

Barbara Dailey, Chair  
John Daley, Vice Chair  
Richard Dolliver  
Gary Latulippe  
Robert Winn, Jr.



AGENDA  
SPECIAL MEETING OF THE OGUNQUIT SELECT BOARD  
TUESDAY, APRIL 11, 2017

- 1.0 CALL TO ORDER: 5:00PM
- 2.0 BUDGET MEETING
  - 2.1 Budget Q & A  
Public Comments and Questions on the Proposed FY 2017-2018 Budget
  - 2.2 Select Board and Budget Review Committee Meeting for the FY 2017-2018 Capital Improvements Program Budget  
Select Board and Budget Review Committee vote on the FY 2017-2018 Capital Improvements Program Budget
- 3.0 PUBLIC INPUT(AGENDA ONLY)
- 4.0 PUBLIC HEARING - 6:00PM
  - 4.1 Amendments to Title V- Motor Vehicle Traffic & Parking Ordinance - Ray Hamlin, Visitor Services Supervisor
  - 4.2 Transfer of Funds from the "Natural Disaster Emergency Repair Fund" for the Perkins Cove Bridge Repair Project - Mark O'Brien, Acting Town Manager
- 5.0 ADMINISTRATIVE ITEMS - NEW BUSINESS
  - 5.1 Amendments to Title V- Motor Vehicle Traffic & Parking Ordinance - Ray Hamlin, Visitor Services Supervisor  
Select Board Review and Action on the Proposed Amendments to Title V - Motor Vehicle Traffic & Parking Ordinance
  - 5.2 Award of Bid for Shore Road Sidewalk Reconstruction - Mark O'Brien, Acting Town Manager  
Select Board Review and Action on the Award of the Bid for the Reconstruction of the Shore Road Sidewalk near the Intersection of Route 1 and Shore Road
  - 5.3 Amendment to Previously Issued Special Event Permit - Scott Heyland, Code Enforcement Officer  
Select Board Review and Action on the Addition of a Food Truck at the Chamber of Commerce Patriot's Day Festivities
  - 5.4 Petition for Street Discontinuance - Portion of Captain Thomas Road - Scott Heyland, Code Enforcement Officer  
Select Board Review and Action on a "Notice of Proposed Discontinuance of a Portion of Captain Thomas Road, Ogunquit, Maine" to be sent to Abutters on the Portion of Road to be Discontinued

**6.0 OLD BUSINESS**

6.1 Transfer of Funds from the "Natural Disaster Emergency Repair Fund" for the Perkins Cove Bridge Repair Project - *Mark O'Brien, Acting Town Manager*

Select Board Action on the Transfer of Funds from the Natural Disaster Emergency Repair Fund for the Perkins Cove Bridge Repair Project

6.2 Proposed Amendments to the Ogunquit Zoning Ordinance - *Scott Heyland, Code Enforcement Officer*

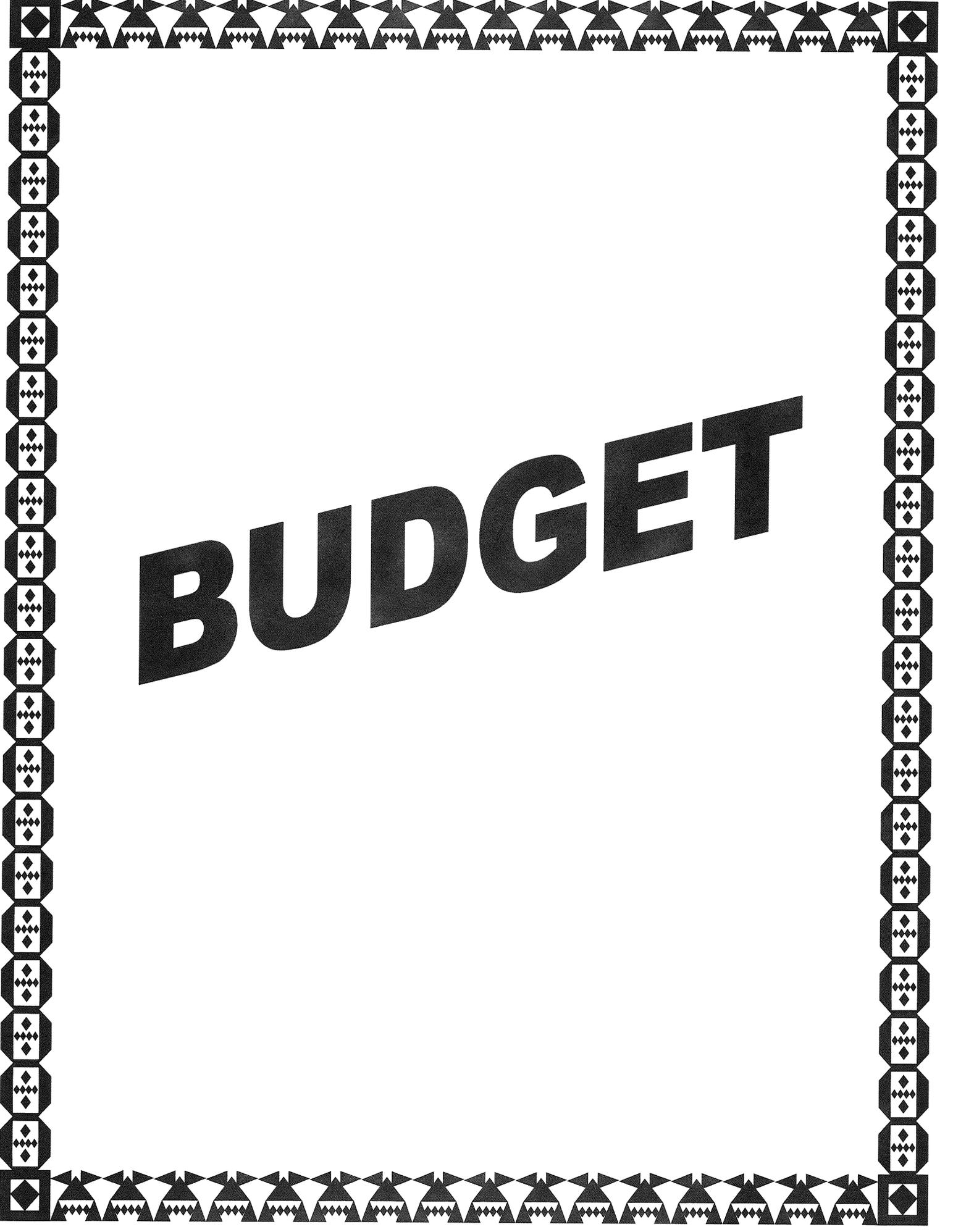
Select Board Review and Action on the Request from the Planning Board for the Placement of Proposed Amendments to be Placed on the Warrant for the June 13, 2017 Annual Town Meeting

