



**SELECT BOARD
MEETING MINUTES
MAY 21, 2020**

This meeting was being conducted remotely via Zoom

1.0 Welcome and Call to Order

Meeting called to order at 4:00pm.

Members present: Madeline S. Mooney, Chair
Robert N. Winn, Jr., Vice Chair
John M. Daley (by phone)
Heath Ouellette
Lindsey M. Perry

Others present: Town Manager Patricia A. Finnigan
Scott Heyland, CEO
Rick Barber, COVID-19 Task Force
Kent Bridges, COVID-19 Task Force
Alice Pearce, COVID-19 Task Force
Robert Whitelaw, COVID-19 Task Force

A moment of silence was held for all those affected by the pandemic.

2.0 Discussion of the COVID-19 Community Task Force Recommendations to Expand Outside Restaurant & Retail Footprints during the Upcoming Tourism Season

**PROPOSAL TO EXPAND OUTSIDE RESTAURANT & RETAIL FOOTPRINTS
DURING THE UPCOMING TOURISM SEASON
RATIONALE**

Open-air dining and shopping are likely the single most cost-effective way the town can support businesses this season.

Relaxing the rules regarding outside sales also underscores the town's commitment to safe dining and shopping. Guests will feel safer in an outdoor setting.

Restaurants - Zoning flexibility allows our restaurants to come as close as possible to maintaining their current capacities (seating limits, etc.) by utilizing the outdoor areas of their properties (lawns, parking lots, etc.) to allow for lower customer density.

Retail - Zoning flexibility allows our retail businesses to provide more safe circulation space within the shop, and let shoppers see a selection of products in a comfortable and healthy manner before they enter the store or while waiting in line to visit. Most of our shops will currently be allowed five customers at a time, compared to the hundreds that typically visit on any given day during the summer season.

SUMMARY

Restaurants:

- Select Board would need to relax some sections of the zoning ordinance, e.g., off street parking & loading, signs and possibly lighting.
- Process for liquor consumption approval based on BABLO regulations.
- Restaurants would be required to follow protocols for outside dining, based on Maine DECD guidelines.

Retail:

- Select Board would need to relax some sections of the zoning ordinance, e.g., off street parking & loading, signs and possibly lighting.
- Retail businesses would be required to follow protocols for outside retail sales, based on Maine DECD guidelines.

DETAILS

1) Outdoor space:

Businesses should be allowed to maintain their current capacities (seating limits, customer occupancy, etc.) but may utilize the outdoor areas of their properties (lawns, parking lots, etc.) to allow for lower customer density. In the case of multiple tenant properties, the tenants and owners would establish the priorities. No additional seating beyond what has been previously approved on the latest license would be allowed.

Town manager or designee shall be authorized to administratively allow town parking and public spaces to be used for alternative purposes within reason. Such spaces could assist with curbside pickup, pedestrian walkways, or the opportunity to reduce customer densities. This shall also include the authorization to create temporary parking spaces if needed. All such modifications must be made in writing and reported to the Select Board at the next available meeting.

Requests for these allowances would be considered on an individual basis and could be recognized provided that businesses acknowledge that this consideration is only a temporary accommodation that the town is extending in the extraordinary circumstances of

For the full content of the meeting go to www.townofogunquit.org

"Watch Town Meetings Live"

the current pandemic; accommodation will cease as soon as the state of emergency is terminated by the Governor or other time as determined by the Select Board. In exchange for these temporary allowances, each business must be following the operation guidelines created by the Maine DECD for their business category. Repeated failure to adhere to stated social distancing, sanitary and safety standards could result in the rescinding of these temporary allowances.

2) Signage:

We request a moratorium on the signs ordinance through December 31, 2020 with the following stipulations.

- *All businesses are allowed to have one outdoor sign (2 ft x 3 ft sandwich board).*
- *No restrictions on signage on the outside of business windows.*
- *No restrictions on flags or banners attached to a building promoting the theme "Open for Business" or "Welcome back".*

3) Parking:

Appropriate town staff should work with businesses on a case by case basis to identify parking needs for curbside delivery and takeout, making allowances where possible for designated parking spots. Take each business on a case by case basis, to be reassessed each month as we transition to expanded business openings.

4) Lighting:

The Select Board should relax the restrictions on outside lighting in expanded dining and sales areas if necessary, for safety or aesthetics, if it does not adversely affect passing motorists or produce unnecessary glare.

IN CLOSING

Many towns are also considering allowing businesses to expand into private and public outdoor space, shutting down parking spaces to create more room for pedestrian walkways, and closing specific streets and rerouting traffic for restaurants & shops to expand into that space & provide additional space for pedestrian social distancing.

According to HospitalityMaine, Governor Mills is supporting this flexibility to help the tourism economy.

These include, but are not limited to:

- *In Maine: Rockland, Portland, Kennebunk, Kennebunkport, York, Bath, Kittery*
- *In New Hampshire: Hampton Beach, Manchester, Concord, Nashua, Keene*

For the full content of the meeting go to www.townofogunquit.org

"Watch Town Meetings Live"

Selectman Ouellette asked about live streaming on WOGT-TV and Facebook, he would like to discuss this at the next meeting.

Comments/questions:

- Chair Mooney - re: Emergency Waiver
- Selectman Ouellette
- Selectman Winn
- Alice Pearce

Public Comment/questions:

- Jake Kirsch
- Scott Vogel
- Jared Laflin
- Marc Saulnier
- Marcie Furman
- Valerie Baldwin
- Jim Hartwell
- Larry Carlson
- Jane Tavares
- Barbara Ferraro

Chair Mooney suggested to waive the requirement and let the restaurants distribute their seats as they see fit between outdoor space and indoor space.

052120-01 Motion made by John Daley and second by Heath Ouellette to add the suggested language by Chair Mooney to the Proposal to Expand Outside Retail Footprints; approved 5-0.

052120-02 Motion made by John Daley and second by Robert Winn, Jr. to direct the Town Manager to adopt the Proposal to Expand Outside Restaurant and Retail Footprints pursuant to the Town's Declaration of Emergency effective June 1, 2020 through November 2nd, 2020; approved 5-0.

3.0 Adjourn

Motion made by Heath Ouellette and second by Lindsey Perry to adjourn the meeting at 5:51pm; approved 5-0.

Respectfully submitted,

Cheryl L. Emery, Administrative Assistant to the Town Manager

For the full content of the meeting go to www.townofogunquit.org

"Watch Town Meetings Live"