

AGENDA  
MEETING OF THE OGUNQUIT SELECT BOARD  
TUESDAY, MARCH 5, 2019

- 1.0 CALL TO ORDER - 6:00PM
  - 1.1 Roll Call of Members
  - 1.2 Pledge of Allegiance
  
- 2.0 PUBLIC HEARINGS: LIQUOR AND AMUSEMENT LICENSES
  - 2.1 Amore Breakfast - Malt, Spirituous & Vinous Liquor License Renewal
  - 2.2 Anchorage by the Sea - Malt, Spirituous & Vinous Liquor License Renewal
  - 2.3 Anchorage by the Sea - Amusement License Renewal
  - 2.4 Angelo's - Malt, Spirituous & Vinous Liquor License Renewal
  - 2.5 Food for Thought - NEW Malt, Spirituous & Vinous Liquor License
  - 2.6 Oarweed Cove Restaurant - Malt, Spirituous & Vinous Liquor License Renewal
  - 2.7 Ogunquit Lobster Pound - Malt, Spirituous & Vinous Liquor License Renewal
  - 2.8 Roost Café & Bistro - Malt, Spirituous & Vinous Liquor License Renewal
  - 2.9 Roost Café & Bistro - Amusement License Renewal
  
- 3.0 PRESENTATIONS, PROCLAMATIONS, RESOLUTIONS & COMMUNICATIONS
  - 3.1 North Beach and Footbridge Beach Bathhouse Project Update - Town Manager and John DeStefano
  - 3.2 Communication from the Planning Board - re: Proposed Amendments to the Ogunquit Zoning Ordinance Amendment to Ogunquit Zoning Ordinance Restaurant Definitions and Table 702.1
  - 3.3 Communication from the Planning Board - re: Proposed Amendments to (Playhouse)
  
- 4.0 APPOINTMENTS & RESIGNATIONS
  - 4.1 Appointment of Christine Murphy as Tax Collector
  - 4.2 Appointment of Christine Murphy as Treasurer
  
- 5.0 UNFINISHED BUSINESS - None
  
- 6.0 NEW BUSINESS
  - 6.1 Public Hearing: Proposed Amendments to Title XII, Building Code Regulations - Article 1.10 Schedule of Fees - Scott Heyland, Code Enforcement Officer
  - 6.2 Naming New Private Road: Roby's Pond Lane (off Captain Thomas Road) - Scott Heyland, Code Enforcement Officer
  - 6.3 New Corporate Resolution with Camden National Bank
  - 6.4 New Corporate Resolution with Kennebunk Savings Bank
  - 6.5 New Corporate Resolution with TD Bank

**7.0 TOWN MANAGER'S REPORT**

**8.0 CITIZEN COMMENTS (For Town topics not on the Agenda)**

*The Select Board welcomes public comments and questions about Town-related issues that are not on the agenda. We ask that people keep comments on point and within 3 minutes.*

**9.0 OTHER BUSINESS**

**9.1 Select Board Reports and Announcements**

**10.0 ADJOURNMENT**



LIQUOR  
&  
AMUSEMENT  
LICENSE  
PUBLIC  
HEARING

OGUNQUIT  
*Beautiful Place by the Sea*

**PUBLIC HEARING NOTICE**

The Ogunquit Board of Selectmen will hold a Public Hearing on Tuesday, March 5, 2019 at 6:00 PM in the Auditorium of the Dunaway Community Center on School Street, Ogunquit, Maine for the following application(s):

**MALT, SPIRITUOUS & VINOUS LICENSE (RENEWAL)**

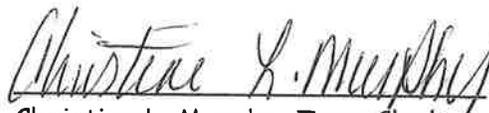
Amore Breakfast	87 Main Street
Anchorage by the Sea	125 Shore Road
Angelo's	355 Main Street
Oarweed Cove Restaurant	65 Perkins Cove Road
Ogunquit Lobster Pound	504 Main Street
Roost Café & Bistro	262 Shore Road

**MALT, SPIRITUOUS & VINOUS LICENSE (NEW)**

Food for Thought	414 Main Street
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**AMUSEMENT LICENSE (RENEWAL)**

Anchorage by the Sea	125 Shore Road
Roost Café & Bistro	262 Shore Road

  
Christine L. Murphy, Town Clerk

Posted by:

  
Patricia L. Arnaudin, Police Chief

**Posted:**

February 26, 2019  
Dunaway Community Center  
Ogunquit Transfer Station  
WOGT

# OGUNQUIT

*Beautiful Place by the Sea*

2/11/2019  
@ 1:00pm

### OGUNQUIT LIQUOR LICENSE APPLICATION

NEW  RENEWAL  FOR THE YEAR: 2019  
 CURRENT LICENSE EXPIRATION DATE: 4-11-19

BUSINESS NAME: Louigi LLC DBA Amore Breakfast  
 APPLICANT: Leanne Cusimano  
 EMAIL: Leanne-amore@qphoo.com  
 BUSINESS REG #: 13 2019-13 ISSUE DATE: 1-30-19 MAP: 006 LOT: 01  
 OCCUPANCY LOAD ESTABLISHED BY THE OGUNQUIT FIRE CHIEF: 80

#### NOTE - SPECIAL ATTENTION

Applicants must procure the signatures of the following Town Officials, submit an original drawing at a scale of one inch (1") equals ten feet (10') of all areas on the premises which are open to the public and return said drawing with this completed application to the Town Clerk before a public hearing can be scheduled by the Select Board. APPLICATIONS MUST BE SUBMITTED NINETY (90) DAYS PRIOR TO THE EXPIRATION OF THE EXISTING LICENSE.

TITLE	SIGNATURE	APPROVAL		REPORT ATTACHED		DATE
		YES	NO	YES	NO	
Police Chief	<i>Patricia A. Capaudin</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	02-21-2019
Fire Chief	<i>[Signature]</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2-21-19
Code Officer	<i>[Signature]</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2-22-19

#### ATTENDANCE AT PUBLIC HEARING IS REQUIRED PLEASE READ THE FOLLOWING CAREFULLY BEFORE SIGNING

I, the undersigned applicant, acknowledge there has been no change to the business noted above by way of ownership, partnership, location, nature of business or structural change(s) to the building(s) housing the business. Knowingly supplying false information on this application is a Class D offense under the Criminal Code and is punishable by confinement of up to one (1) year or by a monetary fine of up to \$500 or both.

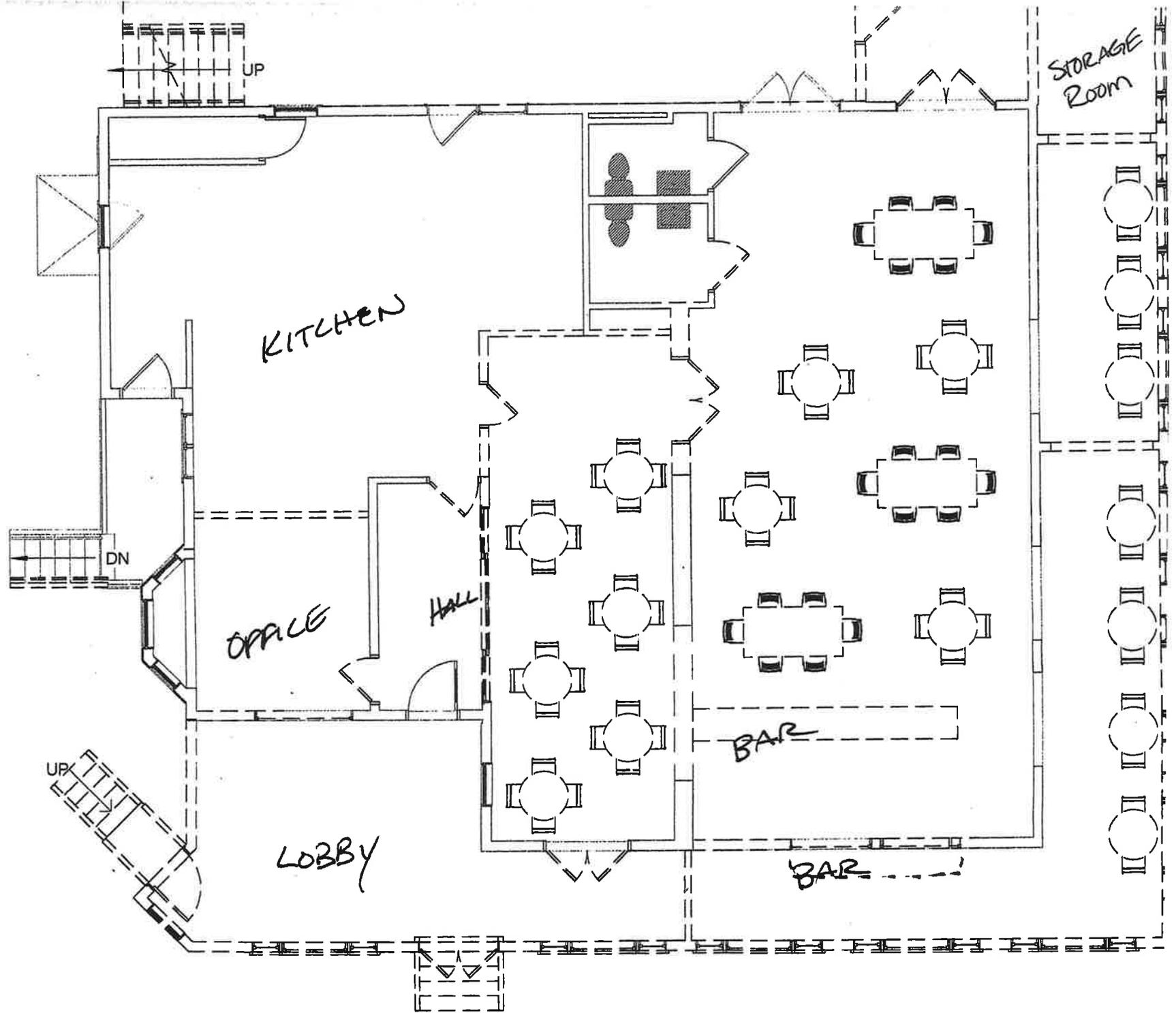
*Leanne Cusimano*  
 \_\_\_\_\_  
 APPLICANTS SIGNATURE

#### FOR OFFICE USE ONLY

Application Fee: \$200      Date Paid: 1-30-19      Check/Cash      Check #: 109  
 Background Check Fee: \$ 21.00      (\$21.00 per person listed on application)  
 Business Reg. Fee: \$150.00      Paid prior to Liquor Application?      YES  NO

TOTAL PAID WITH APPLICATION: \$ 371.00      Received by: [Signature]  
 (Town Clerk's Office)

DATE POSTED: \_\_\_\_\_      DATE HEARD: 3/5/2019      APPROVED: \_\_\_\_\_      DENIED: \_\_\_\_\_



# OGUNQUIT

*Beautiful Place by the Sea*

2-13-2019  
1:00pm

### OGUNQUIT LIQUOR LICENSE APPLICATION

NEW <input type="checkbox"/>	RENEWAL <input checked="" type="checkbox"/>	FOR THE YEAR: <u>2019</u>
CURRENT LICENSE EXPIRATION DATE: <u>5/21/2019</u>		

BUSINESS NAME: Anchorage by the Sea  
 APPLICANT: Michael Remy  
 EMAIL: mr@anchoragebythesea.com  
 BUSINESS REG #: 2019-42 ISSUE DATE: 2/08/19 MAP: 006 LOT: 074  
 OCCUPANCY LOAD ESTABLISHED BY THE OGUNQUIT FIRE CHIEF: 190 Inside

#### NOTE - SPECIAL ATTENTION

Applicants must procure the signatures of the following Town Officials, submit an original drawing at a scale of one inch (1") equals ten feet (10') of all areas on the premises which are open to the public and return said drawing with this completed application to the Town Clerk before a public hearing can be scheduled by the Select Board. APPLICATIONS MUST BE SUBMITTED NINETY (90) DAYS PRIOR TO THE EXPIRATION OF THE EXISTING LICENSE.

TITLE	SIGNATURE	APPROVAL		REPORT ATTACHED		DATE
		YES	NO	YES	NO	
Police Chief	<i>Patricia J. Renaudin</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	02-14-2019
Fire Chief	<i>Ed Smith</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2-15-19
Code Officer	<i>[Signature]</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2-14-19

#### ATTENDANCE AT PUBLIC HEARING IS REQUIRED

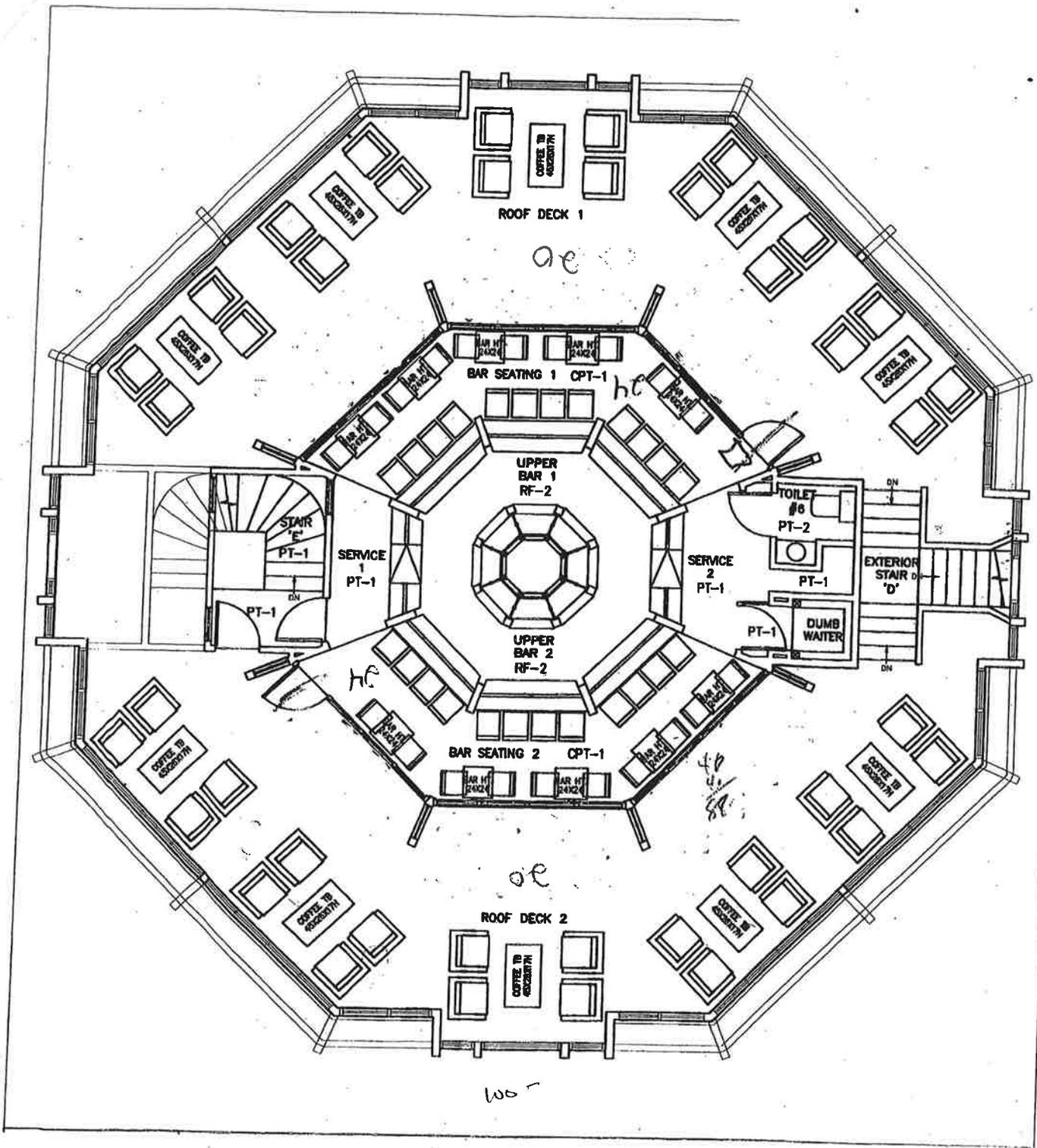
#### PLEASE READ THE FOLLOWING CAREFULLY BEFORE SIGNING

I, the undersigned applicant, acknowledge there has been no change to the business noted above by way of ownership, partnership, location, nature of business or structural change(s) to the building(s) housing the business. Knowingly supplying false information on this application is a Class D offense under the Criminal Code and is punishable by confinement of up to one (1) year or by a monetary fine of up to \$500 or both.

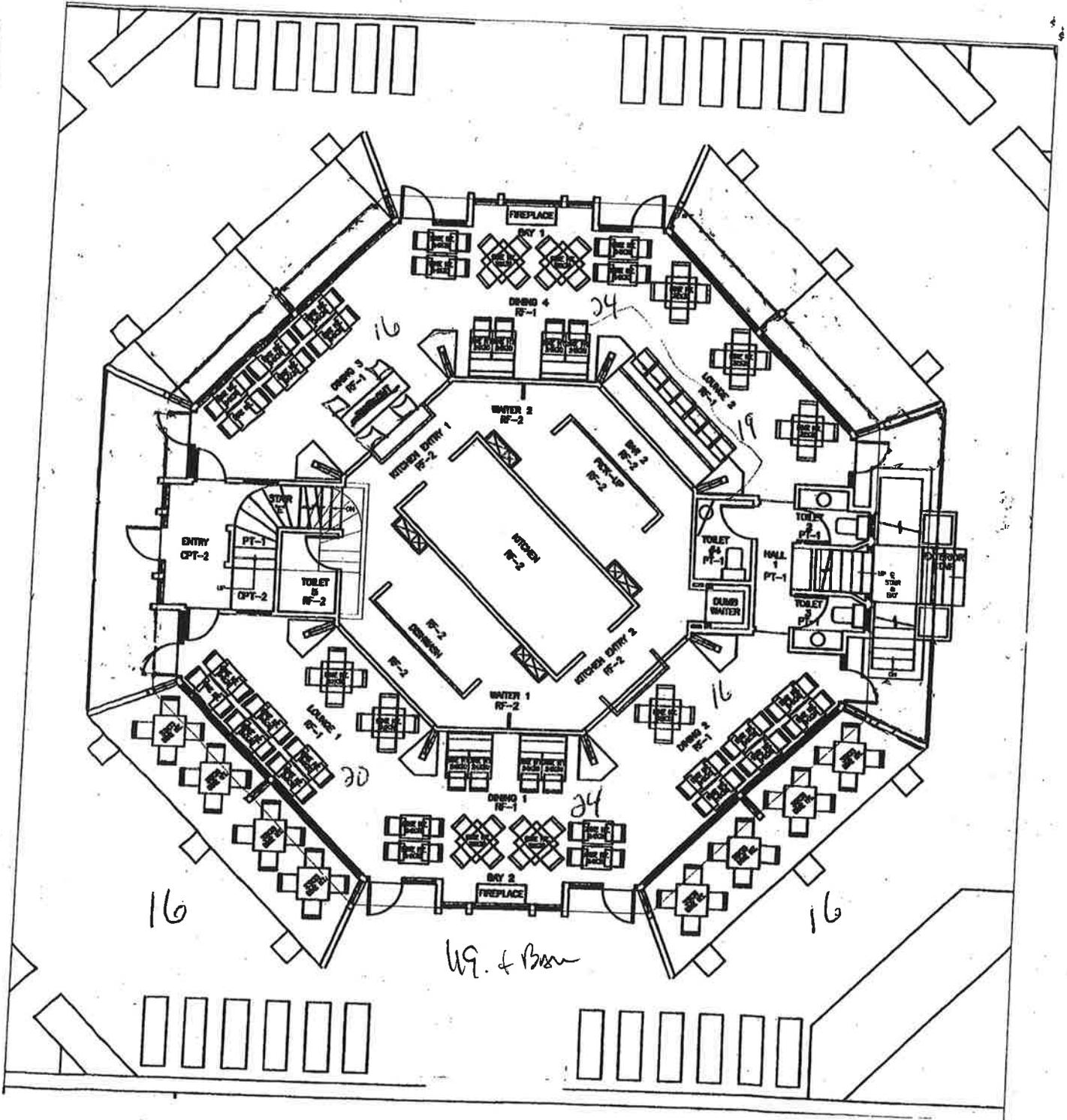
\_\_\_\_\_  
 APPLICANTS SIGNATURE

#### FOR OFFICE USE ONLY

Application Fee: \$ <u>200</u>	Date Paid: <u>2-8-19</u>	Check/Cash	Check #: <u>38592</u>
Background Check Fee: \$ <u>42.00</u>	(\$21.00 per person listed on application)		
Business Reg. Fee: \$ <u>150.00</u>	Paid prior to Liquor Application? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>		
TOTAL PAID WITH APPLICATION: \$ <u>392.00</u>		Received by: <u>JM Deputy Clerk</u> (Town Clerk's Office)	
DATE POSTED: _____	DATE HEARD: <u>3/5/2019</u>	APPROVED: _____	DENIED: _____



# Office





## OGUNQUIT AMUSEMENT LICENSE APPLICATION

NEW  RENEWAL  FOR THE YEAR:

BUSINESS NAME: *Anchorage by the Sea*

BUSINESS ADDRESS: *125 Shoreline*

BUSINESS PHONE # *246-9384* HOME PHONE #

BUSINESS REG # *2019-42* ISSUE DATE: *2/8/19* MAP: *006* LOT: *074*  
(Business Registration)

OCCUPANCY LOAD ESTABLISHED BY THE OGUNQUIT FIRE CHIEF: *190*

NATURE OF BUSINESS: *Restaurant*

FORM OF ENTERTAINMENT: (Please be specific)

*Acoustic Guitar  
Piano  
Live Jazz*

APPLICANT: *Michael Ranney* ADDRESS: *74 Bealman Lane*

HAS YOUR LICENSE TO CONDUCT THIS BUSINESS EVER BEEN DENIED, SUSPENDED OR REVOKED?