6.3 Potential Marijuana Moratorium - *Scott Heyland, Code Enforcement Officer*

Select Board Discussion on a Potential Marijuana Moratorium

**7.0 OTHER BUSINESS**

**8.0 ADJOURNMENT**

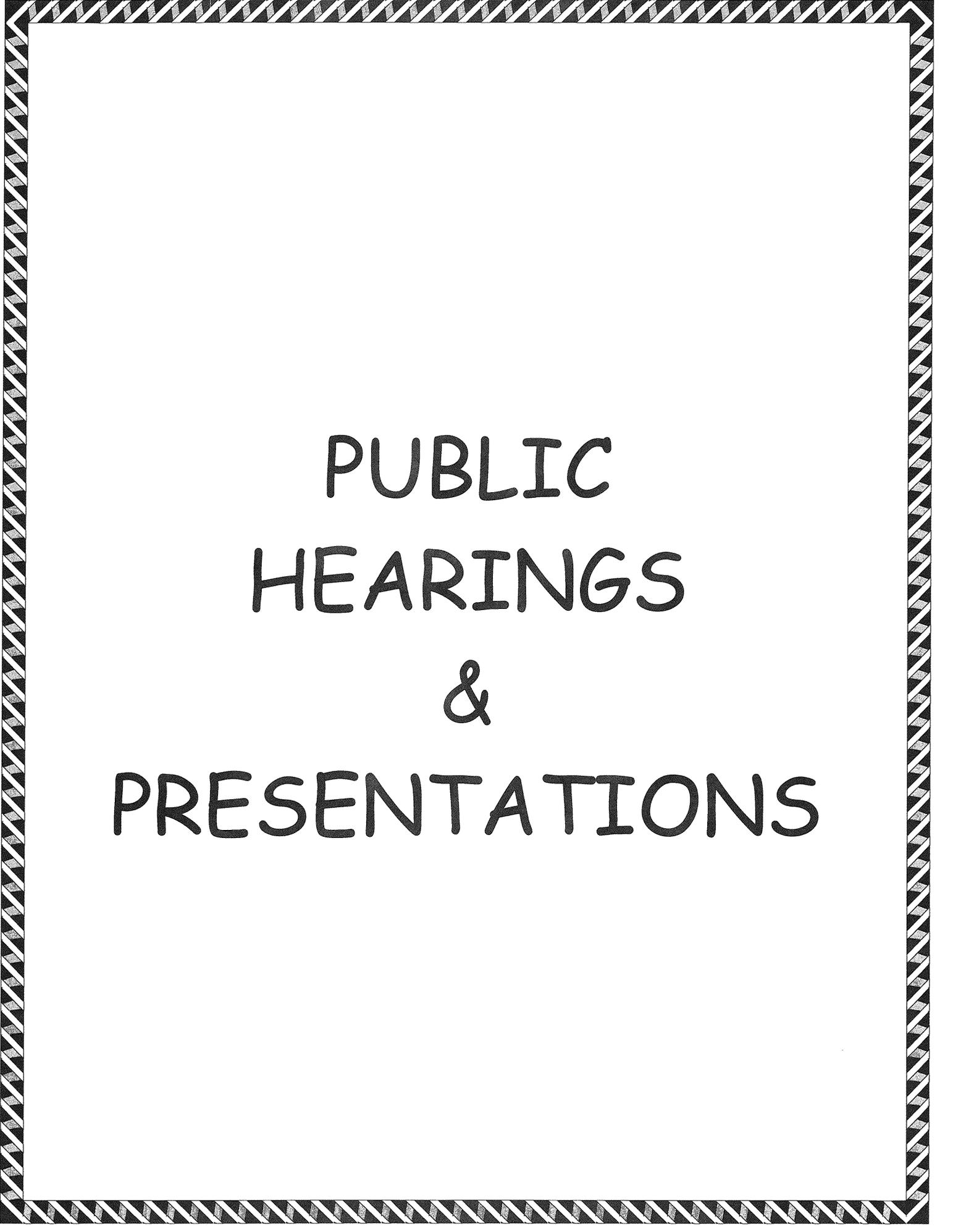


# BUDGET

**TOWN OF OGUNQUIT  
BUDGET SUMMARY  
2017-2018**

Select Board BRC Vote on Operational Budget 03/07/2017

<u>Current Budget</u>		<u>Requested</u>	<u>Town Manager</u>	<u>Select Board</u>	<u>Select Board</u>	<u>Budget</u>	<u>BRC Vote</u>
					<u>Vote</u>	<u>Committee</u>	
<u>2016-2017</u>		<u>2017-2018</u>	<u>2017-2018</u>	<u>2017-2018</u>		<u>2017-2018</u>	
<b><u>CIP EXPENSES</u></b>							
General Government	Re-codification of Town Ordinances	17,000	17,000				
Park & Recreation	OVS Community Center	1,800,000	0				
Visitor Services	Improvements to Parking Lots	60,000	60,000				
Visitor Services	Installation of Multi Space Parking Meters in all Town Lots	204,000	204,000				
Fire Department	Ambulance Replacement	45,000	45,000				
Fire Department	Fire Station Kitchen Rehab	60,000	60,000				
Public Works	Repair Tennis Courts	25,000	25,000				
Public Works	Rebuild Tennis Courts	150,000	0				
Public Works	Replace Ramp Decking - Main Beach Ramps	17,000	17,000				
Public Works	Build New Storage Building on Existing Pad	20,000	0				
Public Works	JD Tractor w/mower	25,100	25,100				
Public Works	Plow Truck w/Wing & Sander	170,000	170,000				
Public Works	New Attached Wash Bay	115,000	0				
Public Works	Installation of Wash Bay in Existing Town Garage	95,000	0				
Public Works	Agamenticus Road Reclaim and Pave Engineering	90,000	15,000				
Public Works	Cherry Lane - Overlay Pavement	50,000	50,000				
Public Works	Overhead Heaters for Garage	15,000	15,000				
Harbormaster	Footbridge - Electrical Cable & Hookup	9,000	0				
Harbormaster	Boatways - Perkins Cove	50,000	0				
Administrative Services	Trash Compactor	25,000	25,000				
Administrative Services	2017 Ford Transit Van	25,000	25,000				
Administrative Services	Replacement of Flooring - Dunaway Center	32,593	0				
<b>TOTAL CIP</b>		<b>936,650</b>	<b>3,099,693</b>	<b>753,100</b>	<b>-</b>	<b>-</b>	
<b>PARKING REVENUES TOTAL</b>							
		<b>1,475,000</b>	<b>1,585,000</b>	<b>1,585,000</b>	<b>1,585,000</b>	<b>1,585,000</b>	



