Map 12 Block 10-A – GBD2/SLR – SITE PLAN and DESIGN REVIEW for Change of Use from service to business and professional office; and install two windows on the Main Street side of the structure.**

Jerry DeHart gave a brief summary of the project. He explained that the design changes involve the addition of two windows on the east (Main Street) side of the building which will balance the existing two windows. The change of use is from a tattoo parlor to office space.

Mr. Wilkos added that the change of use will not increase the parking requirements or generate any additional traffic.

Mr. MacLeod asked if there were any wetlands on this property.

Mr. Heyland responded that there is a small amount of wetlands in the far back corner of the property where it abuts the Ogunquit River.

Mr. MacLeod asked if the Applicant intends to add awnings to the windows, or if they will be left bare as they are depicted on Drawing E2.

Mr. DeHart responded that he plans to have one awning go all the way across the four windows.

Mr. MacLeod Moved to Find the Design Review Application complete for OGUNQUIT PROPERTIES PARTNERSHIP LLC – 731 Main Street, Suite 4 – Map 12 Block 10-A – GBD2/SLR – SITE PLAN and DESIGN REVIEW for Change of Use from service to business and professional office; and install two windows on the Main Street side of the structure.

MACLEOD/FREEDMAN 5:0 UNANIMOUS

Mr. Heyland reviewed his January 3, 2020 Memo to the Board.

Mr. Wilkos reviewed the Ogunquit Police Chief's December 31, 2019 Memo to the Board.

Mr. Wilkos reviewed the Ogunquit Fire Chief's January 6, 2020 Memo to the Board.

Mr. DeHart noted that the entire building has been updated for Fire Code Requirements.

Mr. Wilkos reviewed the Ogunquit Public Works Director's January 2, 2020 Memo to the Board.

Ms. Botsford asked if there was previously an office in this space.

Mr. Heyland responded that there was.

Ms. Botsford asked if it was already zoned for it.

Mr. Heyland responded that it has always been zoned for it; nothing has changed with zoning. Between the time of the previous office use, and now, it was used as a service/tattoo parlor and the currently proposed change of use, back to office use, requires a change of use application.

(copies of all memos will be maintained in the Applicant's Planning Board File in the Ogunquit Land Use Office).

Mr. MacLeod Moved to Find the Site Plan Review Application complete for OGUNQUIT PROPERTIES PARTNERSHIP LLC – 731 Main Street, Suite 4 – Map 12 Block 10-A – GBD2/SLR – SITE PLAN and DESIGN REVIEW for Change of Use from service to business and professional office; and install two windows on the Main Street side of the structure.

MACLEOD/FREEDMAN 5:0 UNANIMOUS

The Board unanimously decided that a Site Visit would not be required.

Mr. Wilkos informed the Applicant that a Public Hearing would take place at the January 27, 2020 Meeting.

H. CODE ENFORCEMENT OFFICER BUSINESS – None

I. OTHER BUSINESS –

1. Schedule Workshop regarding updating of Subdivision Regulations.

The Board scheduled a Workshop for January 27, 2020 at 4:00 p.m. and asked that the proposed amendments be posted on the Town Website.

Planning Board By-Laws

The Board noted that there were several items in the By-Laws which needed correcting. Some were scrivener's errors and one was an amendment which was previously approved and not added to the document. It was agreed that the proposed changes would be made; and a draft copy would be provided for review at the January 27, 2020 Meeting.

J. ADJOURNMENT –

**Mr. MacLeod Moved to Adjourn at 7:50 p.m.
MACLEOD/FREEDMAN 5:0 UNANIMOUS**

Respectfully Submitted

Maryann Stacy

Maryann Stacy

Town of Ogunquit

Planning Board Recording Secretary

Approved on January 27, 2020

Notes:

- *These minutes are not a transcript.*
- *Copies of all referenced documents will be maintained in the Application packet on file with the Land Use Office.*
- *All Planning Board meetings are video archived, and may be viewed for one year after the meeting date, on the Town of Ogunquit's website at www.townofogunquit.org.*