YES  NO

If, YES, please explain:

HAVE YOU, ANY PARTNERS OR CORPORATE OFFICERS EVER BEEN CONVICTED OF A FELONY?

YES  NO

If, YES, please explain:

### NOTE - SPECIAL ATTENTION

APPLICATION MUST BE SUBMITTED NINETY DAYS (90) PRIOR TO THE EXPIRATION OF THE EXISTING LICENSE.

Please consult Title IX, Chapter 3 of the Ogunquit Municipal Code for all provisions applicable to this license. "Entertainment" is defined as follows in said Code:

"Entertainment shall include dancing by and for patrons, any music, videogames, devices, machines and any other amusement, performance, exhibition, diversion or other activity with an entertainment value whether provided for or used by patrons, independent contractors, employees or proprietors.

Entertainment shall not include televisions or radios nor shall it include "background music" meaning music not involving live performers and not used for dancing and which music is only incidental to the primary activity offered."

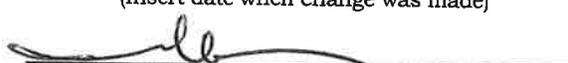
# ATTENDANCE AT PUBLIC HEARING IS REQUIRED

## PLEASE READ THE FOLLOWING CAREFULLY BEFORE SIGNING

I, the undersigned applicant, acknowledge there has been no change to the business noted above by way of ownership, partnership, location, nature of business or structural change(s) to the building(s) housing the business since \_\_\_\_\_

(Insert date when change was made)

  
 \_\_\_\_\_  
 PROPERTY OWNER'S SIGNATURE

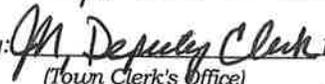
  
 \_\_\_\_\_  
 APPLICANT'S SIGNATURE

**THE FOLLOWING MUST BE SUBMITTED WITH THIS APPLICATION:**

1. All applications shall be accompanied by two (2) scale drawings at a scale of one (17") inch to ten (10') feet depicting the floors of the building in which the entertainment is to be located, all entrances and exits and all areas open to patrons indicating in each area the use made by patrons and indicating the floors and areas for which the applicant seeks a license.
2. Applicants for video game entertainment shall present, to scale, floor plans depicting the location and floor area of these devices and the location of the supervisor(s). Machines shall be listed by function and serial number.
3. Applicants for patron dancing entertainment shall present to scale floor plans depicting the location and size of the dance floor(s).
4. Each application shall constitute a new application and all required information must be included. Licenses expire on May 31st of each year.

### FOR OFFICE USE ONLY

TITLE	SIGNATURE	APPROVAL		REPORT ATTACHED		DATE
		Yes	No	Yes	No	
Police Chief		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	02-14-2019
Fire Chief		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2-15-19
Code Officer		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2-14-19

Received by:  Deputy Clerk (Town Clerk's Office) Fee \$ 100.00 Date Paid 2/8/19

Check / Cash 38 592

Filed with Liquor License Application

Date posted: 2/26/2019 Date Heard: \_\_\_\_\_ Date Approved: \_\_\_\_\_ Date Denied: \_\_\_\_\_

**OGUNQUIT BOARD OF SELECTMEN**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

# OGUNQUIT

2/11/2019  
@ 11:00am

Beautiful Place by the Sea

## OGUNQUIT LIQUOR LICENSE APPLICATION

NEW  RENEWAL  FOR THE YEAR: 2019  
 CURRENT LICENSE EXPIRATION DATE: 2/22 2/27/2019

BUSINESS NAME: Ingels  
 APPLICANT: Ronald J Emma  
 EMAIL: emmaaspub@gphos.com  
 BUSINESS REG #: 2018 40% ISSUE DATE: 01/16/19 MAP: X007 LOT: X029  
 OCCUPANCY LOAD ESTABLISHED BY THE OGUNQUIT FIRE CHIEF: 100

### NOTE - SPECIAL ATTENTION

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TITLE	SIGNATURE	APPROVAL		REPORT ATTACHED		DATE
		YES	NO	YES	NO	
Police Chief	<i>Peterina A. Amadori</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	02-14-2019
Fire Chief	<i>[Signature]</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2-14-19
Code Officer	<i>[Signature]</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2-12-2019

### ATTENDANCE AT PUBLIC HEARING IS REQUIRED

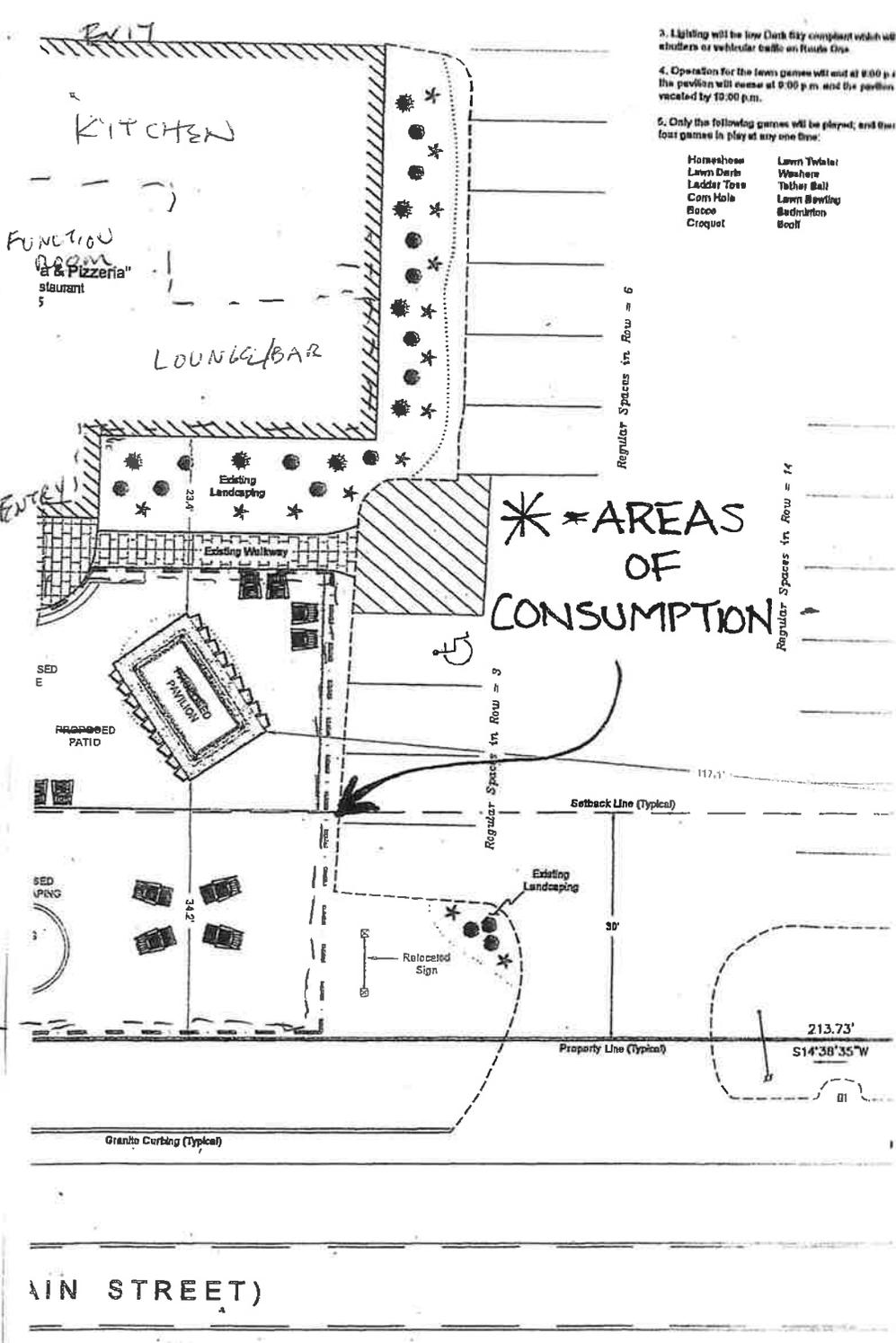
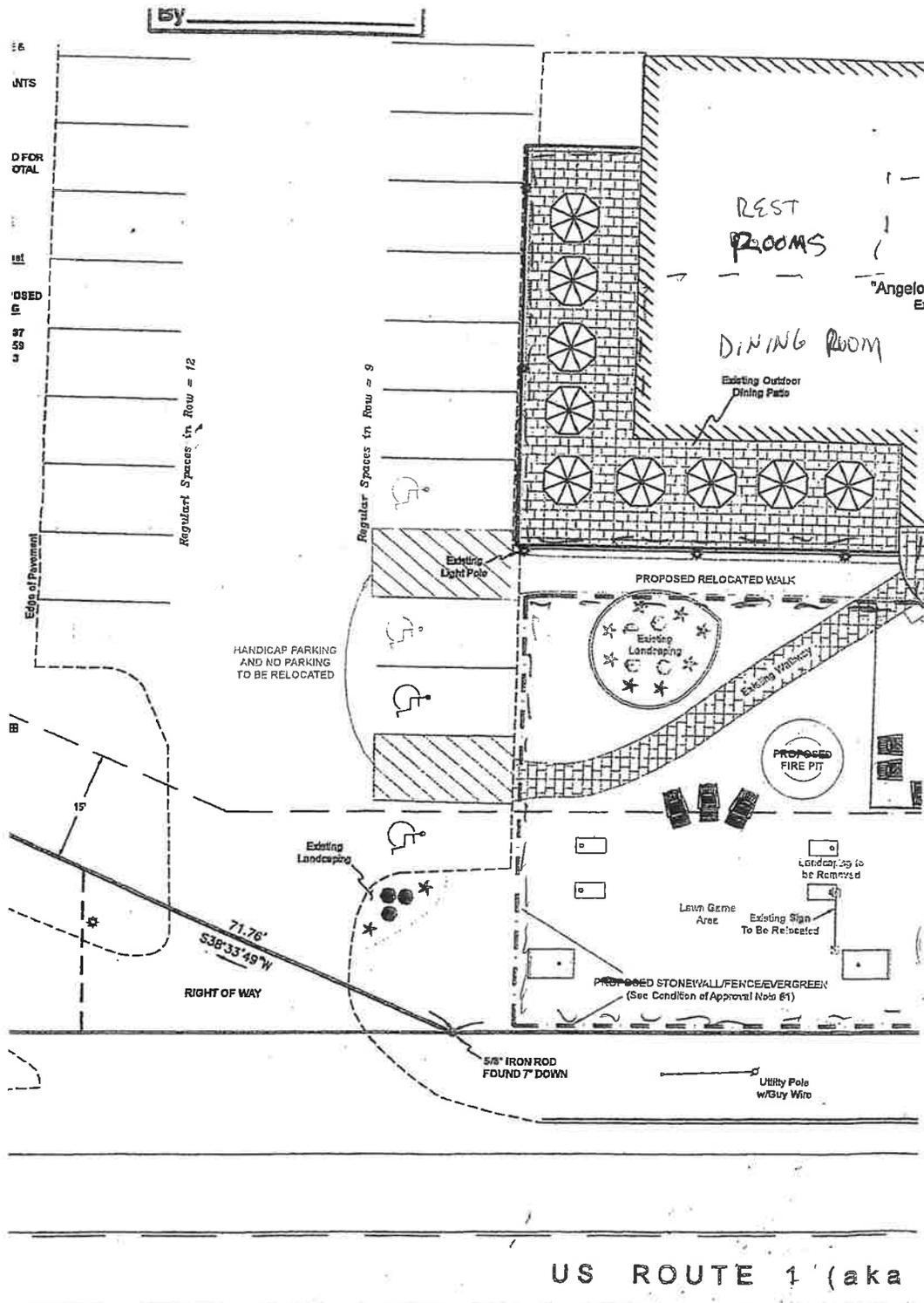
### PLEASE READ THE FOLLOWING CAREFULLY BEFORE SIGNING

I, the undersigned applicant, acknowledge there has been no change to the business noted above by way of ownership, partnership, location, nature of business or structural change(s) to the building(s) housing the business. Knowingly supplying false information on this application is a Class D offense under the Criminal Code and is punishable by confinement of up to one (1) year or by a monetary fine of up to \$500 or both.

Ronald J Emma  
 APPLICANTS SIGNATURE

### FOR OFFICE USE ONLY

Application Fee: \$200 Date Paid: 01/16/19 Check/Cash  Check #: 151071  
 Background Check Fee: \$ 21.00 (42.00) (\$21.00 per person listed on application)  
 Business Reg. Fee: \$150.00 Paid prior to Liquor Application? YES  NO   
 TOTAL PAID WITH APPLICATION: \$ 392.00 Received by: CLM  
 (Town Clerk's Office)  
 DATE POSTED: 2/11/19 DATE HEARD: 3/5/2019 APPROVED: \_\_\_\_\_ DENIED: \_\_\_\_\_



- Lighting will be low Dark Sky compliant which will shielders or vehicular traffic on Route One.
- Operation for the lawn games will end at 9:00 p.m. The pavilion will cease at 9:00 p.m. and the pavilion vacated by 10:00 p.m.
- Only the following games will be played, and the four games in play at any one time:
 

Homeshoe	Lawn Tumble
Lawn Darts	Washers
Ladder Toss	Tether Ball
Com Hole	Lawn Bowling
Booze	Badminton
Cricket	Boof



# OGUNQUIT

2.7.2019  
@ 1:00pm

Beautiful Place by the Sea

## OGUNQUIT LIQUOR LICENSE APPLICATION

NEW  RENEWAL  FOR THE YEAR: 2019

BUSINESS NAME: Food for Thought EXPIRATION DATE: W/A  
(Of present Liquor License)

APPLICANT: Jan Geog

BUSINESS REG # 2019-451 ISSUE DATE: 1/4/19 MAP 8 LOT 26  
(Business Registration)

OCCUPANCY LOAD ESTABLISHED BY THE OGUNQUIT FIRE CHIEF: 40

### NOTE - SPECIAL ATTENTION

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TITLE	SIGNATURE	APPROVAL		REPORT ATTACHED		DATE
		Yes	No	Yes	No	
Police Chief		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>02-14-2019</u>
Fire Chief		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>2-14-2019</u>
Code Officer		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>2-12-2019</u>

### ATTENDANCE AT PUBLIC HEARING IS REQUIRED

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APPLICANT'S SIGNATURE

**FOR OFFICE USE ONLY**

Application Fee \$ 200.00 Date Paid 1-3-19 Check/Cash \_\_\_\_\_  
 Background Check Fee \$ 21.00 Check No. \_\_\_\_\_  
 Business Reg. Fee \$ \_\_\_\_\_  
 Received by: Jan  
 (Town Clerk's Office)  
 Date posted: 2/26/2019 Date Heard: 3/5/2019 Approved: \_\_\_\_\_ Denied: \_\_\_\_\_

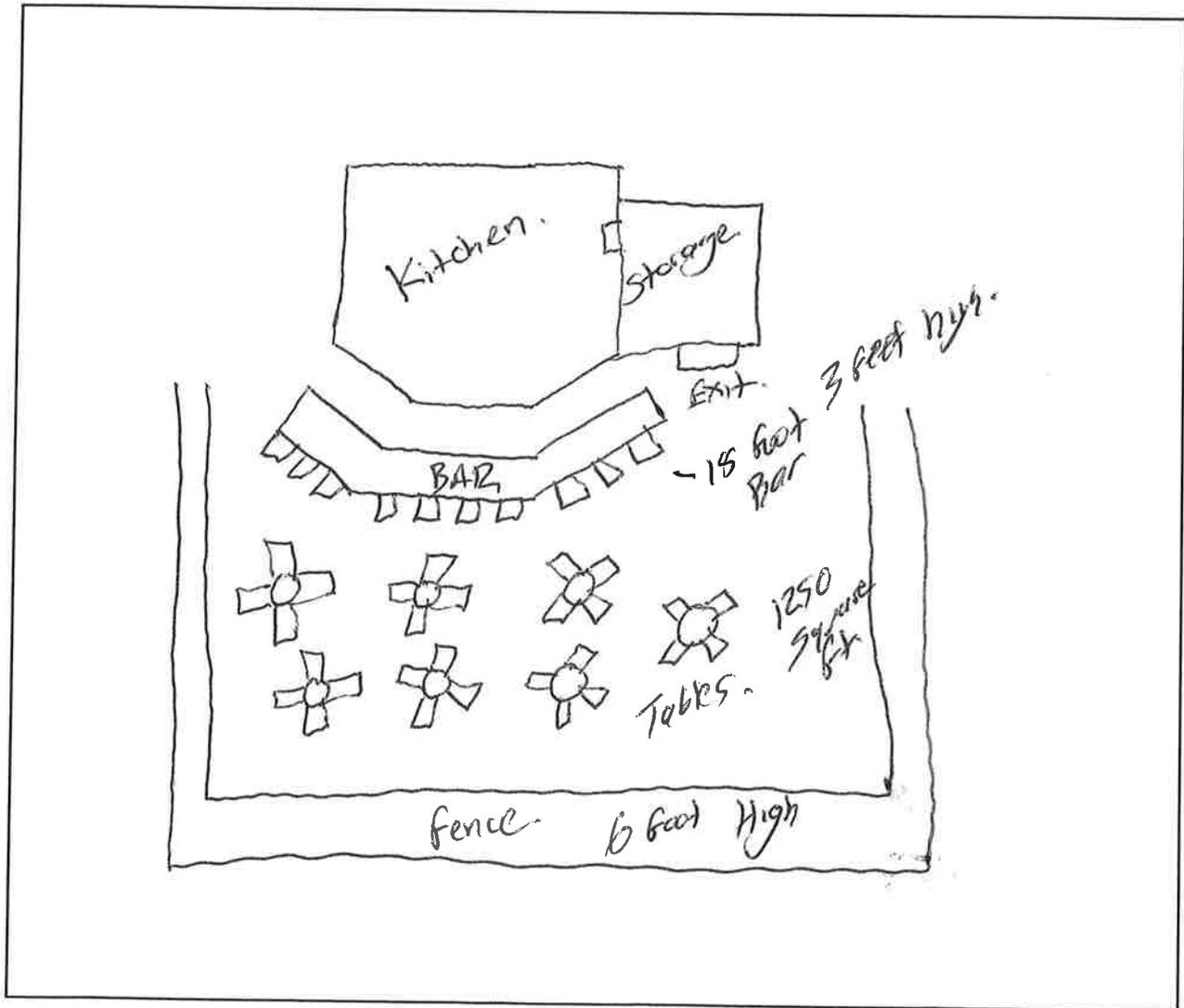


Bureau of Alcoholic Beverages  
Division of Liquor Licensing & Enforcement  
164 State House Station  
Augusta, ME 04330-0164  
Tel: (207) 624-7220 Fax: (207) 387-3424

## SUPPLEMENTAL APPLICATION FORM ON-PREMISE DIAGRAM

In an effort to clearly define your license premise and the areas that consumption and storage of liquor is allowed, The Division requires all applicants to submit a diagram of the premise to be licensed in addition to a completed license application.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the areas of your diagram including entrances, office area, kitchen, storage areas, dining rooms, lounges, function rooms, decks and all areas that you are requesting approval from the Division for liquor consumption.



# OGUNQUIT

*Beautiful Place by the Sea*

2-4-2019  
@ 9:00am

### OGUNQUIT LIQUOR LICENSE APPLICATION

NEW <input type="checkbox"/> RENEWAL <input checked="" type="checkbox"/>	FOR THE YEAR: <u>2019</u>
CURRENT LICENSE EXPIRATION DATE: <u>5/6/2019</u>	

BUSINESS NAME: OARweed Cove Restaurant  
 APPLICANT: George C. Danis  
 EMAIL: b.danis@hotmail.com / classicoarweedcg-mail.com  
 BUSINESS REG #: 2019-11 ISSUE DATE: 1-31-19 MAP: 61 LOT: 23  
 OCCUPANCY LOAD ESTABLISHED BY THE OGUNQUIT FIRE CHIEF: 248

#### NOTE - SPECIAL ATTENTION

Applicants must procure the signatures of the following Town Officials, submit an original drawing at a scale of one inch (1") equals ten feet (10') of all areas on the premises which are open to the public and return said drawing with this completed application to the Town Clerk before a public hearing can be scheduled by the Select Board. APPLICATIONS MUST BE SUBMITTED NINETY (90) DAYS PRIOR TO THE EXPIRATION OF THE EXISTING LICENSE.