PUBLIC  
HEARINGS  
&  
PRESENTATIONS

# OGUNQUIT

*Beautiful Place by the Sea*

## PUBLIC HEARING

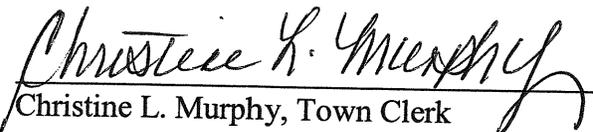
The Municipal Officers of the Town of Ogunquit will conduct a Public Hearing at 6:00PM on Tuesday, April 11, 2017, in the Auditorium of the Dunaway Community Center, 23 School Street, to consider proposed amendments to the Title V (**Motor Vehicle Traffic & Parking Ordinance**) of the Ogunquit Municipal Code. As these changes do not require a Town Meeting approval, they can be adopted by the Municipal Officers at the conclusion of the Public Hearing. (Additions are **underlined & bold**, deletions ~~struck-out~~)

### **Chapter 12**      **Municipal Parking Lot Regulations**

#### 1201 GENERAL INFORMATION

##### 1201.7      Fees

1201.7.1      The Board of Selectmen shall annually (or more often if necessary) establish parking lot fees as otherwise set forth in **Appendix A** to be attached hereto and incorporated herein.

  
Christine L. Murphy, Town Clerk

Posted by:

  
Patricia L. Arnaudin, Police Chief

Posted:	<u>April 4, 2017</u> Dunaway Community Center Ogunquit Post Office Ogunquit Transfer Station WOGT
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**TOWN OF OGUNQUIT**  
**MUNICIPAL CODE, TITLE V, CHAPTER 12**  
Municipal Parking Lot Regulations  
**APPENDIX A – FEE SCHEDULE**

**PARKING PERMITS:**

**Full Time Residents:**

- 1<sup>st</sup> Decal - \$35.00
- 2<sup>nd</sup> Decal - \$100.00
- Moped/Scooter - \$5.00

**Non-Resident Part Time Property Owner:**

- 1<sup>st</sup> Decal - \$35.00
- 2<sup>nd</sup> Decal - \$100.00
- Moped/Scooter - \$5.00

**Businesses & Employees:**

- Perkins Cove Business Owners/Business Renters - \$150.00
- Obeds & Lower Lot Parking Lot – Business Employees - \$100.00

**Hotel/Motel Overnight Guests:**

- Free when no fees are charged at Main Beach Lot (upon notice to Town)
- \$6.00 per night (till 2<sup>nd</sup> Saturday in June & after Labor Day)
- \$10.00 per night (all other times)

**Village Apartment Renters:**

- \$50.00 per year

**OTHER FEES:\***

**Main Beach:**

- Annex Parking Lot - No charge/~~2 hr~~ **30 Minute Limit as Posted**
- Main Parking Lot - \$25.00 /per day/Shoulder Season
- \$30.00 /per day/In season

**Perkins Cove:**

- Parking Lot - 1 hour/\$4.00
- 2 hours/\$7.00
- 3 hours/\$10.00/3 hr limit/In Season
- Overtime Parking Charge - \$4.00/hour

- Boatyard Parking Lot - No charge/2 hr limit

- Charter/Fishermen Parking Area - No charge/By permit only

- Residents' Overnight Parking - No charge/By permit only

**Satellite Lots:**

Cottage Street Lot

- 1 hour/\$4.00
- 2 hours/\$7.00
- 3 hours/\$10.00/3 hr limit/In Season
- Overtime Parking Charge:
  - First Hour \$4.00**
  - After First Hour \$25.00 Parking Fine**

Footbridge Beach Lot

- \$15.00 /M-TH/Shoulder Season
- \$20.00 /F-S/Shoulder Season
- \$25.00 /per day/In Season

Jacobs Lot

- No charge/**30 Minutes or 2 hr limit as posted**

Lower Lot - River Road

- \$15.00 /M-TH/Shoulder Season
- \$20.00 /F-S/Shoulder Season
- \$25.00 per day/In Season

Upper Lot - Main Street

- No Charge/2 **1** Hr limit

North Beach Lot

- \$15.00 /M-TH/Shoulder Season
- \$20.00 /F-S/Shoulder Season
- \$25.00 per day/In Season

Obeds Lot

- **Daily Rates**
  - \$12.00/M-TH/Shoulder Season
  - \$20.00 /F-S/Shoulder Season
  - \$25.00 per day/In Season
- **Hourly Rates**
  - **1 hour/\$4.00**
  - **2 hours/\$7.00**
  - **3 hours/\$10.00/3 hr limit/In Season**
  - **Overtime Parking Charge:**
    - **First Hour \$4.00**
    - **After First Hour \$25.00 Parking Fine**

**MOPEDS/SCOOTERS/MOTORCYCLES:**

Parking - Designated areas only (Main Beach/Footbridge/North Beach & Obeds Lots)

Moped/Scooter \$5/day  
Motorcycle \$10/day

Parking - Designated areas only (Perkins Cove)

Motorcycles/Scooters \$4/2 hours

***\* Rates posted above under "Other Fees" are subject to "inclement weather" and "off season (shoulder season)" reductions at discretion of Visitor Services Supervisors.***

**BEACH IMPACT FEES:**

Commercial Buses & Vans under 40 feet and 15 or less Passengers - \$50.00/per day

All Vehicles over 40 feet or more than 15 passengers - \$100.00/per day

Ogunquit Business Season Pass - \$1,500.00

Out-Of-Town Business Season Pass - \$3,000.00

Ogunquit Business/Other Season Pass - \$300.00

**NOTE:**

**July 1 – Labor Day**

**Perkins Cove Road closed to all vehicles over 40 feet**

Fee Schedule Amended:

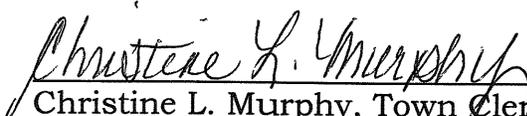
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September 17, 2014	November 18, 2014	January 6, 2015	April 5, 2016

# OGUNQUIT

*Beautiful Place by the Sea* 

## **TOWN OF OGUNQUIT NOTICE OF PUBLIC HEARING**

The Municipal Officers of the Town of Ogunquit will conduct a Public Hearing at 6:00PM on Tuesday, April 11, 2017, in the Auditorium of the Dunaway Community Center, 23 School Street to consider the transfer of up to \$65,000 from the "Natural Disaster Emergency Repair Fund" for repairs to the Perkins Cove Footbridge pursuant to Referendum #7 of the July 26, 2005 Special Town Meeting.

  
Christine L. Murphy, Town Clerk

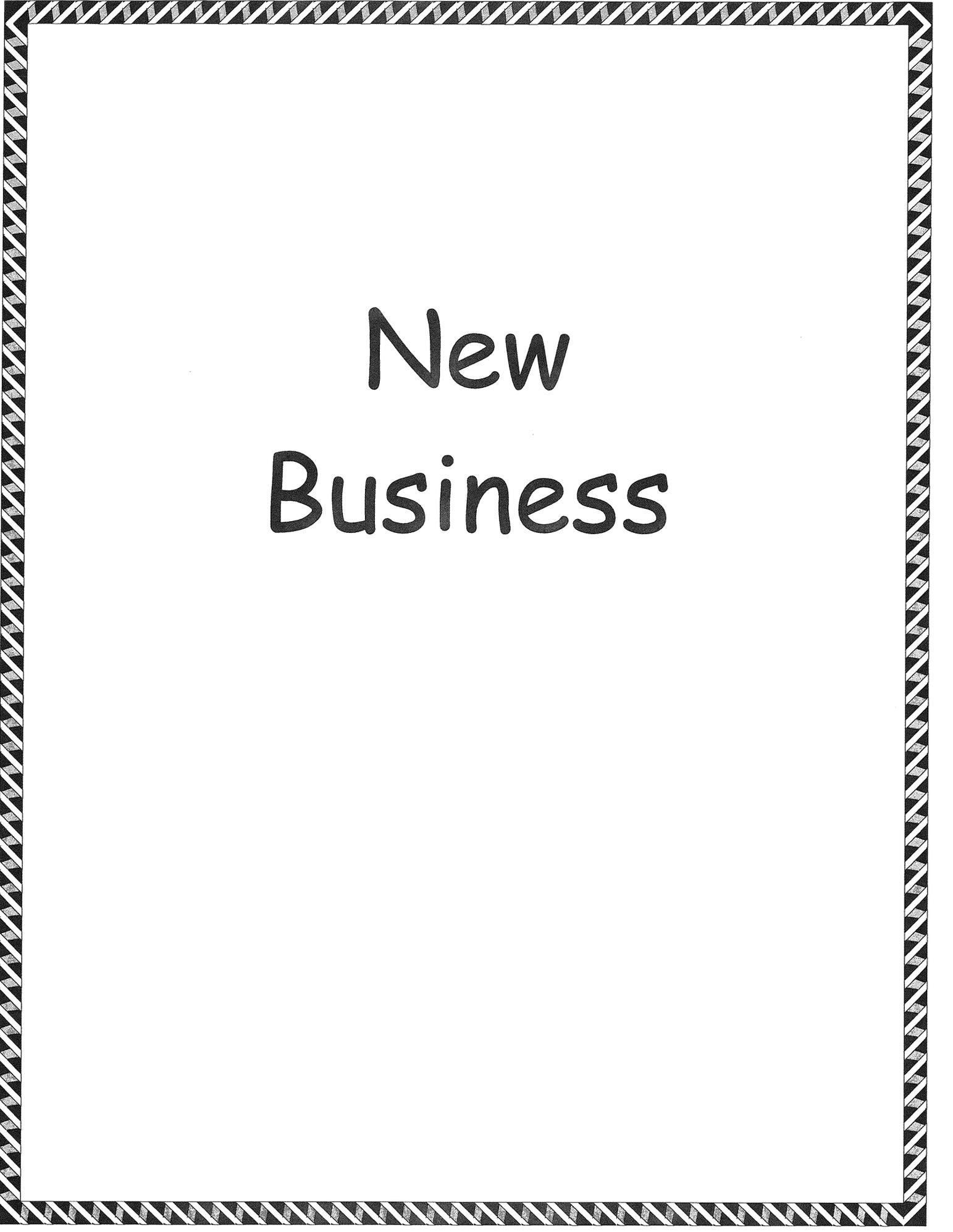
Posted by:

  
Patricia L. Arnaudin, Police Chief

Posted:

April 4, 2017

Dunaway Community Center  
Ogunquit Post Office  
Ogunquit Transfer Station  
Town of Ogunquit Web Page  
WOGT-TV



# New Business

# OGUNQUIT

*Beautiful Place by the Sea*

## PUBLIC HEARING

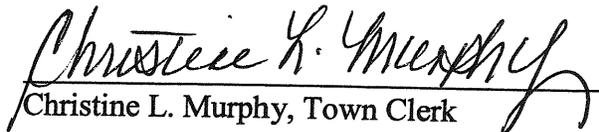
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**TOWN OF OGUNQUIT**  
**MUNICIPAL CODE, TITLE V, CHAPTER 12**  
Municipal Parking Lot Regulations  
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Parking - Designated areas only (Perkins Cove)

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**NOTE:**                      **July 1 – Labor Day**  
                                    **Perkins Cove Road closed to all vehicles over 40 feet**

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September 17, 2014	November 18, 2014	January 6, 2015	April 5, 2016

**Shore Road Sidewalk Reconstruction  
Bid Opening  
04-05-2017**

Present for bid opening: Acting Town Manager Mark O'Brien, CEO Scott Heyland and Admin Assistant Cheryl Emery.

Two bids were received:

Bibb Rock Landscaping, LLC           \$60,800.00

Millennium Granite, LLC               \$48,725.00

APR - 5 2017

**Bibb Rock Landscaping, LLC**  
47 Pine Hill Road  
Cape Neddick, ME 03902  
207-363-5452

# Estimate

Date:	Estimate #
3/8/2017	900

Bill To:
Ogunquit Town Office School Street Ogunquit Maine

		Job Location	
Qty	Description	Rate	Total
	Installation of Hardscape According to Shore Road Sidewalk Plan Changes are as follows: All sidewalk areas to be laid in brick, Walls will be Grey Granite 30" tall by 12" wide with 4" reveal above top of walk. All Steps will be Granite that match Walls, Curbing and Benches. Demolition	58,000.00	58,000.00
		2,800.00	2,800.00

**Thank you for Considering  
Bibb Rock Landscaping, LLC**

<b>Total</b>	<b>\$60,800.00</b>
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APR - 5 2017

## **Millennium Granite LLC**

50 Quarry Rd  
Wells, Maine 04090  
(207) 646-8368

**April 4, 2014**

**Work to be preformed for:**

Town of Ogunquit  
P. O. Box 875 - 23 School Street  
Ogunquit, Maine 03907

**Preformed at:** Shore Road Sidewalk

Job Overview: Demo and prep sidewalk area along Shore Road

Supply and install 125 Ln. Ft. of 12" x 30", sawn six sides, thermal top, face and back.  
Granite blocks as retaining wall set in crushed stone.

Supply and install (3) 4' - granite steps, (2) 6' - granite steps and (1) 2' x 3'-6" - granite step.

Supply and install 100 Ln. Ft. of granite curb

Prep sidewalk, pave base 2"

Supply and install 1000 Sq. Ft. of Waterstruck pavers (specified)

Remove 2 light bases and relocate a third to landscape area.