TITLE	SIGNATURE	APPROVAL		REPORT ATTACHED		DATE
		YES	NO	YES	NO	
Police Chief		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>02-05-2019</u>
Fire Chief		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>2-6-19</u>
Code Officer		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>2-4-19</u>

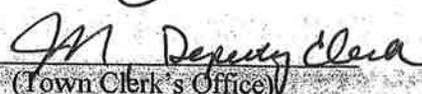
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 \_\_\_\_\_  
 APPLICANTS SIGNATURE

#### FOR OFFICE USE ONLY

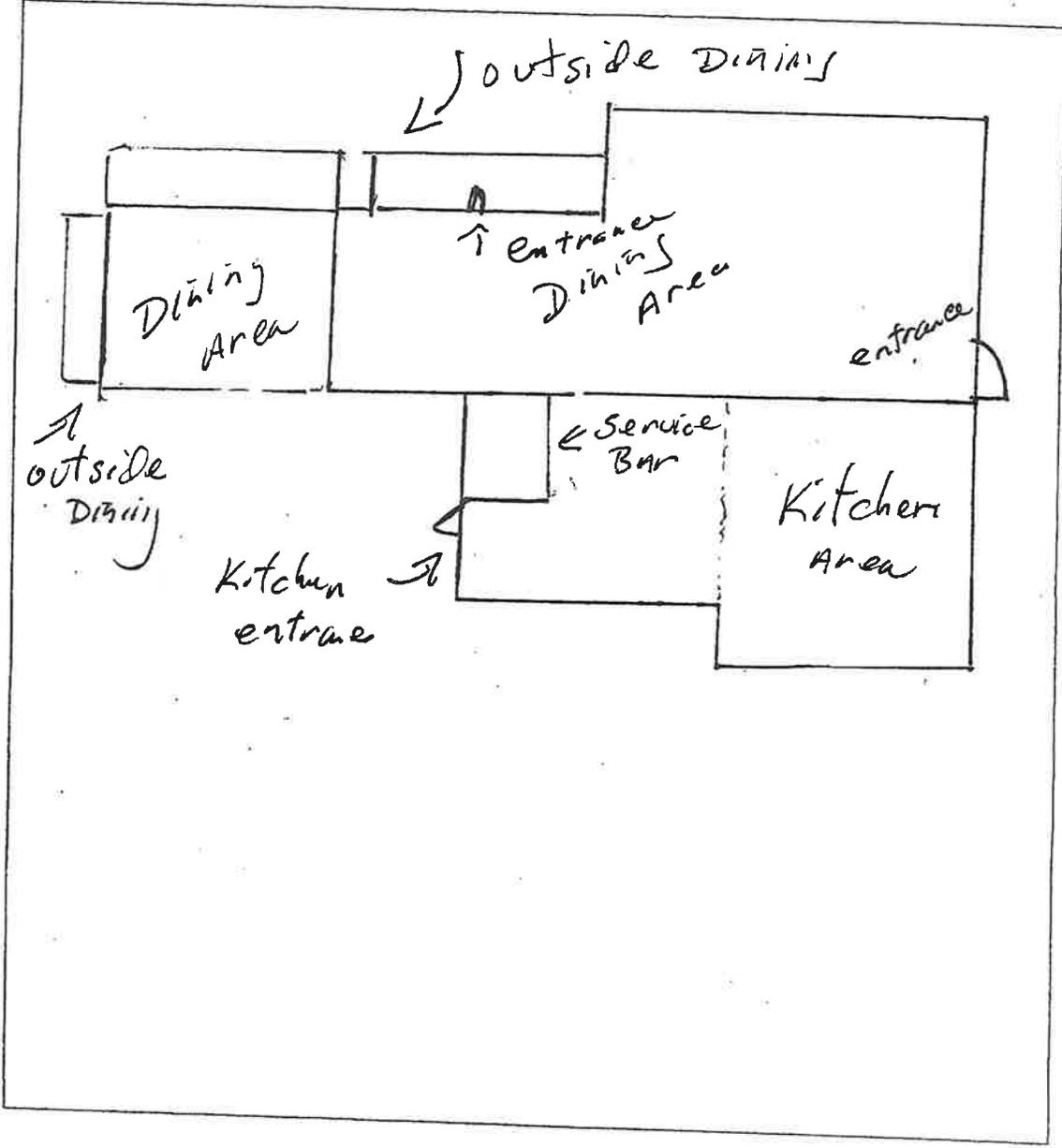
Application Fee: <u>\$200</u>	Date Paid: <u>1-31-19</u>	Check/Cash	Check #: <u>2748</u>
Background Check Fee: \$ <u>126.00</u>	(\$21.00 per person listed on application)		
Business Reg. Fee: <u>\$150.00</u>	Paid prior to Liquor Application? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>		
TOTAL PAID WITH APPLICATION: \$ <u>476.00</u>		Received by:  (Town Clerk's Office)	
DATE POSTED: <u>2/26/2019</u>	DATE HEARD: <u>3/5/2019</u>	APPROVED: _____	DENIED: _____



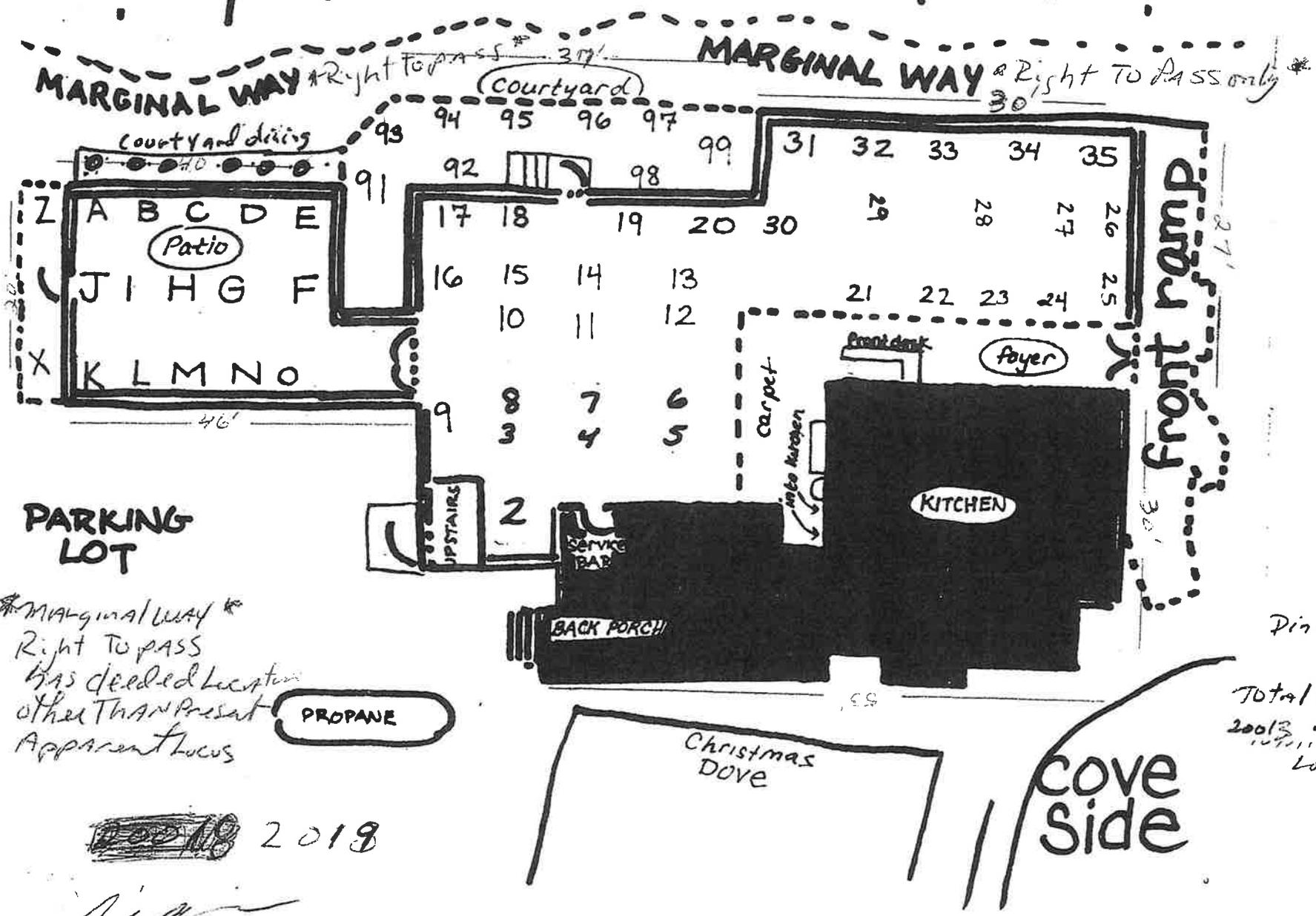
## SUPPLEMENTAL APPLICATION FORM ON-PREMISE DIAGRAM

In an effort to clearly define your licensed premise and the areas that consumption and storage of liquor is allowed, The Bureau of Liquor Enforcement is requiring all applicants to submit a diagram of the premise to be licensed in addition to a completed license application.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the areas of your diagram including entrances, office area, kitchen, storage areas, dining rooms, lounges, function rooms, decks and all areas that you are requesting approval from the Bureau for liquor consumption.



# Oceanside



\*Marginal Way\*  
 Right to Pass  
 has decided location  
 other than present  
 Apparent locus

Dining

Total seats  
 20013 254  
 10711 + 44  
 Lounge 8  
 248

~~2018~~ 2019

*Ni*

# OGUNQUIT

*Beautiful Place by the Sea*

2.14.2019  
@ 9:00am

### OGUNQUIT LIQUOR LICENSE APPLICATION

NEW  RENEWAL  FOR THE YEAR: 2019  
 CURRENT LICENSE EXPIRATION DATE: 4-14-2019

BUSINESS NAME: Ogunquit Lobster Pound  
 APPLICANT: William P. Hancock III  
 EMAIL: bill@ogunquitlobsterpound.com  
 BUSINESS REG #: 2019-25 ISSUE DATE: 2/7/2019 MAP: 8 LOT: 7  
 OCCUPANCY LOAD ESTABLISHED BY THE OGUNQUIT FIRE CHIEF: 250

#### NOTE - SPECIAL ATTENTION

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TITLE	SIGNATURE	APPROVAL		REPORT ATTACHED		DATE
		YES	NO	YES	NO	
Police Chief	<i>Patricia J. Rinaudo</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	02-14-2019
Fire Chief	<i>[Signature]</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2-15-19
Code Officer	<i>[Signature]</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2-14-19

#### ATTENDANCE AT PUBLIC HEARING IS REQUIRED PLEASE READ THE FOLLOWING CAREFULLY BEFORE SIGNING

I, the undersigned applicant, acknowledge there has been no change to the business noted above by way of ownership, partnership, location, nature of business or structural change(s) to the building(s) housing the business. Knowingly supplying false information on this application is a Class D offense under the Criminal Code and is punishable by confinement of up to one (1) year or by a monetary fine of up to \$500 or both.

*William P. Hancock III*  
 APPLICANTS SIGNATURE

#### FOR OFFICE USE ONLY

Application Fee: \$200  
 Background Check Fee: \$ 21.00  
 Business Reg. Fee: \$150.00  
 Date Paid: 02/07/19 Check/Cash Check #: 221078  
 (\$21.00 per person listed on application)  
 Paid prior to Liquor Application? YES  NO   
 TOTAL PAID WITH APPLICATION: \$ 371.00 Received by: *CEM*  
 (Town Clerk's Office)  
 DATE POSTED: 2/20/2019 DATE HEARD: 3/5/2019 APPROVED: \_\_\_\_\_ DENIED: \_\_\_\_\_

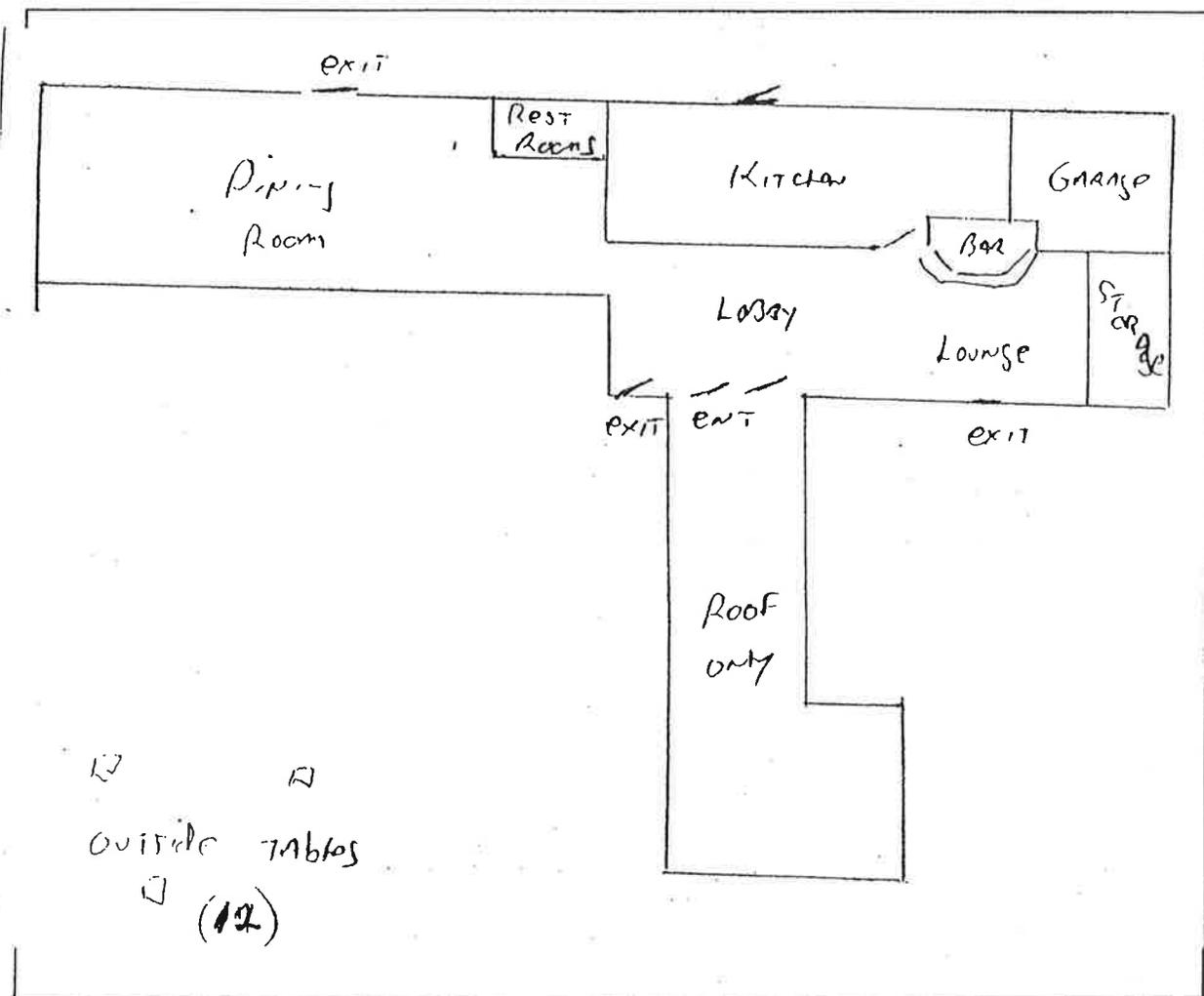
Bureau of Alcoholic Beverages and Lottery Operations  
 Division of Liquor Licensing & Enforcement  
 8 State House Station, Augusta, ME 04333-0008  
 10 Water Street, Hallowell, ME 04347  
 Tel: (207) 624-7220 Fax: (207) 287-3434  
 Email Inquiries: [MaineLiquor@maine.gov](mailto:MaineLiquor@maine.gov)

DIVISION USE ONLY	
<input type="checkbox"/>	Approved
<input type="checkbox"/>	Not Approved
BY:	

### ON PREMISE DIAGRAM

In an effort to clearly define your license premise and the area that consumption and storage of liquor is allowed. The Division requires all applicants to submit a diagram of the premise to be licensed in addition to a completed license application.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the areas of your diagram including entrances, office area, kitchen, storage areas, dining rooms, lounges, function rooms, restrooms, function rooms, decks and all areas that you are requesting approval from the Division for liquor consumption.



# OGUNQUIT

*Beautiful Place by the Sea*

2.20.2019  
@10:00am

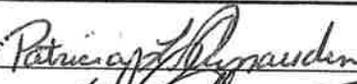
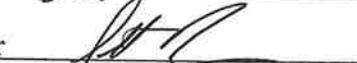
### OGUNQUIT LIQUOR LICENSE APPLICATION

NEW <input type="checkbox"/>	RENEWAL <input checked="" type="checkbox"/>	FOR THE YEAR: <u>2019</u>
CURRENT LICENSE EXPIRATION DATE: <u>5.31.2019</u>		

BUSINESS NAME: Cliff Lodge Inc dba Root Cafe + Bistro  
 APPLICANT: Aldo Vallecarlo  
 EMAIL: info@rootcafeandbistro.com  
 BUSINESS REG #: 2019-438 ISSUE DATE: 2/14/19 MAP: 5 LOT: 28  
 OCCUPANCY LOAD ESTABLISHED BY THE OGUNQUIT FIRE CHIEF: 180

#### NOTE - SPECIAL ATTENTION

Applicants must procure the signatures of the following Town Officials, submit an original drawing at a scale of one inch (1") equals ten feet (10') of all areas on the premises which are open to the public and return said drawing with this completed application to the Town Clerk before a public hearing can be scheduled by the Select Board. APPLICATIONS MUST BE SUBMITTED NINETY (90) DAYS PRIOR TO THE EXPIRATION OF THE EXISTING LICENSE.

TITLE	SIGNATURE	APPROVAL		REPORT ATTACHED		DATE
		YES	NO	YES	NO	
Police Chief		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>02-21-2019</u>
Fire Chief		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>2-21-19</u>
Code Officer		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>2-21-19</u>

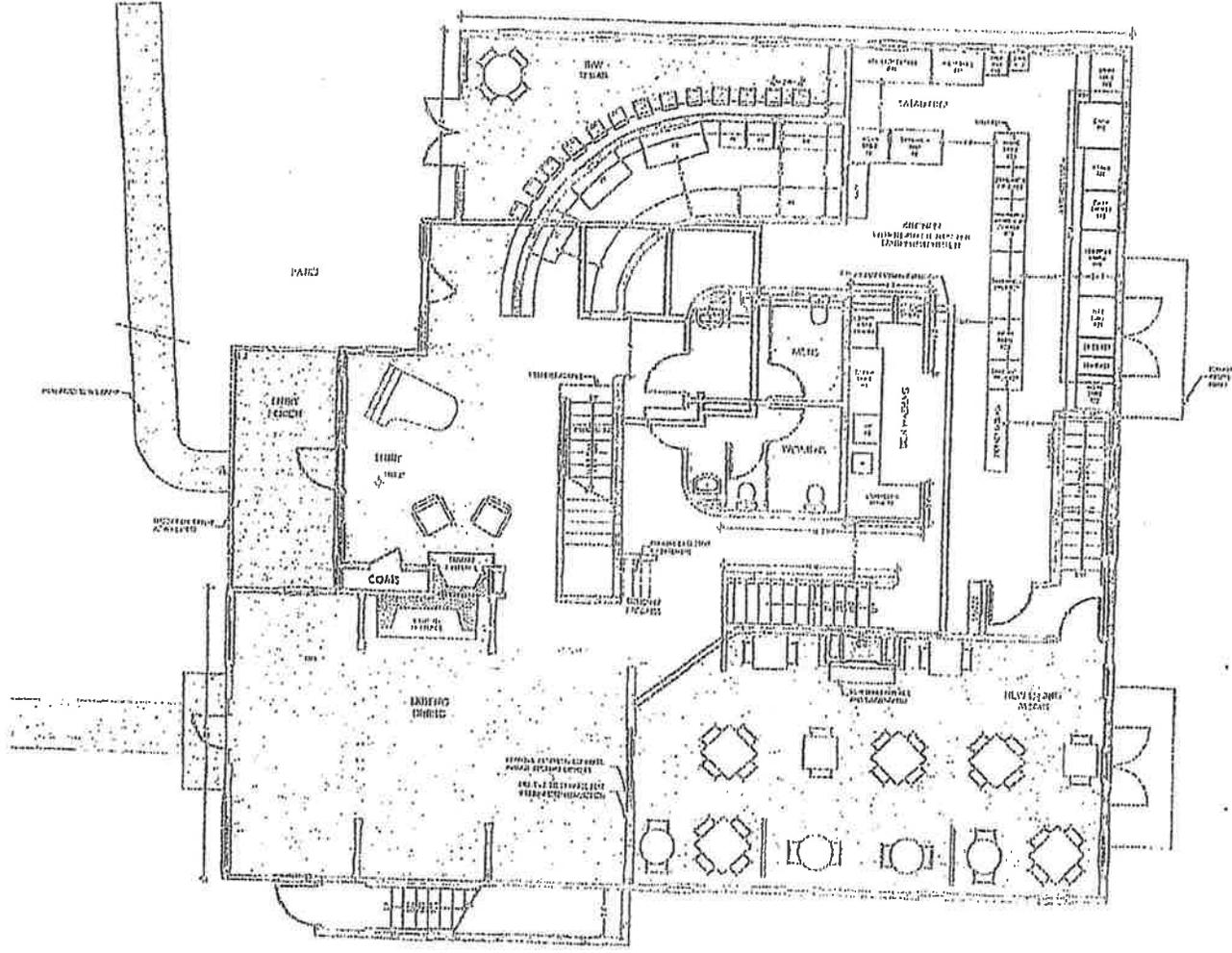
#### ATTENDANCE AT PUBLIC HEARING IS REQUIRED PLEASE READ THE FOLLOWING CAREFULLY BEFORE SIGNING

I, the undersigned applicant, acknowledge there has been no change to the business noted above by way of ownership, partnership, location, nature of business or structural change(s) to the building(s) housing the business. Knowingly supplying false information on this application is a Class D offense under the Criminal Code and is punishable by confinement of up to one (1) year or by a monetary fine of up to \$500 or both.

  
 \_\_\_\_\_  
 APPLICANTS SIGNATURE

#### FOR OFFICE USE ONLY

Application Fee: <u>\$200</u>	Date Paid: <u>2/14/19</u>	Check/Cash	Check #: <u>9548</u>
Background Check Fee: \$ <u>42.00</u>	(\$21.00 per person listed on application)		
Business Reg. Fee: <u>\$150.00</u>	Paid prior to Liquor Application? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>		
TOTAL PAID WITH APPLICATION: \$ <u>392.00</u>		Received by: <u>M. Deputy Clerk</u> (Town Clerk's Office)	
DATE POSTED: _____	DATE HEARD: <u>3/5/2019</u>	APPROVED: _____	DENIED: _____



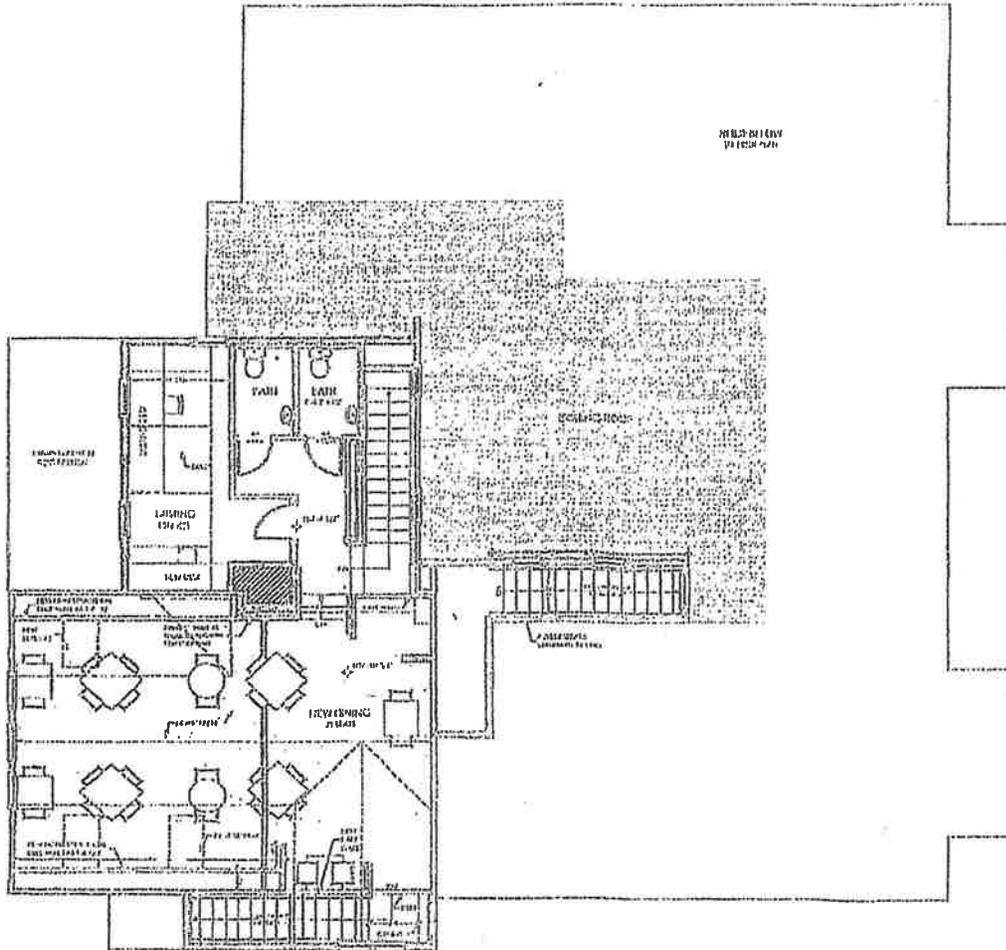
1 SECOND FLOOR CALCULATIONS

FIRST FLOOR TOTAL: 1592 SF  
 FIRST FLOOR TOTAL OCCUPANCY: 106  
 FIRST FLOOR NEW SEATS: 55

KEY

[Symbol]	1 PERSONS PER SEATING
[Symbol]	AREA OF FLOOR
[Symbol]	1 PERSON PER 4.0 SQ FT FLOOR AREA
[Symbol]	NO. OF CALCULATIONS

OCCUPANCY CALCULATIONS  
**98 PROVENCE**  
 EVERETT WINK  
 262 SHORE ROAD, OGDONUIT, MAINE  
 DRAFTSMAN: JESSICA GEORGA  
 DATE OF ISSUE: APRIL 12, 2011  
 PROJECT STATUS: DESIGN DEVELOPMENT



**1 SECOND FLOOR CALCULATIONS**  
 SCALE: 1/8" = 1'-0"

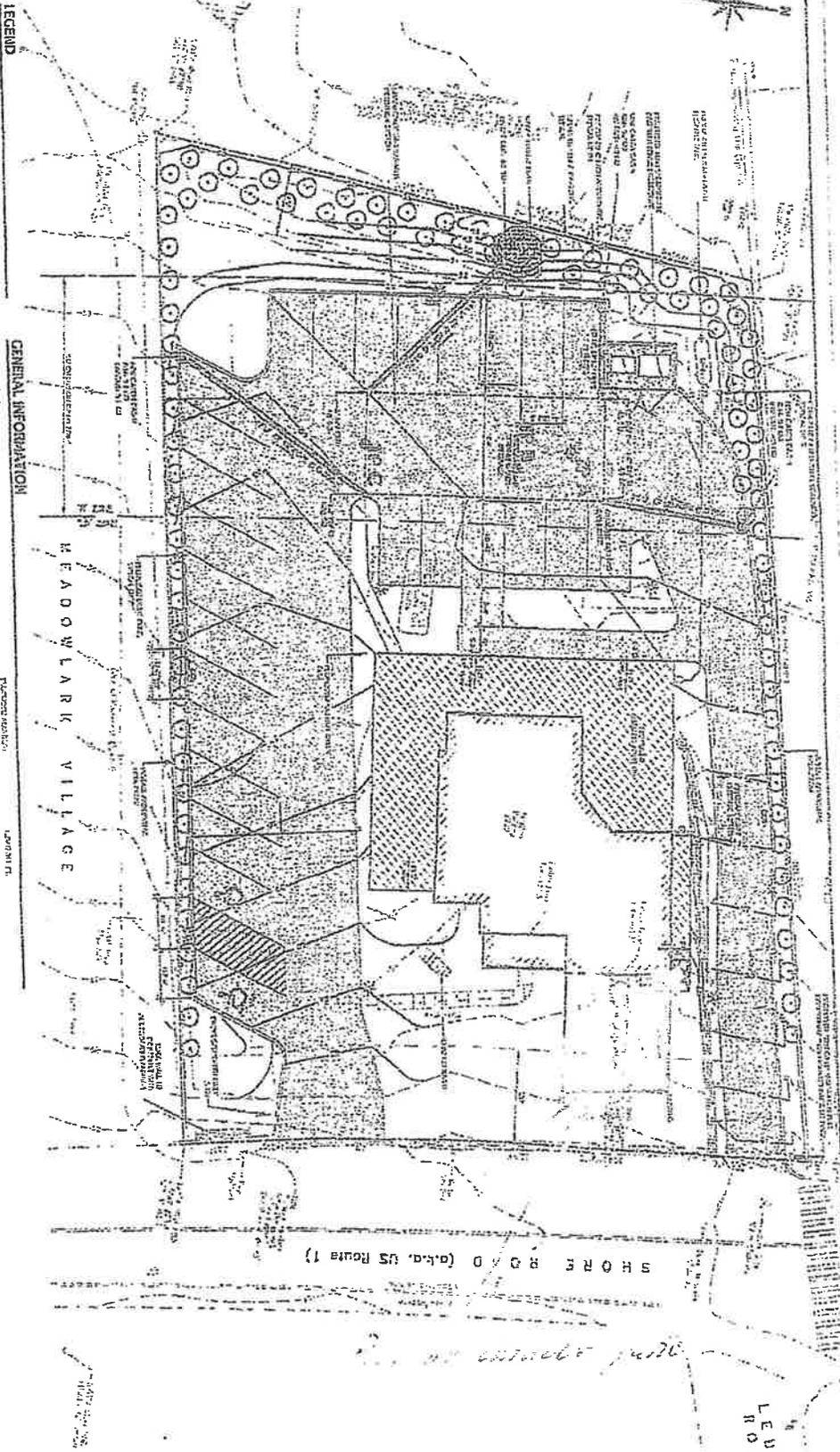
SECOND FLOOR TOTAL: 420 SF  
 SECOND FLOOR TOTAL OCCUPANCY: 28  
 SECOND FLOOR NEW SEATS: 28

- KEY
-  EXISTING CALCULATIONS
  -  DEMOLITION
  -  PHASE 2 CALCULATIONS
  -  NET FT. CALCULATIONS

DRAFTSPERSON: JESSICA GEORGA  
 DATE OF REVISION: APRIL 13, 2011  
 PROJECT STATUS: DESIGN DEVELOPMENT

**98 PROVENCE**  
 EVERETT MINK  
 252 SHORE ROAD, OGDON, ME, MAINE

OCCUPANCY CALCULATIONS  
**A-2**



**LEGEND**

[Symbol]	PROPOSED
[Symbol]	EXISTING
[Symbol]	PROPOSED DRIVE
[Symbol]	EXISTING DRIVE
[Symbol]	PROPOSED SIDEWALK
[Symbol]	EXISTING SIDEWALK
[Symbol]	PROPOSED LANDSCAPING
[Symbol]	EXISTING LANDSCAPING
[Symbol]	PROPOSED UTILITIES
[Symbol]	EXISTING UTILITIES
[Symbol]	PROPOSED WALLS/FENCES
[Symbol]	EXISTING WALLS/FENCES
[Symbol]	PROPOSED SIGNAGE
[Symbol]	EXISTING SIGNAGE
[Symbol]	PROPOSED LIGHTING
[Symbol]	EXISTING LIGHTING
[Symbol]	PROPOSED PAVING
[Symbol]	EXISTING PAVING

**GENERAL INFORMATION**

PROJECT NO.	03-16-11
DATE	10/15/11
CLIENT	252 SHORE ROAD
LOCATION	MEADOWLARK VILLAGE
SCALE	1" = 100'
DRAWN BY	[Name]
CHECKED BY	[Name]
APPROVED BY	[Name]

**PLANNING NOTES:**

1. THIS PLAN IS A PRELIMINARY SITE PLAN AND IS NOT TO BE USED FOR CONSTRUCTION.

2. ALL DIMENSIONS ARE IN FEET AND DECIMALS THEREOF.

3. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL GOVERNMENT.

4. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY UTILITIES INFORMATION FROM THE LOCAL GOVERNMENT.

5. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY SURVEYING INFORMATION FROM THE LOCAL GOVERNMENT.

6. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY ENVIRONMENTAL INFORMATION FROM THE LOCAL GOVERNMENT.

7. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY HISTORIC INFORMATION FROM THE LOCAL GOVERNMENT.

8. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY ARCHITECTURAL INFORMATION FROM THE LOCAL GOVERNMENT.

9. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY LANDSCAPING INFORMATION FROM THE LOCAL GOVERNMENT.

10. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY LIGHTING INFORMATION FROM THE LOCAL GOVERNMENT.

11. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PAVING INFORMATION FROM THE LOCAL GOVERNMENT.

12. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY SIGNAGE INFORMATION FROM THE LOCAL GOVERNMENT.

13. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY FENCING INFORMATION FROM THE LOCAL GOVERNMENT.

14. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY WALLS INFORMATION FROM THE LOCAL GOVERNMENT.

15. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY UTILITIES INFORMATION FROM THE LOCAL GOVERNMENT.

**03-16-11 PRELIMINARY-NOT FOR CONSTRUCTION**

**SITE PLAN**

**252 SHORE ROAD**  
 OGDON, YORK COUNTY,  
 MAINE

**Blais**  
 civil engineers

**REVISIONS**

NO.	DATE	DESCRIPTION

**C-100**

**GRAPHIC SCALE**

1" = 100'

0 10 20 30 40 50 60 70 80 90 100

# OGUNQUIT

*Beautiful Place by the Sea*

## OGUNQUIT AMUSEMENT LICENSE APPLICATION

NEW  RENEWAL  FOR THE YEAR: 2019

BUSINESS NAME: *Cliff Lodge Inc dba Roast Cafe & Bistro*

BUSINESS ADDRESS: *262 Shore Rd*

BUSINESS PHONE # *207 646-9898* HOME PHONE #

BUSINESS REG # *2019-438* ISSUE DATE: *2/14/19* MAP: *5* LOT: *28*  
(Business Registration)

OCCUPANCY LOAD ESTABLISHED BY THE OGUNQUIT FIRE CHIEF: *180*

NATURE OF BUSINESS: *Restaurant*

FORM OF ENTERTAINMENT: (Please be specific)

*Occasional Functions (Rehearsal dinners, weddings, NYE music/singers)*

APPLICANT: *Cliff Lodge Inc*

ADDRESS: *262 Shore Rd*

HAS YOUR LICENSE TO CONDUCT THIS BUSINESS EVER BEEN DENIED, SUSPENDED OR REVOKED?

YES  NO

If, YES, please explain:

HAVE YOU, ANY PARTNERS OR CORPORATE OFFICERS EVER BEEN CONVICTED OF A FELONY?

YES  NO

If, YES, please explain:

### NOTE - SPECIAL ATTENTION

APPLICATION MUST BE SUBMITTED NINETY DAYS (90) PRIOR TO THE EXPIRATION OF THE EXISTING LICENSE.

Please consult Title IX, Chapter 3 of the Ogunquit Municipal Code for all provisions applicable to this license. "Entertainment" is defined as follows in said Code:

"Entertainment shall include dancing by and for patrons, any music, videogames, devices, machines and any other amusement, performance, exhibition, diversion or other activity with an entertainment value whether provided for or used by patrons, independent contractors, employees or proprietors.

Entertainment shall not include televisions or radios nor shall it include "background music" meaning music not involving live performers and not used for dancing and which music is only incidental to the primary activity offered."

## ATTENDANCE AT PUBLIC HEARING IS REQUIRED

PLEASE READ THE FOLLOWING CAREFULLY BEFORE SIGNING

I, the undersigned applicant, acknowledge there has been no change to the business noted above by way of ownership, partnership, location, nature of business or structural change(s) to the building(s) housing the business since 12-28-2016  
 (Insert date when change was made)

[Signature]  
 \_\_\_\_\_  
 PROPERTY OWNER'S SIGNATURE

[Signature]  
 \_\_\_\_\_  
 APPLICANT'S SIGNATURE

**THE FOLLOWING MUST BE SUBMITTED WITH THIS APPLICATION:**

1. All applications shall be accompanied by two (2) scale drawings at a scale of one (17") inch to ten (10') feet depicting the floors of the building in which the entertainment is to be located, all entrances and exits and all areas open to patrons indicating in each area the use made by patrons and indicating the floors and areas for which the applicant seeks a license.
2. Applicants for video game entertainment shall present, to scale, floor plans depicting the location and floor area of these devices and the location of the supervisor(s). Machines shall be listed by function and serial number.
3. Applicants for patron dancing entertainment shall present to scale floor plans depicting the location and size of the dance floor(s).
4. Each application shall constitute a new application and all required information must be included. Licenses expire on May 31st of each year.

### FOR OFFICE USE ONLY

TITLE	SIGNATURE	APPROVAL		REPORT ATTACHED		DATE
		Yes	No	Yes	No	
Police Chief	<u>[Signature]</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>2-21-2019</u>
Fire Chief	<u>[Signature]</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>2-21-19</u>
Code Officer	<u>[Signature]</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>2-21-19</u>

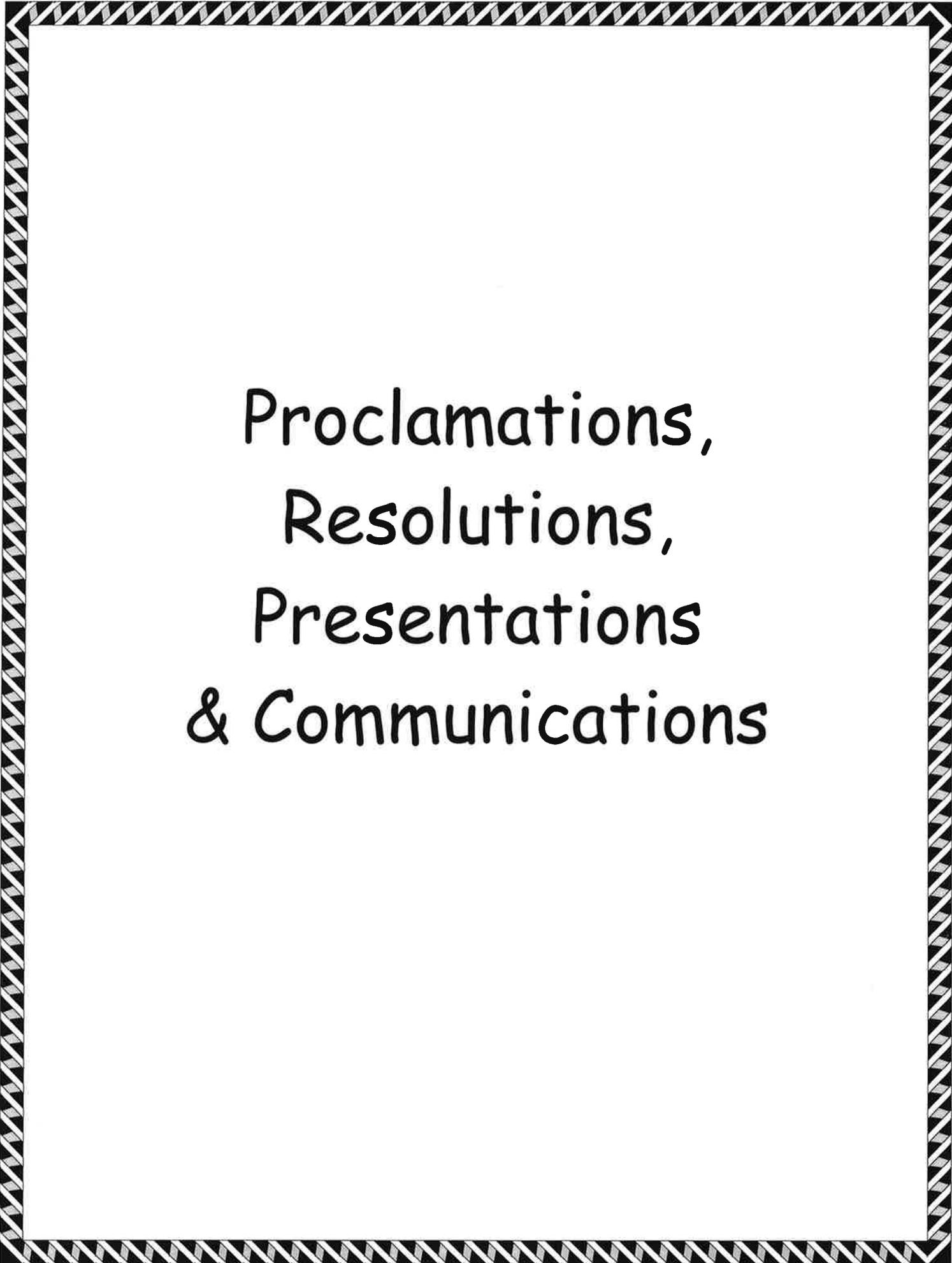
Received by: GM, Deputy Clerk Fee \$ 100.00 Date Paid 2/14/19  
 (Town Clerk's Office)

Check / Cash 9548  
 Filed with Liquor License Application

Date posted: 2/26/2019 Date Heard: 3/5/2019 Date Approved: \_\_\_\_\_ Date Denied: \_\_\_\_\_

**OGUNQUIT BOARD OF SELECTMEN**

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_



Proclamations,  
Resolutions,  
Presentations  
& Communications



Town Of Ogunquit  
Post Office Box 875  
Ogunquit, Maine 03907-0875

Planning Board  
Tel 207 646-9326

February 12, 2019

To the Town of Ogunquit Select Board,

re: Proposed amendments to the Ogunquit Zoning Ordinance.

On February 25, 2019 the Ogunquit Planning Board held a Public Hearing and subsequently voted to submit the enclosed proposed Zoning Ordinance Amendments to you along with a request that said amendments be presented to the voters at the June 2019 Special Town Meeting.