Supply and install (3) granite benches

Landscape and plant (3) trees.

\*\*Railings not included

**TOTAL \$48,725.00**

## Shore Road Sidewalk

Site Walk: March 29, 2017  
Bids due: April 5, 2017 by 3:00pm  
Bid award: April 11, 2017

Project start date: As soon as possible  
Project completion date: May 20, 2017

Site Walk Attendees

Scott LaBrecque  
797-6305

LaBrecque Construction

[scottlabrecque1@yahoo.com](mailto:scottlabrecque1@yahoo.com)

Richard Bois  
646-8368

Millennium Granite

[contact@millenniumgranite.com](mailto:contact@millenniumgranite.com)

Pete C.  
646-4807

Ramsdell Landscaping

Aneta Brdynkiewicz  
475-6237

Ramsdell Landscaping

[aneta@ramsdelllandscaping.com](mailto:aneta@ramsdelllandscaping.com)

Steve Hopkins  
451-3081

Bibb Rock Landscaping

[bibbrocklandscaping@yahoo.com](mailto:bibbrocklandscaping@yahoo.com)

Phil Taylor  
252-7212

Gogan Landscaping

[dan@goganlandscaping.com](mailto:dan@goganlandscaping.com)



**APPLICATION/PERMIT for SPECIAL EVENT**

Pursuant to Title IX, Chapter 11, of the Ogunquit Municipal Code, I request a SPECIAL EVENT Permit for the following:

NAME OF EVENT: Patriots Day  
(Attach Brief Description)

LOCATION OF EVENT: throughout Ogunquit

**TO BE HELD FROM** April 21-23, 2017

“BOND” ATTACHED IN THE AMOUNT OF: \_\_\_\_\_

**NOTE:** *“I understand that the responsibility for clean-up and the cost of Police/Fire services rendered shall be borne by the event sponsors, and further, I understand that the event sponsor is responsible to reimburse the Town for any expenses resulting from any damages to Town property.”*

  
Signature of Sponsor

PO Box 2289, Ogunquit  
Address

207-646-1279  
Telephone

CODE OFFICER \_\_\_\_\_ Recommend Approval: YES [ ] NO [ ] Dated: \_\_\_\_\_

FIRE CHIEF \_\_\_\_\_ Recommend Approval: YES [ ] NO [ ] Dated: \_\_\_\_\_

POLICE CHIEF \_\_\_\_\_ Recommend Approval: YES [ ] NO [ ] Dated: \_\_\_\_\_

DATED APPROVED: \_\_\_\_\_

DATE DENIED \_\_\_\_\_

\_\_\_\_\_  
Chairman, Board of Selectmen

## SPECIAL EVENTS DETAILS:

### **EVENT 1: Patriots Day:**

**27<sup>th</sup> Annual: April 21-23, 2017** (Please note, Easter falls on Patriots Day weekend, so this event is scheduled for the following weekend.)

### **Patriots Day Sample Events (subject to change, deletion, or augmentation)**

Throughout the weekend: Events hosted and sponsored by non-profits and area businesses, such as, but not limited to the Ogunquit Memorial Library Book Sale and the OMAA ABC Sale.

#### Friday

CONCERT

DRAMATIC READING/ RE-ENACTMENT

POOCH PAGEANT

AMERICAN PIE CONTEST

#### Saturday

CRAFT FAIR AT THE MAIN BEACH

"TASTE OF THE TOWN"

HISTORICAL RE-ENACTMENT

#### Sunday

HISTORICAL RE-ENACTMENT

CRAFT FAIR AT THE MAIN BEACH

HAY RIDES

As in previous years, we would like to request:

Permission to locate the craft show at the Main Beach Parking Lot, using tents. In response to previous concerns, we have reached out to the tent company to ensure that they will thoroughly clean any tent detritus and completely fill any holes left by tent stakes.

Permission to have Taste of the Town at the Dunaway Center.

Permission to use banners to advertise the event in advance.

Permission to use sign boards to advertise and for directions during the event.

Delivery and use of town trash barrels, barricades, and pedestrian signs.

We ask that the town not charge for parking at Main Beach, Lower Lot or Obed's Lot during this weekend, as traditionally the parking lots are no-fee during this time of year.

Due to the number of people in attendance, we ask that the public restrooms be open.

Permission for appropriate themed displays and decorations such as flags to be used throughout town and by the business community to augment the celebratory environment.

### **EVENT 2: Sidewalk Art Show:**

**44<sup>th</sup> Annual: Monday, August 28, 2017 (rain date: August 29)**

Based on feedback from previous years, last year we made modifications to this annual event as follows:

The date of the event was changed from the Thursday before the fourth Saturday of the month to the Monday after the fourth Saturday. Many of our artists participate in the WCSH Art Show in Portland. Traditionally those from farther away have stopped in Ogunquit as they travel to Portland. Now they will stop on their way back. We have made this change because Mondays tend to be less busy in the center of town than Thursdays, and because the last week of August is normally one of the slowest weeks of the summer season, as has been demonstrated by empty rooms throughout our lodging community.

We also took all artwork off of Main Street. This made the pedestrian easier and minimized disruption to Main Street automobile traffic.

All artists' work and their displays was juried for approval by a panel of five judges. This applied to both new artists and returning artists. Only those whose works and displays were deemed to be of a high standard were allowed in the show. No caricatures, jewelry or clothing was included, nor were small fine art displays which could have been considered crafts. Artists use a variety of media, e.g. photography, oils, watercolor, charcoal, pastels, etching, paper-cutting, stained glass and mixed media.

with any of the provisions of this Ordinance may have his license revoked as provided for in Section 1007. A licensee shall be responsible for the actions of his/her employees.

*1018 Renewability*

A Public Transportation License may be renewed each year subject to review of system's operations by the Board of Selectmen.

1018.1 Before issuance of Public Transportation License, the Board of Selectmen shall review Chapter 10 of the Public Transportation Ordinance.

*1019 Severability*

The invalidity of any part of this Ordinance shall not invalidate the other parts.

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## **Chapter 11 Special Event Ordinance**

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*(Adopted by voters at the April 4, 1988 Annual Town Meeting in Article 32, Amended Annual Town Meeting 04/03/1999)*

*1101 Title*

This Chapter shall be known and may be cited as "Special Event Ordinance of Ogunquit".

*1102 Purpose*

The purpose of this Ordinance is to authorize Special Events on a limited basis, which events serve to promote the Town of Ogunquit and its businesses and to provide for the allowance of outdoor sales in areas where it is otherwise prohibited; the temporary use of municipal facilities; and for the temporary waiver of articles of Title X, The Zoning Ordinance, which shall not be waived in residential areas.

*1103 Power of Board*

The Board of Selectmen may authorize a Special Event, which will promote the Town of Ogunquit and its businesses.

1103.1 All permits must be approved by the Board of Selectmen prior to the following exceptions being allowed:

1103.1.a Outdoor sales in areas where such sales are

prohibited or restricted by special exception in the Town's Zoning Ordinance, and

- 1103.1.b The use of municipal facilities provided the Board finds that the event will not have an adverse effect on the safety, health and welfare of the Town, and
- 1103.1.c The waiver of Chapter 2, Article 3, "Signs" of the Zoning Ordinance provided that sign placement will not have an adverse effect on the safety, health and welfare of the Town and provided sign placement is limited to no more than four (4) weeks prior to the event and no more than one (1) week after the event.
- 1103.1.d The waiver of Permitted Uses in the District Standards of the Zoning Ordinance, Title X, Chapter 1, Article 7 through Article 18 provided that the Special Event does not have an adverse effect on the safety, health and welfare of the Zoning District(s) where the event is permitted temporarily.
- 1103.1.e Provided further that said event shall not exceed seven (7) days, and that no more than five (5) events shall be authorized per calendar year.

*1104 Additional Conditions*

In authorizing any "Special Event" the Board shall impose such further reasonable restrictions and conditions as are deemed appropriate to best safeguard the public's health, safety, and welfare and the right of the citizens to quiet enjoyment of their properties including but not limited to requiring applicants to provide for and pay for an appropriate number of policemen to be present during specified events.

- 1104.1 The application for a Special Event Permit and the coordination of activities during the event; providing liability insurance, if required; and any other coordination deemed appropriate by the Board of Selectmen, shall be one (1) non-profit organization. This Article is not to limit

the number of participating organization, but to provide a coordinated Town-wide Special Event rather than many unrelated events occurring at the same time, and

1104.2 A Special Event does not permit outdoor sales, or waiver of the Sign Ordinance, or waiver of the Zoning Ordinance, or waiver of other ordinances Town-wide during the event, but provides for only those activities, vendors and waivers specifically authorized by the Board of Selectmen.

1104.3 The Board may require liability insurance for the duration of the Special Event naming the Town of Ogunquit as additionally insured.

*1105 Town Services*

If the Board of Selectmen determines that additional services are required above and beyond those normally provided by the Town, the Board may require the Special Event sponsor to reimburse the Town for part or all of the additional services, while considering the overall benefit of the Special Event to the Town. The additional services required by the Board will be listed in the Special Event application along with the cost estimate.

*1106 Bond*

The Board, at its discretion, may require a bond to be posted by the sponsor of said event, naming the Town of Ogunquit as beneficiary, which can be used to compensate the Town for any damages to Town property; for the costs of any police and fire services rendered during said event; or to reimburse the Town for any expenses incurred as a result of a violation of any conditions of the permit issued.

*1107 Other Regulations*

This Ordinance shall be read in conjunction with all other ordinances of the Town.

*1108 Severability*

The invalidity of any provision of this Ordinance shall not invalidate any other part.

1109 *Effective Date*

This Ordinance shall become effective immediately upon affirmative vote of the registered voters of the Town of Ogunquit at the April 3, 1999 Annual Town Meeting.

## Admin

---

**From:** Scott Heyland [ceoogt@townofgunquit.org]  
**Sent:** Tuesday, March 28, 2017 3:04 PM  
**To:** 'Admin'  
**Subject:** FW: Captain Thomas Rd  
**Attachments:** image001.png; Cert of Discontinuance.docx; Order of Discontinuance of Town Way (revd).docx

---

**From:** Natalie L. Burns [<mailto:nburns@JBGH.com>]  
**Sent:** Monday, March 06, 2017 1:31 PM  
**To:** 'Scott Heyland'  
**Subject:** RE: Captain Thomas Rd

Scott,

The next steps under the statute are as follows:

1. The Board of Selectmen must mail notice to the petitioners, who are the abutters to the portion of the road to be discontinued. This must be done by first class mail. The notice may state that they have received the petition and will be proceeding with the request. It also may mention the meeting described next.
2. The Board must hold a public meeting to discuss the proposed discontinuance and then must file an order of discontinuance with the Town Clerk. The Order is attached.
3. The Board must (at a subsequent meeting) hold a public hearing on the order of discontinuance.
4. The discontinuance order must be voted at a Town Meeting that occurs ten or more business days after the Board's public hearing.
5. If the Town Meeting approves the discontinuance, the Board of Selectmen will sign the order and the Town Clerk will record an attested certificate of discontinuance (a form is attached for that as well).

Let me know if you have any questions.

Thanks,

Natalie

Natalie L. Burns, Esq.  
**Jensen Baird Gardner & Henry**  
Ten Free Street  
P.O. Box 4510  
Portland, Maine 04112-4510  
207-775-7271 or 800-756-1166  
Fax: 207-775-7935  
[nburns@jbgh.com](mailto:nburns@jbgh.com)  
[www.jbgh.com](http://www.jbgh.com)

---

**From:** Scott Heyland [<mailto:ceoogt@townofogunquit.org>]  
**Sent:** Wednesday, March 01, 2017 2:56 PM  
**To:** Natalie L. Burns  
**Subject:** Captain Thomas Rd

Hi Natalie, attached is the Petition for Street Discontinuance that has been signed by the abutters to the portion of Captain Thomas Rd. that was requested to be discontinued. Let me know what the next steps will be.

Thank you

*Scott Heyland*  
*CEO/ Town Planner*  
*Town of Ogunquit*

---

I am using the Free version of SPAMfighter.  
SPAMfighter has removed 5668 of my spam emails to date.

Do you have a slow PC? Try a free scan!

**Confidentiality Notice:** This message is intended only for the person to whom addressed in the text above and may contain privileged or confidential information. If you are not that person, any use of this message is prohibited. We request that you notify us by reply to this message, and then delete all copies of this message, attachments and/or files, including any contained in your reply.

**PETITION FOR STREET DISCONTINUANCE**

To the Municipal Officers of the Town of Ogunquit:

The undersigned respectfully represent that a section of a Town Way, being the portion of Captain Thomas Road shown on a plan entitled "Plan Showing a Proposed Re-definition of Captain Thomas Road, Captain Thomas Road, Ogunquit Maine," prepared by Great Hill Survey Company and dated July 19, 2016, is no longer of public use and necessity and it is requested that the same be discontinued as provided in 23 M.R.S.A. Section 3026. It is requested that the Town of Ogunquit not retain a public easement over the above-described discontinued area, as provided in 23 M.R.S.A. Section 3026.

The Petitioners waive the award of any damages that could be claimed by virtue of the discontinuance.