**Article 2 Definitions of Restaurant Types.**

The Planning Board hereby respectfully requests that the proposed, enclosed amendments to the Ogunquit Zoning Ordinance be included on the warrant for the June 2019 Town Meeting and that the Select Board hold a Public Hearing for this proposal.

Respectfully,  
Steve Wilkos  
Steve Wilkos  
Planning Board Chair

enclosures: as noted

pc: Town Manager (w/ enclosures)  
Ogunquit Town Clerk (w/ enclosures)

### *Restaurant, Type 1*

An establishment where meals are prepared and served ~~to the public~~ for consumption, which meets all of the following characteristics:

- (1) ~~Where~~ food or beverages (~~either alcoholic or nonalcoholic~~) are served ~~to persons seated only~~ at indoor seating on the premises;
- (2) where food or beverages are not served ~~to pedestrians~~ from an exterior opening or counter, and
- (3) where the design of the facilities, advertising, signage or packaging procedures does not promote the consumption of food or beverages outside the enclosed building. (Amended 4/01/06 ATM)

### *Restaurant, Type 2*

An establishment where meals are prepared and served ~~to the public~~ for consumption, which meets all of the following characteristics:

- (1) ~~Where~~ food or beverages (~~either alcoholic or nonalcoholic~~) are served ~~to persons seated~~ at either indoor or outdoor seating on the premises;
- (2) where food or beverages are not served ~~to pedestrians~~ from an exterior opening or counter, and
- (3) where the design of the facilities advertising, signage or packaging procedures does not promote the consumption of food or beverages off the premises. (Amended 4/01/06 ATM)
- ~~(4) when located in the Limited Business Zone, the restaurant must also meet the following additional standards:~~
  - ~~a. The exterior seating area shall be limited in size to no more than 600 square feet;~~
  - ~~b. Outdoor serving shall not begin before 7:00 a.m. and no outdoor serving is allowed after 9:00 p.m.;~~
  - ~~c. There shall be no outside music or outside entertainment allowed at any time;~~
  - ~~d. Type 2 Restaurant use in the Limited Business Zone is limited to lots that abut Shore Road (Effective June 9, 2015).~~

### *Restaurant, Type 3*

An establishment where food and/or beverages (~~either alcoholic or nonalcoholic~~) are prepared and served ~~to the public~~, which meets all of the following characteristics:

- (1) where food and/or beverages are served for consumption on or ~~for takeout~~ off the premises,
- (2) where food and/or beverages are not served ~~to pedestrians~~ from an exterior opening or counter, ~~nor to occupants in motor vehicles~~;
- (3) ~~where exterior loudspeakers are not used~~; and
- (4) where alcoholic beverages may be served only within an ~~enclosed~~ designated area for ~~on-premise~~ on premise consumption. (Amended 4/01/06 ATM)

#### *Restaurant, Type 4*

An establishment where food and/or only non-alcoholic beverages are prepared and served ~~to the public~~, which meets all of the following characteristics:

- (1) where food and ~~or only non-alcoholic~~ beverages are served for consumption on or ~~for takeout~~ off the premises; and
- (2) where food or beverages ~~may be~~ are served ~~to pedestrians only to foot traffic~~ from an exterior opening or counter. (Amended 4/01/06 ATM)

#### *Restaurant, Type 5*

~~An establishment where food and/or only non-alcoholic beverages are prepared and served to the public, which meets all of the following characteristics:~~

- ~~(1) where food and/or only non-alcoholic beverages are served for consumption on or for takeout off the premises;~~
- ~~(2) where food or beverages may be served to pedestrians from an exterior opening or counter and to occupants in motor vehicles whether parked or in a drive-thru lane or similar arrangement; and~~
- ~~(3) where exterior loudspeakers may be used. (Amended 4/01/06 ATM)~~

#### *Restaurant, Type 6 – Formula Restaurant*

~~Formula Restaurant shall mean a restaurant that stands alone as a principal use or with another use as an accessory use, and which prepares food or beverages on site for sale to the public, and which is required by contractual or other arrangements to maintain any one or more of the following standardized features, which causes it to be substantially identical to other restaurants, regardless of the ownership or location of those other restaurants: name, menu, food preparation and presentation format; decor, employee uniforms, architectural design, signage; or any other similar standardized features. (Amended 4-01-06 ATM)~~

### **9.13 Restaurants**

- A. The application for a permit shall state the maximum seating capacity of the restaurant. Any expansion or enlargement over the stated capacity shall require a new permit.
- B. Any restaurant located within 500 feet of an existing public sewer line shall connect with the sewer system at the expense of the owners.
- C. Restroom facilities for the patrons shall be provided on the premises.

D. when located in the Limited Business Zone, the restaurant must also meet the following additional standards:

- a. The exterior Outdoor seating area shall be limited in size to no more than 600 square feet;
- b. Outdoor serving shall not begin before 7:00 a.m. and no outdoor serving is allowed after 9:00 p.m.:
- c. There shall be no outside music or outside entertainment allowed at any time;
- d. Type 2 and 3 Restaurant use in the Limited Business Zone is limited to lots that abut Shore Road (Effective June 9, 2015).

E. No exterior loudspeakers shall be permitted in Ogunquit for the purpose of announcing patron seating, orders being ready for pick-up or any other business related activities

F. Formula Restaurants are not permitted in Ogunquit. Formula Restaurant shall mean a restaurant that stands alone as a principal use or with another use as an accessory use, and which prepares food or beverages on site for sale to the public, and which is required by contractual or other arrangements to maintain any one or more of the following standardized features, which causes it to be substantially identical to other restaurants, regardless of the ownership or location of those other restaurants: name, menu, food preparation and presentation format; decor, employee uniforms, architectural design, signage; or any other similar standardized features. For the purposes of this ordinance, this definition pertains to both Coffee and Ice Cream retail service shops

If a restaurant originates in Ogunquit and opens additional facilities in other communities, the original restaurant in Ogunquit shall not be considered a formula restaurant.

G.. No Drive-Thru windows shall be permitted in Ogunquit

Draft 4 Revised 11/27/18

Land Uses	OFR	RD	RR1	RR2	DB	GB1	GB2	LB	F	Shoreland Zones					
										SLR	SLC	SG1	SG2	SP	RP
Transient Accommodation Type 2 (TA-2) — Bed-and-Breakfast*	NP	SPR	SPR	SPR	SPR	NP	NP								
Transient Accommodation Type 3 (TA-3) — Inn*	NP	NP	NP	NP	NP	SPR	SPR	SPR	SPR	NP	SPR	NP	NP	NP	NP
Transient Accommodation Type 4 (TA-4) — Motel/Hotel <sup>4*</sup>	NP	NP	NP	NP	NP	NP	SPR	NP	NP	NP	SPR <sup>2</sup>	NP	NP	NP	NP
Type 1 Restaurant*	NP	NP	NP	NP	SPR	SPR	SPR	SPR	NP	NP	SPR	SPR	SPR	NP	NP
Type 2 Restaurant*	NP	NP	NP	NP	SPR	SPR	SPR	SPR	NP	NP	SPR <sup>6</sup>	SPR	SPR	NP	N P
Type 3 Restaurant*	NP	NP	NP	NP	SPR	SPR	SPR	SPR	NP	NP	SPR <sup>6</sup>	SPR	NP SPR	NP	N P
Type 4 Restaurant*	NP	NP	SPR	NP SPR	NP	NP									

Land Uses	OFR	RD	RR1	RR2	DB	GB1	GB2	LB	F	Shoreland Zones					
										SLR	SLC	SG1	SG2	SP	RP
Type 5 Restaurant*	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
Type 6 Restaurant*	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
Wholesale business	NP	NP	NP	NP	NP	NP	SPR	NP	NP	NP	NP	NP	NP	NP	NP
Wireless Communications Facility - Communications tower*	NP	NP	NP	NP	NP	NP	NP	NP	SPR	NP	NP	NP	NP	NP	NP
Wireless Communications Facility - Antenna*	NP	NP	NP	NP	SPR	SPR	SPR	SPR	SPR	NP	SPR	SPR	SPR	NP	NP
<b>GOVERNMENTAL, INSTITUTIONAL USES</b>															



Town Of Ogunquit  
Post Office Box 875  
Ogunquit, Maine 03907-0875

Planning Board  
Tel 207 646-9326

February 26, 2019

To the Town of Ogunquit Select Board,

re: Proposed amendments to the Ogunquit Zoning Ordinance.

On February 25, 2019 the Ogunquit Planning Board held a Public Hearing and subsequently voted to submit the enclosed proposed Zoning Ordinance Amendments to you along with a request that said amendments be presented to the voters at the June 2019 Special Town Meeting.

**Ogunquit Playhouse Foundation / Proposed Amendment to the Ogunquit Zoning Ordinance to Create a Zoning District which will replace SLC/RP with a new "Route One Southern Corridor General Development District III"**

The Planning Board hereby respectfully requests that the proposed, enclosed amendments to the Ogunquit Zoning Ordinance be included on the warrant for the June 2019 Town Meeting and that the Select Board hold a Public Hearing for this proposal.

Respectfully,

Steve Wilkos

Steve Wilkos  
Planning Board Chair

enclosures: as noted

pc: Town Manager (w/ enclosures)  
Ogunquit Town Clerk (w/ enclosures)

TO Ogunquit Select Board  
FROM Steve Wilkos, Ogunquit Planning Board Chair  
DATE March 1, 2019  
RE Ogunquit Playhouse Foundation / Proposed Amendment to the  
Ogunquit Zoning Ordinance to Create a "Route One Southern  
Corridor General Development District III

The Ogunquit Planning Board met to review the proposed SGDIII Zone on:

- December 10, 2018      Public Workshop and Regular Business Meeting  
Discussion
- January 14, 2019      Public Workshop and Regular Business Meeting  
Discussion
- February 25, 2019      Public Hearing and Regular Business Meeting  
Discussion

Public input was encouraged at all the Workshops and Public Hearing.

To create the “Shoreland General Development 3 – Ogunquit Playhouse -- SG3 District”

and to amend the Official Zoning Map to include within that District Lots 5-42, 5-42-1, 5-43, and 5-44 as shown on the Ogunquit Tax Maps

*Note: The symbol of “\* \* \* \* \*” indicates that there is missing text that will remain unchanged, and which has been left out of this document for the purpose of brevity. Underlines indicate proposed language to add, and ~~strikeouts~~ indicate proposed removals of language.*

\* \* \* \* \*

**ARTICLE 1 - GENERAL**

\* \* \* \* \*

**1.2 Establishment of Zones** (Amended 11/4/08, Effective 4/1/09)

To implement the provisions of this Ordinance, the Town of Ogunquit is hereby divided into the following zoning districts:

\* \* \* \* \*

The following six districts are considered to be the Shoreland Zones, established pursuant to the Maine Department of Environmental Protection Shoreland Zoning Guidelines:

- J. Shoreland Limited Residential District – SLR
- K. Shoreland Limited Commercial District – SLC
- L. Shoreland General Development 1 – Ogunquit Beach – SG1
- M. Shoreland General Development 2 – Perkins Cove – SG2
- N. Shoreland General Development 3 – Ogunquit Playhouse – SG3
- ~~NO.~~ Stream Protection District -SP
- ~~OP.~~ Resource Protection District - RP

The performance standards of Section 9.15 shall apply to any activities in these six Shoreland Zones. (Amended June 9, 2015).

To create the “Shoreland General Development 3 – Ogunquit Playhouse -- SG3 District”

and to amend the Official Zoning Map to include within that District Lots 5-42, 5-42-1, 5-43, and 5-44 as shown on the Ogunquit Tax Maps

**1.3 District Boundary Locations: Zoning Map** (Amended 11/4/08, Effective 4/1/09)

\*\*\*\*\*

D. The Shoreland Zones shall be defined as being the land areas located within 250 feet, horizontal distance, of the

\*\*\*\*\*

The Shoreland Zones shall be further divided into the following six distinct zones, as follows:

\*\*\*\*\*

3. Shoreland General Development Districts – Ogunquit Beach, Perkins Cove, and Ogunquit Playhouse. The General Development Districts include the following types of existing, intensively developed areas:

a. Areas of two or more contiguous acres devoted to commercial or intensive recreational activities, or a mix of such activities, including but not limited to the following:

(1) Areas devoted to lodging, restaurant, retail trade, non-profit performing arts theaters, and service activities, or other commercial activities; and

(2) Areas devoted to intensive recreational development and activities, such as, but not limited to trails and public beaches.

b. Areas otherwise discernible as having patterns of intensive commercial or recreational uses.

\*\*\*\*\*

To create the “Shoreland General Development 3 – Ogunquit Playhouse -- SG3 District”

and to amend the Official Zoning Map to include within that District Lots 5-42, 5-42-1, 5-43, and 5-44 as shown on the Ogunquit Tax Maps

\*\*\*\*\*

## ARTICLE 2 – DEFINITIONS

\*\*\*\*\*

### *Accessory Use*

A use customarily incidental and subordinate to the principal use and located on the same lot with such principal use; provided that in the SG3 District, an accessory use may also be located on a lot that is contiguous to the lot on which the principal use is located.

Accessory uses, when aggregated, shall not subordinate the principal use of the lot. (Amended 11/4/08, Effective 4/1/09)

\*\*\*\*\*

### *Driveway*

A vehicular access-way serving not more than two dwelling units, or leading to the parking area of nonresidential uses on only one lot; provided that in the SG3 District, the vehicular access way may also lead to a nonresidential use located on a contiguous lot. Any vehicular access way that serves more than two dwelling units or leads to the parking areas of nonresidential uses on more than one lot shall comply with the street design standards of Article 10 of the Subdivision Regulations. Within any Shoreland Zones, driveways over five hundred feet (500') in length, or serving more than two dwellings, shall comply with the street design standards of Article 10 of the Subdivision Regulations. (Amended 11/4/08, Effective 4/1/09, Amended 6/10/14, Effective 6/11/14)(Amended and Effective June 14, 2016)

\*\*\*\*\*

### *Parking Area*

The portion of a lot used to provide space for the parking of motor vehicles for the employees or patrons of non-residential uses or the residents of dwellings located on that lot; provided that in the SG3 District, a “parking area” may also allow space for the parking of motor vehicles by employees or patrons of non-residential uses located on a lot that is contiguous to the lot on which the principal use is located.

To create the “Shoreland General Development 3 – Ogunquit Playhouse -- SG3 District”

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\*\*\*\*\*

Non-Profit Performing Arts Theater

A building or land owned by a Maine non-profit, tax-exempt organization having a principal place of business in Ogunquit, the primary use of which is the presentation of theatrical productions featuring professional actors, directors, musicians, and production crew, but which may also present other performing and visual arts as well. The term “non-profit performing arts theater” shall include all subsidiary uses customarily associated with the presentation of theatrical productions, including, but not limited to, on-site fabrication of sets, scenery, props, and costumes; housing of actors, musicians, and crew engaged in theater activities; operation of a fly tower; provision and maintenance of parking areas; educational activities; operation of administrative and business offices related to the operations of the theater; and the service of food and beverages to patrons.

\*\*\*\*\*

**ARTICLE 7—DISTRICT REGULATIONS**

**7.1 Purpose of Districts** (Amended 11/4/08, Effective 4/1/09)

\*\*\*\*\*

The following six districts are considered to be the Shoreland Zones, established pursuant to the Maine Department of Environmental Protection Shoreland Zoning Guidelines. The purposes and descriptions of the following Shoreland Zones may be found in section 1.3.D of this Ordinance.

\*\*\*\*\*

N. Shoreland General Development 3 – Ogunquit Playhouse – SG3

NO. Stream Protection District – SP

OP. Resource Protection District – RP

\*\*\*\*\*

Ordinance to Amend the Ogunquit Zoning Ordinance (Draft 02/25/2019)

To create the “Shoreland General Development 3 – Ogunquit Playhouse -- SG3 District”

and to amend the Official Zoning Map to include within that District Lots 5-42, 5-42-1, 5-43, and 5-44 as shown on the Ogunquit Tax Maps

**TABLE 702.1 – LAND USES PERMITTED IN ZONING DISTRICTS**

(Amended 6/12/12; 6/9/15; 6/14/16, ATM)

**KEY**

**District**

\* \* \* \* \*

**Shoreland Zones:**

<b>SLR</b>	Shoreland Limited Residential District
<b>SLC</b>	Shoreland Limited Commercial District
<b>SG1</b>	Shoreland General Development 1 – Ogunquit Beach
<b>SG2</b>	Shoreland General Development 2 – Perkins Cove
<b><u>SG3</u></b>	<u>Shoreland General Development 3 – Ogunquit Playhouse</u>
<b>SP</b>	Stream Protection District
<b>RP</b>	Resource Protection District

\* \* \* \* \*

Ordinance to Amend the Ogunquit Zoning Ordinance (Draft 02/25/2019)

To create the “Shoreland General Development 3 – Ogunquit Playhouse -- SG3 District”

and to amend the Official Zoning Map to include within that District  
Lots 5-42, 5-42-1, 5-43, and 5-44 as shown on the Ogunquit Tax Maps

Land Uses	OFR	RD	RR1	RR2	DB	GB1	GB2	LB	F	Shoreland Zones						
										SLR	SLC	SG1	SG2	<u>SG3</u>	SP	RP
<b>OPEN SPACE AND RURAL USES</b>																
Active Recreation	NP	C	C	C	C	C	C	C	C	C	C	C	C	<u>NP</u>	C	C
Agriculture*	NP	NP	C	C	NP	NP	NP	NP	C	NP	NP	NP	NP	<u>NP</u>	NP	NP
Animal husbandry for non-commercial purposes*	NP	C	C	C	NP	NP	NP	NP	A	SPR	NP	NP	NP	<u>NP</u>	NP	NP
Animal husbandry for commercial purposes*	NP	NP	NP	NP	NP	NP	NP	NP	C	NP	NP	NP	NP	<u>NP</u>	NP	NP

Ordinance to Amend the Ogunquit Zoning Ordinance (Draft 02/25/2019)

To create the “Shoreland General Development 3 – Ogunquit Playhouse -- SG3 District”

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Aquaculture	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	<u>NP</u>	NP	NP
Campground	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	<u>NP</u>	NP	NP
Cemetery	NP	SPR	SPR	SPR	NP	NP	NP	NP	SPR	NP	NP	NP	NP	<u>NP</u>	NP	NP
Clearing or removal of vegetation for activities other than timber harvesting	A	A	A	A	A	A	A	A	A	C	C	C	C	<u>C</u>	C	C
Emergency Operations	A	A	A	A	A	A	A	A	A	A	A	A	A	<u>A</u>	A	A
Essential Services - Roadside distribution lines (34.5kV and lower)	A	A	A	A	A	A	A	A	A	A	A	A	A	<u>A</u>	C	C

Ordinance to Amend the Ogunquit Zoning Ordinance (Draft 02/25/2019)

To create the “Shoreland General Development 3 – Ogunquit Playhouse -- SG3 District”

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Essential Services – Non-roadside or cross- country distribution lines involving ten poles or less in the shoreland zone	NA	C	C	C	C	<u>SPR</u>	SPR	SPR								
Essential Services – Non-roadside or cross- country distribution lines involving eleven or more poles in the shoreland zone	NA	SPR	SPR	SPR	SPR	<u>SPR</u>	SPR	SPR								
Essential Services – Other essential services – not included above	C	C	C	C	C	C	C	C	C	SPR	SPR	SPR	SPR	<u>SPR</u>	SPR	SPR
Filling and Earthmoving of Less than 10 cubic yards	A	A	A	A	A	A	A	A	A	C	C	C	C	<u>C</u>	C	C
Filling and Earthmoving of More than 10 cubic yards	C	C	C	C	C	C	C	C	C	C	C	C	C	<u>SPR</u>	SPR	SPR
Fire Prevention Activities	A	A	A	A	A	A	A	A	A	A	A	A	A	<u>A</u>	A	A

Ordinance to Amend the Ogunquit Zoning Ordinance (Draft 02/25/2019)

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Forest Management Activities	C	C	C	C	C	C	C	C	C	C	MFS	MFS	MFS	MFS	<u>MFS</u>	MFS	MFS
Golf Course	NP	NP	SPR	SPR	NP	NP	NP	NP	NP	SPR	NP	SPR	NP	NP	<u>NP</u>	NP	NP
Individual private campsite*	NP	C	C	C	NP	NP	NP	NP	NP	C	NP	NP	NP	NP	<u>NP</u>	NP	NP
Mineral exploration*	NP	NP	C	C	NP	NP	NP	NP	NP	C	NP	NP	NP	NP	<u>NP</u>	NP	NP
Mineral extraction, including gravel pits (see definition)*	NP	NP	SPR	SPR	NP	NP	NP	NP	NP	SPR	NP	NP	NP	NP	<u>NP</u>	NP	NP
Parking lot (See standards in Section 8.10)	NP	NP	NP	NP	NP	SPR	SPR	NP	NP	NP	NP	SPR	SPR	NP	<u>NP</u>	NP	SPR <sup>7</sup>
Passive recreation	A	A	A	A	A	A	A	A	A	A	A	A	A	A	<u>A</u>	A	A
Piers, docks, wharves, bridges & other structures extending over or below high water line or within a wetland, temporary or permanent*	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	SPR	SPR	SPR	SPR	<u>NP<sup>14</sup></u>	SPR	SPR