Dated this Feb day of 23, ~~2016~~ 2017

Brenda Craig  
Brenda Craig

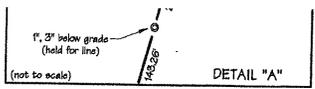
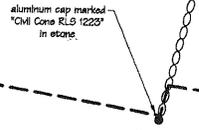
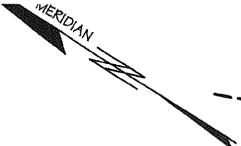
Steven R. Perkins  
Steven Roy Perkins

Judith Perkins  
Judith Perkins  
Jennifer Kearns Personal Representative  
Of the Estate of Mildred L. Adams.  
Mildred L. Adams by Jennifer Kearns under  
Power of Attorney

Robert J. Johnson  
Robert J. Johnson

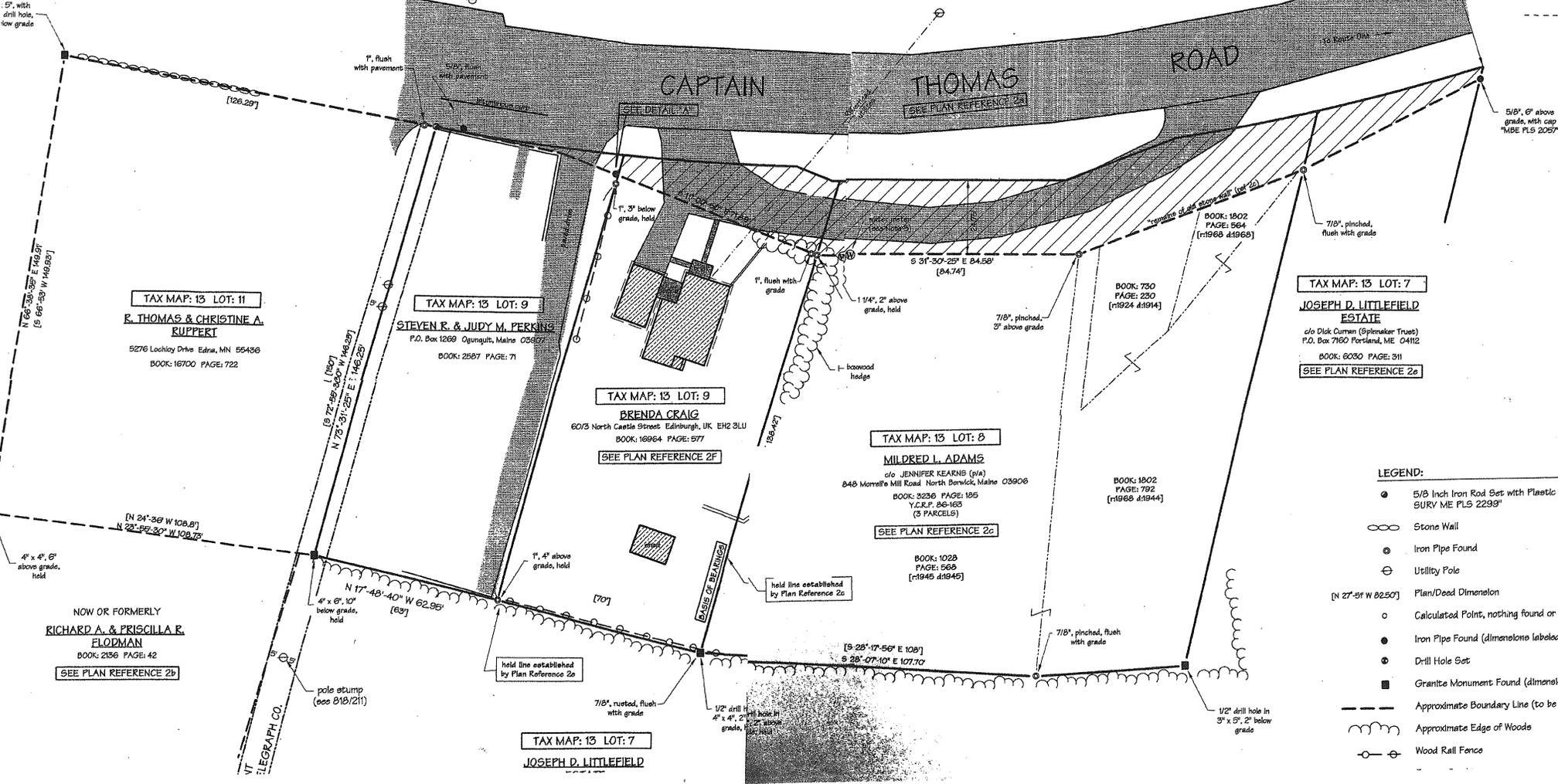
Description of the section to be discontinued: See drawing attached hereto as Exhibit A. The section to be discontinued is the red hatched area shown on Exhibit A.

The above-described area was formerly part of the traveled way of Captain Thomas Road, which was relocated by action of the Maine State Highway Commission in 1972, which relocation did not include a discontinuance of this portion of the former traveled way.



SEE PLAN REFERENCE 2A

YORK, ss  
Recd  
at ---  
Filed in Plan  
ATTEST:



**TAX MAP: 13 LOT: 11**  
**R. THOMAS & CHRISTINE A. RUPPERT**  
5276 Lochloy Drive Edina, MN 55436  
BOOK: 16700 PAGE: 722

**TAX MAP: 13 LOT: 9**  
**STEVEN R. & JUDY M. PERKINS**  
P.O. Box 1269 Ogunquit, Maine 03867  
BOOK: 2587 PAGE: 71

**TAX MAP: 13 LOT: 9**  
**BRENDA CRAIG**  
6073 North Castle Street, Edinburg, UK EH2 3LU  
BOOK: 16964 PAGE: 577  
SEE PLAN REFERENCE 2F

**TAX MAP: 13 LOT: 8**  
**MILDRED L. ADAMS**  
c/o JENNIFER KEARNS (pta)  
848 Morrell's Mill Road North Berwick, Maine 03906  
BOOK: 3236 PAGE: 185  
Y.C.R.F. 86-163 (3 PARCELS)  
SEE PLAN REFERENCE 2G

**TAX MAP: 13 LOT: 7**  
**JOSEPH D. LITTLEFIELD ESTATE**  
c/o Dick Curran (Spelman Trust)  
P.O. Box 7160 Portland, ME 04112  
BOOK: 6030 PAGE: 311  
SEE PLAN REFERENCE 2e

NOW OR FORMERLY  
**RICHARD A. & PRISCILLA R. FLOPMAN**  
BOOK: 2136 PAGE: 42  
SEE PLAN REFERENCE 2b

**TAX MAP: 13 LOT: 7**  
**JOSEPH D. LITTLEFIELD**

- LEGEND:**
- 5/8 Inch Iron Rod Set with Plastic C SURV ME PLS 2298'
  - ⊖ Stone Wall
  - ⊙ Iron Pipe Found
  - ⊕ Utility Pole
  - [N 27° 51' W 82.50'] Plan/Deed Dimension
  - Calculated Point, nothing found or s
  - Iron Pipe Found (dimensions labeled)
  - ⊙ Drill Hole Set
  - Granite Monument Found (dimensio
  - Approximate Boundary Line (to be v
  - ⌋ Approximate Edge of Woods
  - ⊖ Wood Rail Fence

**RE-DEFINITION OF  
A PORTION OF  
CAPTAIN THOMAS ROAD**

The four applicants shown on the enclosed plan (Perkins, Craig, Adams and Littlefield Heirs) are requesting that the Board of Selectmen of The Town of Ogunquit help to re-define a small section of the public easement along Captain Thomas Road as shown on the enclosed plan (hatched area).