Ordinance to Amend the Ogunquit Zoning Ordinance (Draft 02/25/2019)

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Service Drops, to allowed uses	A	A	A	A	A	A	A	A	A	A	A	A	A	<u>A</u>	A	A
Soil and Water Conservation Practices	A	A	A	A	A	A	A	A	A	A	A	A	A	<u>A</u>	A	A
Surveying and Resource Analysis	A	A	A	A	A	A	A	A	A	A	A	A	A	<u>A</u>	A	A
Wildlife Management Practices	A	A	A	A	A	A	A	A	A	A	A	A	A	<u>A</u>	A	A
<b>RESIDENTIAL USES</b>																
Dwelling accessory to business; above ground floor	C	C	C	C	C	C	C	C	C	NP	C	C	C	<u>NP</u>	NP	NP

Ordinance to Amend the Ogunquit Zoning Ordinance (Draft 02/25/2019)

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Manufactured housing unit	NP	NP	C	C	NP	NP	NP	NP	C	NP	NP	NP	NP	<u>NP</u>	NP	NP
Mobile home park*	NP	NP	SPR	SPR	NP	<u>NP</u>	NP	NP								
Multi family dwelling*	NP	SPR	SPR	SPR	NP	SPR	SPR	NP	SPR	NP	SPR	NP	NP	<u>NP</u>	NP	NP
Single family dwelling, other than manufactured housing unit	C	C	C	C	NP	C	C	C	C	C	C	C	C	<u>NP</u>	NP	NP <sup>8</sup>
Two family dwelling	NP	C	C	C	NP	C	C	C	C	C	C	C	C	<u>NP</u>	NP	NP
Clustered or Planned Unit Residential Development*	SUB	<u>NP</u>	SUB	SUB												

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Subdivision, as defined in the Ogunquit Subdivision Regulations	SUB	SUB	SUB													
<b>COMMERCIAL USES</b>																
Amusement center	NP	NP	NP	NP	NP	SPR	SPR	NP	NP	NP	SPR	NP	NP	<u>NP</u>	NP	NP
Boarding house	NP	NP	NP	NP	SPR	SPR	SPR	SPR	NP	NP	SPR	SPR	SPR	<u>SPR</u>	NP	NP
Business & professional office	NP	NP	NP	NP	SPR	SPR	SPR	SPR	NP	NP	SPR	SPR	SPR	<u>SPR</u> <sup>12</sup>	NP	NP
Commercial recreation	NP	NP	NP	NP	SPR	SPR	SPR	NP	NP	NP	NP	NP	NP	<u>NP</u>	NP	NP

Ordinance to Amend the Ogunquit Zoning Ordinance (Draft 02/25/2019)

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Lots 5-42, 5-42-1, 5-43, and 5-44 as shown on the Ogunquit Tax Maps

Day care center	NP	NP	NP	NP	NP	SPR	NP	SPR	NP	NP	NP	NP	NP	<u>NP</u>	NP	NP
Funeral home	NP	NP	NP	NP	NP	SPR	SPR	NP	NP	NP	NP	NP	NP	<u>NP</u>	NP	NP
Greenhouse	NP	NP	SPR	SPR	NP	SPR	SPR	NP	SPR	NP	NP	NP	NP	<u>NP</u>	NP	NP
Kennel, veterinary hospital*	NP	NP	NP	NP	NP	NP	NP	NP	SPR	NP	NP	NP	NP	<u>NP</u>	NP	NP
Manufacturing	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	<u>SPR<sup>12</sup></u>	NP	NP
Marina	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	SPR	<u>NP</u>	NP	NP
Mechanized recreation	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	<u>NP</u>	NP	NP
Nursing home	NP	NP	NP	NP	NP	SPR	NP	SPR	NP	NP	NP	NP	NP	NP	NP	NP

Ordinance to Amend the Ogunquit Zoning Ordinance (Draft 02/25/2019)

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Outdoor sales, services & storage areas including gasoline stations	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP <sup>10</sup>	<u>NP<sup>5</sup></u>	NP	NP
Public utility facility, other than Essential Services or Service Drops	NP	NP	SPR	SPR	NP	SPR	SPR	NP	SPR	NP	NP	NP	NP	<u>NP</u>	NP	NP
Retail establishments not elsewhere listed <sup>11</sup>	NP	NP	NP	NP	SPR	SPR	SPR	SPR	NP	NP	SPR	SPR	SPR	<u>SPR<sup>12</sup></u>	NP	NP
Retail storage & sale of fuel for use on watercraft	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	SPR	<u>NP</u>	NP	NP
Service establishments not elsewhere listed, including taxi or livery service dispatching offices <sup>1</sup>	NP	NP	NP	NP	SPR	SPR	SPR	SPR	NP	NP	SPR	SPR	SPR	<u>SPR<sup>12</sup></u>	NP	NP
Slaughterhouse/meat packing facility	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	<u>NP</u>	NP	NP
Theatres	NP	NP	NP	NP	SPR	SPR	SPR	NP	NP	NP	NP	NP	NP	<u>SPR<sup>13</sup></u>	NP	NP

Ordinance to Amend the Ogunquit Zoning Ordinance (Draft 02/25/2019)

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Transient Accommodation Type 1 (TA-1) – Weekly Private Home Rental	A	A	A	A	A	A	A	A	A	A	A	A	A	<u>NP</u>	A	A
Transient Accommodation Type 2 (TA-2) — Bed-and-Breakfast*	NP	SPR	SPR	SPR	<u>NP</u>	NP	NP									
Transient Accommodation Type 3 (TA-3) — Inn*	NP	NP	NP	NP	NP	SPR	SPR	SPR	SPR	NP	SPR	NP	NP	<u>NP</u>	NP	NP
Transient Accommodation Type 4 (TA-4) — Motel/Hotel <sup>4*</sup>	NP	NP	NP	NP	NP	NP	SPR	NP	NP	NP	SPR <sup>2</sup>	NP	NP	<u>SPR<sup>12</sup></u>	NP	NP
Type 1 Restaurant*	NP	NP	NP	NP	SPR	SPR	SPR	SPR	NP	NP	SPR	SPR	SPR	<u>NP</u>	NP	NP
Type 2 Restaurant*	NP	NP	NP	NP	SPR	SPR	SPR	SPR	NP	NP	SPR <sup>6</sup>	SPR	SPR	<u>SPR<sup>12</sup></u>	NP	NP
Type 3 Restaurant*	NP	NP	NP	NP	SPR	SPR	SPR	SPR	NP	NP	SPR <sup>6</sup>	SPR	NP	<u>NP</u>	NP	NP

Ordinance to Amend the Ogunquit Zoning Ordinance (Draft 02/25/2019)

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Type 4 Restaurant*	NP															
Type 5 Restaurant*	NP															
Type 6 Restaurant*	NP															
Wholesale business	NP															
Wireless Communications Facility - Communications tower*	NP															
Wireless Communications Facility - Antenna*	NP															

Ordinance to Amend the Ogunquit Zoning Ordinance (Draft 02/25/2019)

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<b>GOVERNMENTAL, INSTITUTIONAL USES</b>																
Houses of Worship	NP	NP	SPR	SPR	NP	SPR	SPR	SPR	SPR	NP	SPR	NP	NP	<u>NP</u>	NP	NP
Schools, public & private	NP	NP	SPR	SPR	SPR	SPR	SPR	NP	SPR	NP	NP	NP	NP	<u>SPR<sup>12</sup></u>	NP	NP
Library	NP	SPR	NP	NP	NP	NP	NP	SPR	NP	NP	NP	SPR	SPR	<u>NP</u>	NP	NP
Public Building, Structure or Use	SPR	<u>SPR</u>	NP	SPR <sup>7</sup>												
Museum	SPR	<u>SPR<sup>12</sup></u>	SPR	NP												
<b>ACCESSORY USES &amp; STRUCTURES, MISC. USES</b>																

Ordinance to Amend the Ogunquit Zoning Ordinance (Draft 02/25/2019)

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Fence meeting the standards of Section 8.6	C	C	C	C	C	C	C	C	C	C	C	C	C	<u>C</u>	C	C
Ham Radio tower/antenna*	C	C	C	C	C	C	C	C	C	C	C	C	C	<u>NP</u>	NP	NP
Home occupation*	C	C	C	C	C	C	C	C	C	SPR	C	C	C <sup>3</sup>	<u>NP</u>	NP	NP
Recreational Vehicles * <sup>11</sup>	NP	NP	NP	NP	<u>NP</u>	NP	NP									
Roads	C	C	C	C	C	C	C	C	C	SPR	SPR	SPR	SPR	<u>SPR</u>	SPR	SPR <sup>9</sup>
Roads, Land Management	C	C	C	C	C	C	C	C	C	C	C	C	C	<u>C</u>	C	SPR
Tenting	A	A	A	A	NP	A	A	A	A	A	NP	NP	NP	<u>NP</u>	A	NP
Yard Sale, as defined in Town Code	C	C	C	C	C	C	C	C	C	C	C	C	C	<u>NP</u>	C	C

Ordinance to Amend the Ogunquit Zoning Ordinance (Draft 02/25/2019)

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\*These uses have specific performance standards in Article 9

Footnotes:

1 No retail sales or services may be offered or solicited except inside of the buildings in which the retail sales or service establishment are located, except for those exceptions indicated in Footnotes 5 and 10, below. (Amended 6/14/11 ATM)

2 TA-4 is only allowed in those portions of the SLC District, immediately adjacent to the GB2 District.

3 Limited to storage of fishing and lobstering equipment, private tutoring of not more than two persons at any one time, home crafts, pursuit of the arts, activities or occupations which are conducted without customers or clients coming to the premises.

4 Expansions of legally nonconforming hotels/motels in all zoning districts in which new hotels/motels are prohibited shall meet all the dimensional requirements of zones in which they are located according to Table 703.1, as well as the standards of Articles 3.5 and 9.8.

5 As an exception, the Ogunquit Playhouse may serve patrons beverages and snack food outdoors on the premises from one hour before, during and one hour after performances.

6 Type 2 and 3 Restaurants shall not be permitted in those portions of the SLC Zone immediately adjacent to the LB Zone.

7 Only permitted with Site Plan Review in RP Beach as indicated on the Official Zoning Map. Not permitted in all other portions of the RP District.

8 Not permitted unless a special exception is granted pursuant to Article 4.6.

9 See special Shoreland standards in Article 9.

10 As an exception, within the Shoreland General Development 2 - Perkins Cove – SG2 District, live lobsters landed in Perkins Cove may be sold from vehicles or boats, owned or operated by holders of Commercial Lobstering Licenses. However, any such sales from vehicles shall only be allowed from those vehicles parked within the “Bait Wharf II” Parking Area, directly adjacent to the Harbor Master’s Office. No signs advertising any such outdoor live lobster sales shall be permitted, and lobster sales shall be limited to live lobsters only, and any form of additional solicitation or promotion of other goods, products or services shall be prohibited (regardless of any other provisions of this Ordinance). (Amended 6/12/12 ATM, by a petitioned article)

11. Storage of recreational vehicles shall be exempt.

12. Permitted in the SG3 District only as an accessory use to a non-profit performing arts theater that constitutes the principal use on the same lot or on a contiguous lot.

13. Within the SG3 District, the term “theater” shall include only a “non-profit performing arts theater” as defined in Article 2 of this Ordinance, and shall exclude any other type of theater.

Ordinance to Amend the Ogunquit Zoning Ordinance (Draft 02/25/2019)

To create the “Shoreland General Development 3 – Ogunquit Playhouse -- SG3 District”

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14. The existing permanent footbridge over the Josias River connecting Lots 5-43 and 5-33-B as shown on Tax Map 5 shall remain a permitted use subject to Site Plan Review approval from the Planning Board, but only as an accessory use to a non-profit performing arts theater as defined in Article 2 of this Ordinance. No other piers, docks, wharves, bridges & other structures extending over or below the high water line or within a wetland, temporary or permanent, of any kind shall be permitted in the SG3 District.

**TABLE 703.1 – DIMENSIONAL REQUIREMENTS OF EACH ZONING DISTRICT**

(Amended 11/4/08, Effective 4/1/09)

MINIMUM LOT AREA (sq. ft.)																
DISTRICT	OFR	R	RR1	RR2	DB	GB1	GB2	LB	F	SLR	SLC	SG1	SG2	<u>SG3</u>	SP	RP
With public sewer & water	12,500	12,500	30,000	30,000	None	10,000 <sup>1</sup>	20,000	10,000 <sup>1</sup>	N/A	30,000-tidal 40,000-non-tidal	40,000	None <sup>1</sup>	None	<u>30,000</u>	NP	NP
Without public sewer & water	30,000	30,000	60,000	60,000	N/A	N/A	20,000 <sup>3</sup>	N/A	200,000 <sup>4</sup>	30,000-tidal 40,000-non-tidal	N/A	N/A	N/A	<u>N/A</u>	NP	NP
MINIMUM NET RESIDENTIAL AREA PER DWELLING UNIT (sq. ft.)																

Ordinance to Amend the Ogunquit Zoning Ordinance (Draft 02/25/2019)

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DISTRICT	OFR	R	RR1	RR2	DB	GB1	GB2	LB	F	SLR	SLC	SG1	SG2	<u>SG3</u>	SP	RP
With public sewer & water	12,500	12,500	30,000	30,000	12,500	12,500	20,000	12,500	N/A	30,000-tidal 40,000-non-tidal	40,000	12,500	NONE	<u>12,500</u>	N/A	N/A
Without public sewer & water	30,000	30,000	60,000	60,000	N/A	N/A	40,000	N/A	60,000	30,000-tidal 40,000-non-tidal	N/A	N/A	N/A	<u>N/A</u>	N/A	N/A
<b>MINIMUM STREET AND SHORE FRONTAGE (feet)</b>																
DISTRICT	OFR	R	RR1	RR2	DB	GB1	GB2	LB	F	SLR	SLC	SG1	SG2	<u>SG3</u>	SP	RP
With public sewer & water	75	75	100	100	none <sup>6</sup>	75	100	75	N/A	150-tidal 200-non-tidal	200	100	NONE	<u>100</u>	N/A	N/A

Ordinance to Amend the Ogunquit Zoning Ordinance (Draft 02/25/2019)

To create the “Shoreland General Development 3 – Ogunquit Playhouse -- SG3 District”

and to amend the Official Zoning Map to include within that District  
Lots 5-42, 5-42-1, 5-43, and 5-44 as shown on the Ogunquit Tax Maps

Without public sewer & water	100	100	100	100	N/A	N/A	100	N/A	250 <sup>4</sup>	150-tidal 200-non-tidal	N/A	N/A	N/A	<u>N/A</u>	N/A	N/A
<b>SETBACKS (feet)</b>																
<b>DISTRICT</b>	<b>OFR</b>	<b>R</b>	<b>RR1</b>	<b>RR2</b>	<b>DB</b>	<b>GB1</b>	<b>GB2</b>	<b>LB</b>	<b>F</b>	<b>SLR</b>	<b>SLC</b>	<b>SG1</b>	<b>SG2</b>	<b><u>SG3</u></b>	<b>SP</b>	<b>RP</b>
Front <sup>15</sup>	20	20	30	30	10 <sup>7</sup>	20	30	20	50 <sup>8</sup>	Note 2	Note 2	10 <sup>7</sup>	15	<u>15</u>	N/A	N/A
Side and Rear <sup>15</sup>	15	15	20	20	10 <sup>9</sup>	10 <sup>11</sup>	15 <sup>10</sup>	10 <sup>11</sup>	20	Note 2	Note 2	10 <sup>9</sup>	NONE	<u>NONE</u>	N/A	N/A
From vernal pools (significant or non-significant, see sec. 1.3.F)	75	75	75	75	75	75	75	75	75	75	75	75	75	<u>75</u>	75	75

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From water bodies & wetlands that meet the criteria for inclusion in the Shoreland Zone	75	75	75	75	75	75	75	75	75	75	75	75	50	50	<u>75</u>	75	75
<b>MAXIMUM BUILDING COVERAGE</b>																	
<b>DISTRICT</b>	<b>OFR</b>	<b>R</b>	<b>RR1</b>	<b>RR2</b>	<b>DB</b>	<b>GB1</b>	<b>GB2</b>	<b>LB</b>	<b>F</b>	<b>SLR</b>	<b>SLC</b>	<b>SG1</b>	<b>SG2</b>	<b><u>SG3</u></b>	<b>SP</b>	<b>RP</b>	
With public sewer & water	30%	30%	20%	20%	NONE	30%	30%	30%	N/A	20 <sup>13</sup>	20 <sup>13</sup>	20% <sup>13</sup>	20% <sup>13</sup>	<u>70%<sup>16</sup></u>	0%	0%	
Without public sewer & water	20%	20%	10%	10%	N/A	N/A	30%	N/A	20%	20 <sup>13</sup>	N/A	N/A	N/A	<u>N/A</u>	0%	0%	

Ordinance to Amend the Ogunquit Zoning Ordinance (Draft 02/25/2019)

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MAXIMUM BUILDING HEIGHT <sup>14</sup>																
DISTRICT	OFR	R	RR1	RR2	DB	GB1	GB2	LB	F	SLR	SLC	SG1	SG2	<u>SG3</u>	SP	RP
Feet	35	35	35	35	35	35	35	35	35	35	35	35	27	<u>35<sup>17</sup></u>	N/A	N/A
Stories	2 ½	2 ½	2 ½	2 ½	2 ½	2 ½	2 ½	2 ½	2 ½	2 ½	2 ½	2 ½	2 ½	<u>2 ½<sup>17</sup></u>	N/A	N/A

Ordinance to Amend the Ogunquit Zoning Ordinance (Draft 02/25/2019)

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**NOTES TO TABLE 703.1**

- 1 For a residential use, the minimum lot area shall be 12,500 square feet.
- 2 Same as nearest adjacent non-shoreland zone.
- 3 For residential use, the minimum lot area shall be 30,000 square feet.
- 4 For residential use, the minimum lot area shall be 60,000 square feet and the minimum street frontage shall be 100 feet.
- 5 As required by the underlying district.
- 6 Residential uses, except accessory dwelling units on the 2<sup>nd</sup> floor above a commercial use, shall require a minimum street front of 75 feet.
- 7 The minimum front setback for a structure existing on the effective date of this Section shall be ten (10) feet or the existing structure’s front setback, whichever is less. (Amended 4-01-06 ATM)
- 8 The minimum front setback for a structure existing on the effective date of this Section shall be fifty (50) feet or the existing structure’s front setback. (Amended 4-01-06 ATM)
- 9 The side and rear setbacks for a structure abutting a residential use shall be fifteen (15) feet. The minimum side and rear yards for a structure existing on the effective date of this Section shall be the setback indicated above or the existing structure’s setback, whichever is less. (Amended 4-01-06 ATM)
- 10 The side and rear setbacks for a structure abutting a residential use shall be twenty-five (25) feet. The minimum side and rear yards for a structure existing on the effective date of this Section shall be the setback indicated above or the existing structure’s setback, whichever is less. (Amended 4-01-06 ATM)
- 11 The side and rear setbacks for a structure abutting a residential use shall be fifteen (15) feet.
- 12 There shall be a natural buffer of seventy-five (75) feet maintained between the Ogunquit River and any structure and tilling.
- 13 In the Shoreland Zones, the total area of all buildings, structures, parking lots and any other non-vegetated surfaces shall be included in the computation of maximum building coverage, and shall not exceed the indicated percentage of the lot area, or portion of the lot area thereof, located in the Shoreland Zone. See definition of *Building Coverage* in Article 2.
- 14 Except in the SG3 District, No structure shall contain more than two and one half (2 ½) stories or the indicated height. See note 17 below.
- 15 Expansions of legally nonconforming hotels/motels in all zoning districts in which new hotels/motels are prohibited shall meet all the dimensional requirements of zones in which they are located according to Table 703.1, as well as the standards of Articles 3.5 and 9.8. (Amended 6/12/12, ATM)

Ordinance to Amend the Ogunquit Zoning Ordinance (Draft 02/25/2019)

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16. In the SG3 District, if proposed new development on a lot would cause the total building coverage on that lot, including those portions of that lot that were legally occupied by buildings, structures, parking lots and any other non-vegetated surfaces on the effective date of this footnote 16, to exceed 40%, all new development that would increase the building coverage on that lot above 40% shall conform, to the extent practicable, with the Low Impact Development Practices set forth in Volume III, Chapter 10 of the “Maine Stormwater Best Practices Manual” published by the Maine Department of Environmental Protection. The applicant shall have the burden of demonstrating that conformity to any Low Impact Development Practice is not practicable. For the purposes of this footnote 16, the term “practicable” shall have the definition set forth in Chapter 310, §(3)(R) of the Maine DEP Rules: “available and feasible considering cost, existing technology, and logistics based on the overall purpose of the project.” Under no circumstances shall the total building coverage on any lot exceed 70%.
- 17 In the SG3 District, for that portion of a non-profit performing arts theater, commonly known as a “fly tower,” which encloses apparatus commonly known as a “fly system” employed to lift from, or lower to, the stage area items such as scenery, lighting, and/or other equipment and utilities, the maximum building height shall be 85’ regardless of the number of stories. In addition, for that portion of a non-profit performing arts theater, commonly known as the “back of house,” which is located behind the stage and “fly tower” and is ordinarily inaccessible to members of the public attending performances, the maximum building height shall be 50’ or three stories, whichever is greater.

Ordinance to Amend the Ogunquit Zoning Ordinance

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-- SG3” District

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\*\*\*\*\*

**ARTICLE 8 – GENERAL STANDARDS APPLICABLE TO ALL LAND USES**

\*\*\*\*\*

**8.6. Fences**

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- A. Fences shall only be made of natural, stained or painted wood, stone, or metal, wrought iron, or vinyl or other plastics and vinyl-covered or other plastic-covered wood or metal excluding chain link, within the following districts: Limited Business District, Downtown Business District, General Business Districts, SG1, ~~and~~ SG2, and SG3 and those portions of the Shoreland Overlay Districts that overlay said districts.

\*\*\*\*\*

- E. In the SG1, ~~and~~ SG2, and SG3 Districts, fences shall:
1. not be more than four feet in height; and
  2. not obstruct the view of tidal waters from a public way or other public property.

\*\*\*\*\*

**8.10. Off Street Parking and Loading**

\*\*\*\*\*

D. Off-Street Parking Standards

\*\*\*\*\*

3. Except in the SG3 District, ~~R~~required off-street parking in all residential and business districts shall be located on the same lot as the principal building or within 100 feet

Ordinance to Amend the Ogunquit Zoning Ordinance

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measured along lines of access for business and industry except where it cannot reasonably be provided on the same lot, the Planning Board may authorize residential off-street parking to be located on another lot within 300 feet of the residential uses, as measured along lines of public access. Within the SG3 District, required off-street parking may also be located on a lot that is contiguous with the lot containing the principal use for which that off-street parking is required. Such parking areas shall be held under the same ownership or lease as the uses served and evidence of such control or lease shall be required. Arrangements for parking on leased land shall not be acceptable for meeting the minimum required parking provisions of this Ordinance unless the lessee is specifically given the option of renewing the lease indefinitely. (Amended 11-03-09 STM)

\*\*\*\*\*

**8.12 Signs** (Amended 6/8/10, 6/10/14)

\*\*\*\*\*

B. Awnings

Awnings in the business districts (DB, GB1, GB2, LB, SG1, ~~and~~ SG2, and SG3 and any Shoreland Zone as applicable) may be erected, altered or relocated with issuance of a permit from the Code Enforcement Officer. All awnings accessory to commercial uses shall be rated as fire resistant per Building and Life Safety Codes. Before issuing a permit, the Code Enforcement Officer may submit the application to the Planning Board for review, interpretation and possible approval. The Code Enforcement Officer shall enforce Article 8.12.B and all permits issued thereto.

\*\*\*\*\*

D. Size Restrictions

\*\*\*\*\*

b. Limited Business District, SG1, SG2, and SG3:

Ordinance to Amend the Ogunquit Zoning Ordinance

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- i. If there is only one business on the lot the maximum sign area shall be 12 square feet.
- ii. If there is more than one business on the lot and all businesses are accessed from the outside by common entrances and exits and no business is directly accessed from the outside, the maximum sign area shall be 12 square feet.
- iii. If there is more than one business on the lot, and one or more businesses are directly accessed from the outside, then there shall be no more than twelve (12) square feet of total signage on the collective sign or freestanding sign post, for all tenants, identifying the building, lot or development. Each business which is directly accessed from the outside may have one (1) additional sign, in close proximity to its entrance, which is no more than 6 square feet of sign area. If no collective sign is located on the parcel then, the maximum sign area shall be divided among all units on the parcel. (Amended 6/10/14 Effective 6/11/14)

Ordinance to Amend the Ogunquit Zoning Ordinance

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\*\*\*\*\*

**9.15 Shoreland Zone Standards**

\*\*\*\*\*

L. Clearing or Removal of Vegetation for Activities other than Timber Harvesting  
(Amended 11/4/08, Effective 4/1/09)

1. In any Resource Protection District the clearing of vegetation shall be limited to that which is necessary for uses expressly authorized in that district.
2. In any portion of the SG3 District that is located within the boundaries of a 100 year floodplain as shown on a Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map or Flood Hazard Boundary Map, which map or maps have been declared final by FEMA, the clearing of vegetation shall be limited to that which is necessary for the development of uses expressly authorized in the SG3 District. Legally existing nonconforming cleared openings may be maintained, but shall not be enlarged, except as allowed by this Ordinance. Fields and other cleared openings which have reverted to primarily shrubs, trees or other woody vegetation shall be regulated under the provisions of this section.  
The remainder of the SG3 District shall be subject to Article 9.15(L) (3)-(6) below.

23. Except to allow for the development of permitted uses, within a strip of land extending 75 feet, horizontal distance, from any water body, tributary stream, or the upland edge of a wetland, a buffer strip of vegetation shall be preserved as follows:

\*\*\*\*\*

34. At distances greater than 75 feet, horizontal distance, from the normal high water line of any water body, tributary stream, or the upland edge of a wetland, there shall be allowed on any lot, in any 10 year period, selective cutting of not more than 40 percent of the volume of trees 4 inches or more in diameter, measured 4 1/2 feet above ground level. Tree

Ordinance to Amend the Ogunquit Zoning Ordinance

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removal in conjunction with the development of permitted uses shall be  
included in the 40 percent calculations. For the purposes of these  
standards, volume may be considered to be equivalent to basal areas.

\*\*\*\*\*

45. Legally existing nonconforming cleared openings may be maintained, but shall not be enlarged, except as allowed by this Ordinance.
56. Fields and other cleared openings which have reverted to primarily shrubs, trees or other woody vegetation shall be regulated under the provisions of this section.

\*\*\*\*\*

**9.17 Ham Radio Tower/Antennae**

A. Private Ham radio towers/antennae are permitted in all districts except in the Resource Protection ~~4~~District and the SG3 District, subject to the following height limitations.

\*\*\*\*\*

Ordinance to Amend the Ogunquit Zoning Ordinance

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\*\*\*\*\*

**ARTICLE 11 – DESIGN REVIEW**

\*\*\*\*\*

**11.2. Definitions**

\*\*\*\*\*

*District*

In this Article, “District” refers to the Downtown Business District, the General Business Districts I and II, the Limited Business District, the Shoreland General Development 1 District, the Shoreland General Development 2 District, the Shoreland General Development 3 District, or the district in which a use, structure or building subject to the requirements of this Article lies.

.....

Ordinance to Amend the Ogunquit Zoning Ordinance

To create the “Shoreland General Development 3 –Ogunquit Playhouse  
-- SG3” District

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The Town of Ogunquit Official Zoning Map is hereby amended to show the “Shoreland  
General Development 3 – Ogunquit Playhouse – SG3 District” occupying the entirety of  
present Tax Lots 5-42, 5-42-1, 5-43, and 5-44 as shown in Figure 1 below:

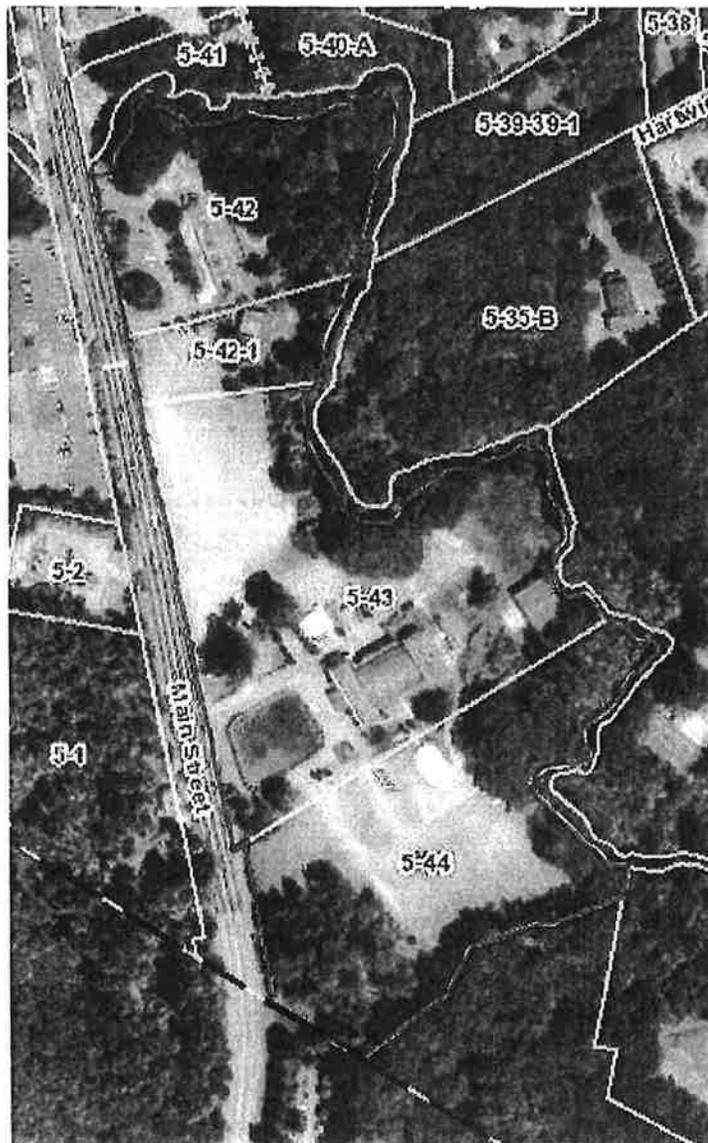


Figure 1



Appointments  
&  
Resignations

# OGUNQUIT

*Beautiful Place by the Sea*

## *Certificate of Appointment*

In accordance with Article III, section 310.1 of the Charter of the Town of Ogunquit, the following appointment was voted at the Select Board Meeting held on:

March 5, 2019

Christine L. Murphy

was appointed to serve at the will and pleasure of the Select Board as

Tax Collector

for a term ending as of Indefinite

Dated: March 5, 2019

### **OGUNQUIT SELECT BOARD**

Charles Waite, III, Chairman

John Daley, Vice Chairman

Richard Dolliver, Member

Madeline Mooney, Member

Robert Winn, Jr., Member

Original to: Town Clerk  
Copies: Appointee

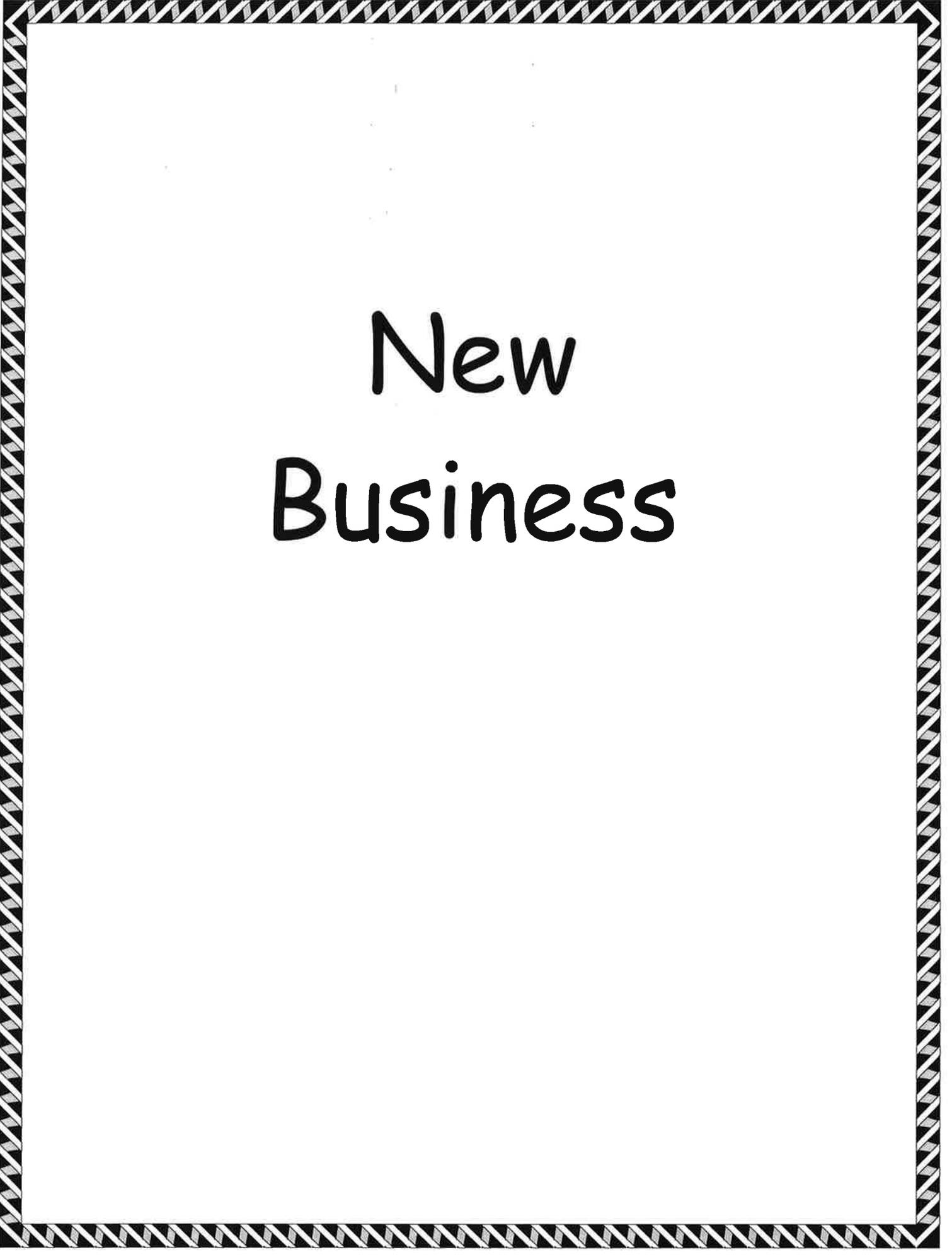


## *Certificate of Appointment*

In accordance with Ogunquit Town Charter, Section 405.2, as Town Manager of the Town of Ogunquit, Maine and with the confirmation vote of the Select Board taken at their meeting on March 5, 2019; I hereby appoint **Christine L. Murphy** to the position of **Treasurer** for the Town of Ogunquit.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Patricia A. Finnigan  
Town Manager



# New Business



**TOWN OF OGUNQUIT  
PUBLIC HEARING**

The Municipal Officers of the Town of Ogunquit will conduct a Public Hearing at 6:00PM on Tuesday, March 5, 2019, in the Auditorium of the Dunaway Community Center, 23 School Street, to review **Title XII, Building Code Regulations, Article 1, Administration, 1.10 - Schedule of Fees** of the Ogunquit Municipal Code.

*(1.10 - Schedule of Fees - The Ogunquit Select Board is hereby authorized to establish a schedule of fees for permits and inspections covered under these Building Code Regulations, which shall thereafter be attached hereto as Appendix I, in accordance with the provisions of Title 30-A M.R.S.A. Section 4355. These fees may be amended from time-to-time as deemed necessary by the Selectmen upon a majority vote at any duly posted, public meeting).*

As these changes do not require Town Meeting approval, they can be adopted by the Municipal Officers at the conclusion of the Public Hearing. (Additions are **bold and underlined**, deletions are ~~struck out~~)

**LAND USE OFFICE**

	<b>FEES:</b>
Blasting Permit	\$150
Building/Use Permit – Residential	\$14/\$1000 of value (\$35 Minimum)
Building/Use Permit – Commercial	\$18/\$1000 of value (\$35 Minimum)
Flood Development Permit	\$50 Minor (less than 50% of structure’s value) \$100 Major (50% of structure’s value)
Condo Doc Review Fee	\$500
Electric Permit	(\$35 Minimum)
Excavator License	\$100
Fence Permit	\$100
Home Occupation Permit	\$50
Plumbing Permit	\$10/Fixture (\$40 Minimum)
Septic	\$250
Impact Fee	\$15 DEP Environmental
Road Opening Permit	Based on type of road cut
Sign Permit	\$100
Well Permit	\$70
Yard Sale Permit	\$10

*REMINDER – No permit is valid until it has been paid for and is in the possession of the Applicant. Any work commenced without a valid permit in hand will be considered to be work done without a permit and fines may be assessed as such.*

**PLANNING BOARD**

**FEES:**

Site Plan Review \$500  
After the Fact = Double Fee \$1000

Design Review \$500 (projects with estimated cost of over \$2000)  
After the Fact = Double Fee \$1000

\$250 (projects with estimated cost less than \$2000)  
After the Fact = Double Fee \$500

Subdivision \$600 or \$150 per lot or dwelling unit, whichever is greater.  
\$1,500 deposit for Escrow Account.

Other Projects or review (Not SPR or DR) \$300  
Special Exceptions \$500

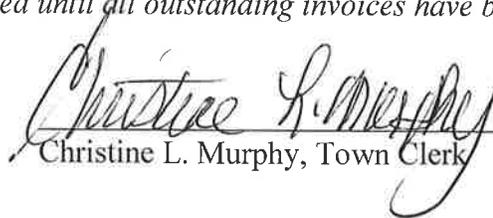
Application to Amend a Planning Board's Previous Approval \$250

After the Fact Amendment Applications \$1000

*In the event the Planning Board should require additional consulting services beyond those covered by the original fee noted above, the Applicant will be responsible for all expenses incurred by the Town beyond the original fee.*

**ZONING BOARD OF APPEALS: \$160**

*Decisions, Findings of Fact, Design Review Certificates, Variance Certificates and / or Certificates of Occupancy will not be issued until all outstanding invoices have been paid in full.*

  
Christine L. Murphy, Town Clerk

Posted by:   
Patricia L. Arnaudin, Police Chief

Posted: February 26, 2019  
Dunaway Community Center  
Ogunquit Post Office  
Transfer Station  
WOGT



**MUNICIPAL OFFICES**

23 SCHOOL STREET • P.O. BOX 875  
OGUNQUIT, MAINE 03907-0875

(207) 646-5139      General Offices

(207) 646-9326      Land Use

(207) 646-9546      Town Clerk

E-mail: [townofogt@maine.rr.com](mailto:townofogt@maine.rr.com)

To:            Pat Finnigan, Town Manager  
From:        Barbara C. Kinsman- E-911 Addressing Officer  
Date:        February 25, 2019  
Subject:     Naming of a Road

We have received a request to name the access road that leads into a new development off Captain Thomas Road. The process for naming roads is found in the Ogunquit Municipal Code, Title II Health, Safety And Welfare in Chapter 6 Enhanced 9-1-1 Ordinance.

The road is located on Captain Thomas Rd. just behind Roby's Pond on Rte. 1 (please see map). The Code Officer, Fire Chief, Police Chief, and I have discussed this and unanimously recommend that the Select Board name the road:

**ROBY'S POND LANE**



GENERAL NOTES

- THE PURPOSE OF THIS PLAN IS TO SUBMIT A PROPOSED LOT DIVISION OF TAX MAP 13 LOT 7 IN THE TOWN OF OGDUNQUIT, MAINE.
- OWNER OF RECORD: LINDSEY DEVELOPMENT GROUP, LLC P.O. BOX 777, WELLS, MAINE 04090 V.L.C.R. BOOK 1750 PAGE 009
- THE PROPERTY IS LOCATED WITHIN THE RURAL RESIDENTIAL 1 (RR1) BASE ZONE. A PORTION OF THE PROPERTY IS ALSO LOCATED WITHIN THE STREAM PROTECTION (SP) DISTRICT. THE FOLLOWING DIMENSIONAL REGULATIONS ARE IN EFFECT AT THE TIME OF THIS SURVEY AND ARE SUBJECT TO THE POWER OF THE TOWN OF OGDUNQUIT:
  - RR1 DISTRICT:
    - MIN. LOT AREA: 30,000 SF (1/4" PUBLIC WATER & SEWER)
    - 60,000 SF (1/2" PUBLIC WATER & SEWER)
    - MIN. STREET FRONTAGE: 100 FEET
    - MIN. FRONT YARD SETBACK: 30 FEET
    - MIN. SIDE REAR YARD SETBACK: 30 FEET
    - MIN. REAR YARD SETBACK: 30 FEET
    - MAX. COVERAGE: 20%
    - 20% (1/4" PUBLIC WATER & SEWER)
    - 30% (1/2" PUBLIC WATER & SEWER)
    - MAX. BUILDING HEIGHT: 25 FEET
    - MAX. BUILDING SETBACK: 25 FEET
- THE TOWN OF OGDUNQUIT DEFINITION OF LOT AREA FOR LOTS NOT CREATED BY SUBDIVISION, THE LAND BELOW THE RURAL HIGH WATER LINE OF A WATER BODY ON THE LAND EDGE OF A WETLAND, AND AREAS BEHIND PUBLIC OR PRIVATE STREETS SHOWING MORE THAN TWO LOTS SHALL BE EXCLUDED FROM THE LOT AREA.
- ZONING REGULATIONS ARE SUBJECT TO CHANGE. OWNER SHALL OBTAIN ALL ZONING REGULATIONS WITH THE TOWN OF OGDUNQUIT PRIOR TO ANY DEVELOPMENT.
- BASES OF BEARING IS HIGHER MAINE STATE PLANE, WEST ZONE, US FOOT (DECS-W).
- ADJUTER LINES SHOWN HEREIN SHALL BE CONSIDERED APPROXIMATE AND ARE FOR REFERENCE PURPOSES ONLY. ADJUTER LINES SHALL NOT BE RELIED UPON AS DIMENSIONAL INFORMATION.

- PROPOSED LOT INFORMATION:
  - LOT A: TOTAL LAND AREA 171,800 SF WETLAND AREA -14,834 SF TOTAL LOT AREA 156,966 SF
  - LOT B: TOTAL LAND AREA 263,432 SF WETLAND AREA -13,723 SF TOTAL LOT AREA 249,709 SF
- THE BOUNDARY SHOWN HEREIN IS DETERMINED FROM WRITTEN RECORDS AND FIELD EVIDENCE RECORDED BY THE TOWN OF OGDUNQUIT SURVEYOR ENGINEERING & SURVEYING, INC. AND MAY BE SUBJECT TO CHANGE IF OTHER EVIDENCE BECOMES AVAILABLE.
- EASEMENTS OR UNWRITTEN RIGHTS MAY EXIST THAT ENCUMBER OR BEMOET THE PROPERTY NOT SHOWN HEREIN.
- THE WETLANDS SHOWN HEREIN WERE Delineated BY JOSEPH MOEL, MAINE CSS #200 IN MAY 2014. THIS WETLAND CLASS WERE SUBSEQUENTLY LOCATED BY TIDEWATER ENGINEERING & SURVEYING, INC.
- TWO VERNAL POOLS WERE FOUND ON THE PARCEL BY JOSEPH MOEL, MAINE CSS #200. VERNAL POOL 10 WAS DETERMINED TO BE SIGNIFICANT FOR THE MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION. VERNAL POOL TO #3457 WAS DETERMINED TO BE NOT SIGNIFICANT.
- DEVELOPMENT AND/OR INTERFERENCE WITHIN THE CRITICAL TERRESTRIAL HABITAT (CTH) SHOWN HEREIN WILL REQUIRE A PERMIT FROM THE MAINE DEP UNDER THE NATURAL RESOURCES PROTECTION ACT CHAPTER 303 SECTION 19 ACTIVITIES IN OR ON OR OVER SIGNIFICANT VERNAL POOL HABITAT. THE CTH AREA IS DEFINED AS THE AREA LOCATED WITHIN 200 FT OF SIGNIFICANT VERNAL POOL #3457.

- REFERENCE PLANS:
- PLAN DEFINING THE RESULTS OF A BOUNDARY SURVEY MADE FOR JOSEPH D. LITTLEFIELD, CAPTAIN THOMAS ROAD AND U.S. ROUTE 1 OGDUNQUIT, MAINE BY MOORE BRANCO LAND SURVEYORS DATED OCTOBER 14, 1982 (NOT RECORDED).
  - SKETCH OF PROPOSED LAND DIVISION MADE FOR JOSEPH D. LITTLEFIELD, CAPTAIN THOMAS ROAD AND U.S. ROUTE 1 OGDUNQUIT, MAINE BY MOORE BRANCO LAND SURVEYORS (NOT RECORDED).
  - PLAN SHOWING LINDSEY'S LARGE CONDOMINIUM OUTLAYOUT MADE BY MOORE BRANCO ENGINEERING LAND SURVEYORS DATED OCTOBER 31, 1985 AND RECORDED AT THE V.C.R.D. IN PLAN BOOK 175 PAGE 11.
  - PLAN SHOWING A PROPOSED DIVISION OF LAND LINDSEY V. FERNALD ET UX TO ROSEMARY E. PAVELIC, OGDUNQUIT, WELLS, MAINE BY MOORE BRANCO ENGINEERING INC DATED DECEMBER 14, 1979 AND RECORDED AT THE V.C.R.D. IN PLAN BOOK 103 PAGE 41.
  - TRIAL SUBDIVISION AND CONDOMINIUM PLAN PREPARED FOR OCEAN MEADOWS, INC OGDUNQUIT, MAINE BY GREAT HILL SURVEY COMPANY, DATED NOVEMBER 13, 1980 AND RECORDED AT THE V.C.R.D. IN PLAN BOOK 38 PAGE 1, 2.
  - STATE HIGHWAY "1" U.S. ROUTE 1/A/AM STREET, OGDUNQUIT, YORK COUNTY, FEDERAL AD PROJECT NO. 57H-SP000001 SHEET 15 OF 46, DATED JULY 2012 AND RECORDED AT THE V.C.R.D. IN PLAN BOOK 330 PAGE 14.
  - MAINE STATE HIGHWAY CONDEMNATION RIGHT OF WAY MAP, STATE RD HIGHWAY NO. 9, WELLS, YORK COUNTY, DATED JANUARY 1975 AND RECORDED AT THE V.C.R.D. IN PLAN BOOK 100 PAGE 8.
  - PLAN SHOWING PROPERTY OF JOSEPH D. LITTLEFIELD OGDUNQUIT, MAINE BY WILKIE ENGINEERING SERVICE DATED MAY 26, 1989 AND RECORDED AT THE V.C.R.D. IN PLAN BOOK 47 PAGE 48.
  - PLAN SHOWING THE REVISIONS TO THE OUTLAYOUT OF CAPTAIN THOMAS ROAD, OGDUNQUIT, MAINE BY GREAT HILL SURVEY COMPANY, DATED SEPTEMBER 25, 2017 AND RECORDED AT THE V.C.R.D. IN PLAN BOOK 381 PAGE 24.
  - LAND OF CLARK & ADAMS PLAN BY G. WASHINGTON THURTON ENGR DATED MAY, 1970 AND RECORDED AT THE V.C.R.D. IN PLAN BOOK 31 PAGE 20.
  - PLAN SHOWING A BOUNDARY SURVEY AND LOT DIVISION FOR TRACY-JOHN & EXTRETT R. LEIGH, JR. OF PROPERTY LOCATED ON OGDUNQUIT LANE - OGDUNQUIT, MAINE DATED SEPTEMBER 25, 2008 BY GREAT HILL SURVEY COMPANY (NOT RECORDED).
  - MAP 13 LOT 8 N/E/D. DANIEL MARICAT BOOK 1587 PAGE 30

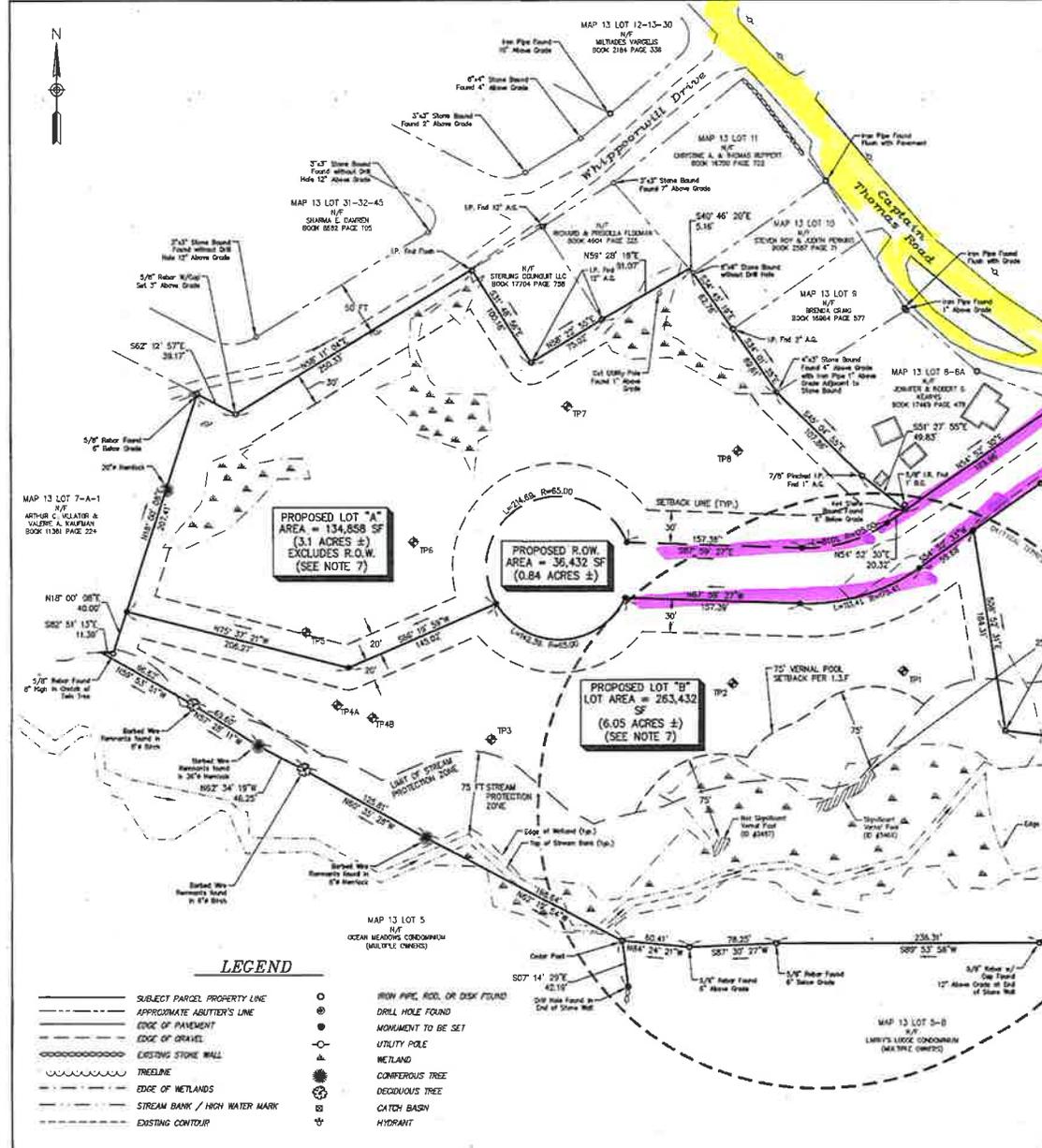
- MAP 13 LOT 6A N/E/D. OUTSIDE SCHMIDT BOOK 6428 PAGE 214
- MAP 13 LOT 8 N/E/D. DANIEL MARICAT BOOK 1587 PAGE 30
- MAP 13 LOT 7-BC N/E/D. ROBERT J. JOHNSON BOOK 11708 PAGE 137
- MAP 13 LOT 5 N/E/D. OCEAN MEADOWS CONDOMINIUM (MULTIPLE OWNERS)
- MAP 13 LOT 3-B N/E/D. LINDSEY'S LARGE CONDOMINIUM (MULTIPLE OWNERS)
- MAP 13 LOT 7-A-1 N/E/D. ARTHUR C. VILLATOR & SAUNDRA A. KAYKAYAN BOOK 11361 PAGE 224
- MAP 13 LOT 31-32-45 N/E/D. SHARMA E. DARRON BOOK 8832 PAGE 105
- MAP 13 LOT 12-13-30 N/E/D. MELBAE VARGAS BOOK 2164 PAGE 338
- MAP 13 LOT 11 N/E/D. CHRISTINE A. & DONALD RESPECT BOOK 12704 PAGE 703
- MAP 13 LOT 10 N/E/D. EDVICKA BOVA & CORIN PERKINS BOOK 2387 PAGE 73
- MAP 13 LOT 9 N/E/D. IRISDEKA GRAND BOOK 16844 PAGE 577
- MAP 13 LOT 8-6A N/E/D. JENNIFER B. ROBERT S. KEARNS BOOK 17469 PAGE 478
- MAP 13 LOT 7 N/E/D. DANIEL MARICAT BOOK 1587 PAGE 30
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- MAP 13 LOT 3 N/E/D. DANIEL MARICAT BOOK 1587 PAGE 30
- MAP 13 LOT 2 N/E/D. DANIEL MARICAT BOOK 1587 PAGE 30
- MAP 13 LOT 1 N/E/D. DANIEL MARICAT BOOK 1587 PAGE 30

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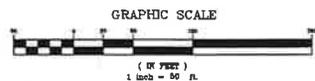
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- MAP 13 LOT 1 N/E/D. DANIEL MARICAT BOOK 1587 PAGE 30



LEGEND

- |         |                               |   |                               |
|---------|-------------------------------|---|-------------------------------|
| ---     | SUBJECT PARCEL PROPERTY LINE  | ○ | IRON PIPE, ROD, OR DISK FOUND |
| - - - - | APPROXIMATE ADJUTER'S LINE    | ⊙ | DRILL HOLE FOUND              |
| ---     | EDGE OF PAVEMENT              | ● | MONUMENT TO BE SET            |
| ---     | EDGE OF GRAVEL                | ○ | UTILITY POLE                  |
| -----   | EXISTING STONE WALL           | ○ | WETLAND                       |
| ~~~~~   | TREELINE                      | ○ | CONIFEROUS TREE               |
| ~~~~~   | EDGE OF WETLANDS              | ○ | DECIDUOUS TREE                |
| ---     | STREAM BANK / HIGH WATER MARK | ○ | CATCH BASIN                   |
| ---     | EXISTING CONTOUR              | ○ | HYDRANT                       |



1. I HEREBY CERTIFY THAT THIS SURVEY WAS PERFORMED UNDER MY DIRECT SUPERVISION AND THAT THE RESULTS THEREOF HEREBY SHOWN ARE IN COMPLIANCE WITH CHAPTER 80, STANDARDS OF PRACTICE, PARTS 1 AND 2 AS ADOPTED BY THE MAINE BOARD OF LICENSES FOR PROFESSIONAL LAND SURVEYORS. WITH THE EXCEPTION THAT A WRITTEN REPORT HAS NOT BEEN PRODUCED AT THIS TIME.

*[Signature]*  
RYAN M. MCQUARTY, P.L.S. 2915  
DATE: 1/4/19



JANUARY 4, 2019

NOT VALID UNLESS SIGNED AND DATED

SUBMISSION/REVISION DESCRIPTION

NO. DATE



PROPOSED LOT DIVISION PLAN  
PREPARED FOR:  
LINDSEY DEVELOPMENT GROUP, LLC  
P.O. BOX 777, WELLS, ME 04090  
FOR LAND LOCATED ON:  
CAPTAIN THOMAS ROAD, OGDUNQUIT, MAINE

JOB # 17-130  
DATE: JANUARY 4, 2019  
SCALE: 1" = 50'  
DRAWING: C1

**TITLE II  
HEALTH, SAFETY & WELFARE  
ENHANCED 911 ORDINANCE**

**Chapter 6    Enhanced 911 Ordinance**

**6. A.1            Title, Purpose and Authority**

**6. A.1.a         Title**

This chapter may be referred to as the "E911 Ordinance".

**6. A.1.b         Purpose**

The purpose of this Ordinance is to enhance the easy and rapid location of properties by law enforcement, fire, rescue, and emergency medical services personnel in the Town of Ogunquit.

**6. A.1.c            Authority**

The Ordinance is adopted pursuant to and consistent with the Municipal Home Rule Powers as provided in Article VIII, Part 2 Section 1 of the Constitution of the State of Maine and Title 30-A M.R.S.A. Section 3001.

**6. A.2            Administration**

The Town of Ogunquit Selectmen is authorized to, and shall, assign road names and numbers to all properties, both existing and proposed roads, in accordance with the criteria in Sections 4 and 5. The Code Enforcement Officer shall be responsible for maintaining the following official records of this ordinance:

**6. A.2.a**            <sup>1</sup>These maps are digitally produced on compact discs (CD's) by The Maine Office of Geographic Information Systems. Updates are generated by the Addressing Officer. Copies of these CD's are located at the Land Use Office.

**6. A.2.b**            <sup>2</sup>A complete list of all property owners listed by Address, Map & Lot and Last name is located at Town Hall and The Assessor's Office.

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<sup>1</sup> Section 6.A.2 .a – STM 11-3-2009

<sup>2</sup> Section 6.A.2.b – STM 11-3-2009

**6. A.3 Naming System**

All roads that serve two (2) or more properties shall be named regardless of whether the ownership is public or private. A "road" refers to any highway, road, street, avenue, lane, private way, or similar paved, gravel, or dirt thoroughfare. "Property" refers to property on which a more or less permanent structure has been erected or could be placed. A road name assigned by the Town of Ogunquit shall not constitute or imply acceptance of the road as a public way. The following criteria shall govern the naming system:

- 6. A.3.a** No two (2) roads shall be given the same name (e.g., no Shore Road and Shore Lane).
- 6. A.3.b** No two (2) roads should have similar-sounding names (e.g., Beach Street and Peach Street).
- 6. A.3.c** Each road shall have the same name throughout it's entire length.

**6. A.4 Numbering System**

Numbers shall be assigned every fifty (50) feet along both sides of the road, with even numbers appearing on the right side of the road and odd numbers appearing on the left side of the road, determined by the number origin. The frontage interval may vary in more densely populated areas (i.e. Perkins Cove and Ogunquit Square areas.)

The following criteria shall govern the numbering system:

- 6.A.4.a** All number origins shall begin from the designated center of Ogunquit Square or at the end of the road closest to the Ogunquit Square, with the exception of US 1 (Main St) whose number origin will begin at the southerly end of town. For dead end roads, the numbering shall originate at the intersection of the adjacent road and terminate at the dead end.
- 6. A.4.b** The number assigned to each structure shall be that of the numbered interval falling closest to the front door. If the front door cannot be seen from the main road, the number shall be that of the interval falling closest to the driveway of said structure.
- 6.A.4.c** Every structure with more than one principle use or occupancy shall have a separate number for each use or occupancy (i.e. duplexes will have two separate numbers; apartments will have one road number with an apartment number, such as 125 US 1, Apt. 1).

**6. A.5**            **Compliance**

All owners of structures within the Town of Ogunquit shall, by the date stipulated in Section 8, display and maintain in a conspicuous place on said structure, the assigned numbers in the following manner:

- 6. A.5.a**            Number on the structure or residence Where the residence or structure is within fifty (50) feet of the edge of the road right-of-way, the assigned number shall be displayed on the front of the residence or structure near the front door or entry.
- 6.A.5.b**            Number at the Street Line Where the residence is over fifty (50) feet from the edge of the road right-of-way, the assigned number shall be displayed on a post, fence, wall, the mail box, or on some structure at the property line next to the walk or access drive to the residence or structure.
- 6. A.5.c**            Size and Color of Number Numbers shall be displayed in a color and size approved for use by the Code Enforcement Officer and shall be visible from the road.
- 6. A.5.d**            Every person whose duty is to display the assigned number shall remove any different number that might be mistaken for, or confused with, the number assigned in conformance with this ordinance.
- 6. A.5.e**            Interior location All residents and other occupants are requested to post the assigned number and road name next to their telephone for emergency reference.

**6. A.6**            **New Construction and Subdivision**

All new construction and subdivision shall be named and numbered in accordance with the provisions of this ordinance and as follows:

- 6. A.6.a**            New Construction Whenever any residence or other structure is constructed or developed, it shall be the duty of the new owner to obtain an assigned number from the Code Enforcement Office. This shall be done at the time of issuance of the building permit.
- 6. A.6.b**            New Subdivision Any prospective subdivider shall show a proposed road name and lot numbering system on the pre-application submission to the Planning Board. Approval by the Planning Board, after consultation with the Code Enforcement Officer, shall constitute the assignment of road names and numbers to the lots in the subdivision. On a final plan showing proposed roads, the applicant shall mark on the plan, lines or

dots, in the center of the streets every fifty (50) feet to aid in the assignment of numbers to structures subsequently constructed.

**6. A.7**            Enforcement

<sup>3</sup>When it has been determined by the Addressing Officer that an officially issued E-911 address number is missing, incorrect or not visible from a distance of 50Ft. from the street, the Addressing Officer shall within (3) three business days, notify the property owner of the violation. Notification shall be sent by Certified Mail. Notification shall also be given verbally whenever possible but does not eliminate the requirement for the addressing officer to notify the property owner via Certified Mail. The Addressing Officer shall order placement of the assigned E-911 number and shall explain the penalties, as noted in Section 6.A.7.a and Section 6.A.7.b for noncompliance as applicable to the property.

**6. A.7.a**            A business property owner has (10) ten business days from the date of receipt of the Certified Mail to install an officially issued E-911 address number as ordered to do so by the Addressing Officer. If the business property owner fails to comply within the (10) ten business days the Addressing Officer will send a follow up warning letter via Certified Mail stating that if the business property owner does not comply within (5) five business days from receipt of the warning letter they shall be subject to the denial or immediate revocation of his/her business license. The above shall be enforced by the Ogunquit Code Enforcement Officer.

**6. A.7.b**            A residential property owner has (10) ten business days from the date of receipt of the Certified Mail to install an officially issued E-911 address number as ordered to do so by the Addressing Officer. If the residential property owner fails to comply within the (10) ten business days the Addressing Officer will send a follow up warning letter via Certified Mail stating that if the residential property owner does not comply within (5) five business days from receipt of the warning letter they shall be fined \$50.00 plus an additional \$5.00 for each day the violation continues thereafter. The above shall be enforced by the Ogunquit Code Enforcement Officer.

**6. A.8**            Effective Date

This Ordinance shall become effective as of December 10, 1996. It shall be the duty of the Code Enforcement Officer to notify by mail each property owner and the Post Office of a new address at least thirty (30) days before the effective date of its use. It shall be the duty of each

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<sup>3</sup> Section 6.A.7 – STM 11/3/2009

property owner to comply with this ordinance, including the posting of new property numbers, within thirty (30) days following notification. On new structures, numbering will be installed before final inspection or when the structure is first used or occupied, whichever comes first.