**HISTORY:**

The hatched area was apparently a portion of the original "Old King's Highway". This was probably, if not the, first major road in York County. Calls to the Maine Department of Transportation and Massachusetts State Archives could not uncover an original road layout. It is assumed (see: MRSA Title 23 Section 2103) that: the Old King's Highway is an easement and the width is three rods (49.5 feet).

In 1972, the Maine Department of Transportation/Town of Ogunquit obtained an easement from the landowner on the northeast side of the road and re-located the pavement to it's current position [Plan Book: 100 Page: 6]. No record was found which would have re-defined the southwesterly side of the road. The landowners noted above have been using this section of the old roadbed for many years.

The proposed sideline shown is calculated 24.75' from the former sideline shown on a survey recorded in Plan Book: 41 Page: 12 (1970 recording date). Fee interest in the small sliver of land to the east of this line is held by the landowner on the east side of Captain Thomas Road, but will still be encumbered by the remaining public easement. The curved section of the proposed sideline was calculated 25' from monuments found to the north and south of this project.

The Town Manager has requested that all Department heads formally sign off on this project. He will then present this to the Board of Selectmen for review and acceptance.

*I hereby state and agree that the public easement within the hatched area (as shown on the attached plan) be extinguished.*

*Patricia L. Armander, Chief of Police*  
Signature/Title

07-25-2016  
Date

**RE-DEFINITION OF  
A PORTION OF  
CAPTAIN THOMAS ROAD**

The four applicants shown on the enclosed plan (Perkins, Craig, Adams and Littlefield Heirs) are requesting that the Board of Selectmen of The Town of Ogunquit help to re-define a small section of the public easement along Captain Thomas Road as shown on the enclosed plan (hatched area).

**HISTORY:**

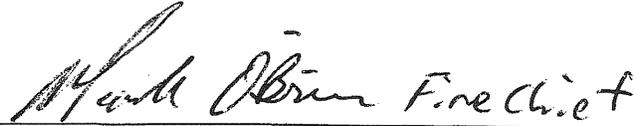
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The Town Manager has requested that all Department heads formally sign off on this project. He will then present this to the Board of Selectmen for review and acceptance.

*I hereby state and agree that the public easement within the hatched area (as shown on the attached plan) be extinguished.*

  
Signature/Title

7-26-2016  
Date

**RE-DEFINITION OF  
A PORTION OF  
CAPTAIN THOMAS ROAD**

The four applicants shown on the enclosed plan (Perkins, Craig, Adams and Littlefield Heirs) are requesting that the Board of Selectmen of The Town of Ogunquit help to re-define a small section of the public easement along Captain Thomas Road as shown on the enclosed plan (hatched area).

**HISTORY:**

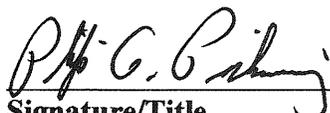
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The Town Manager has requested that all Department heads formally sign off on this project. He will then present this to the Board of Selectmen for review and acceptance.

*I hereby state and agree that the public easement within the hatched area (as shown on the attached plan) be extinguished.*

  
Signature/Title

Supr. OSD

7-20-16  
Date

## **LIST OF ABUTTING PROPERTY OWNERS**

1. Brenda Craig  
50 Avery Drive NE  
Atlanta, GA 30309-2702
2. Steven Roy Perkins and Judith Perkins  
P.O. Box 1269  
Ogunquit, ME 03907-1269
3. Jennifer L. Kearns, Personal Representative for the Estate of Mildred L. Adams  
848 Morrills Mill Road  
North Berwick, ME 03906-5132
4. Robert J. Johnson

**NOTICE OF PROPOSED DISCONTINUANCE OF A PORTION OF  
CAPTAIN THOMAS ROAD, OGUNQUIT, MAINE**

**TO:** Brenda Craig  
50 Avery Drive NE  
Atlanta, Georgia 30309-2702

**FROM:** The Municipal Officers of the Town of Ogunquit

Dear Property Owner:

Our records show that you own property abutting a portion of the Captain Thomas Road and that you have requested that this portion of the road be discontinued. This is to notify you that on April 18, 2017 at 6:00p.m. the Municipal Officers will hold a meeting to determine whether to hold a public hearing at the Town Offices, located at 23 School Street in Ogunquit to determine whether to hold a public hearing on the request to discontinue the portion of the Captain Thomas Road set forth in the attachment to this Notice, and determining damages. If a public hearing is set, the Board of Selectmen will determine at that hearing what, if any, amount is to be paid to abutting property owners.

If an Order of Discontinuance is issued and subsequently approved by vote of the Ogunquit Town Meeting, the Town will have no obligation to maintain, repair or plow the road. Your petition has requested that the Town extinguish the public easement as well so that no public rights will remain in this area. These matters will be discussed at the public hearing. As an abutter, you or your designated agent will be invited to attend the public hearing and be heard on the issues of **discontinuance and damages; you will be sent additional notice of the date and time of the public hearing.**

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

Municipal Officers

\*\*\*\*\*

Send a copy of this Notice to all abutters and to the Planning Board.

**NOTICE OF PROPOSED DISCONTINUANCE OF A PORTION OF  
CAPTAIN THOMAS ROAD, OGUNQUIT, MAINE**

**TO:** Steven Roy & Judith Perkins  
PO Box 1269  
Ogunquit, Maine 03907-1269

**FROM:** The Municipal Officers of the Town of Ogunquit

Dear Property Owner:

Our records show that you own property abutting a portion of the Captain Thomas Road and that you have requested that this portion of the road be discontinued. This is to notify you that on April 18, 2017 at 6:00p.m. the Municipal Officers will hold a meeting to determine whether to hold a public hearing at the Town Offices, located at 23 School Street in Ogunquit to determine whether to hold a public hearing on the request to discontinue the portion of the Captain Thomas Road set forth in the attachment to this Notice, and determining damages. If a public hearing is set, the Board of Selectmen will determine at that hearing what, if any, amount is to be paid to abutting property owners.

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

Municipal Officers

\*\*\*\*\*

Send a copy of this Notice to all abutters and to the Planning Board.

**NOTICE OF PROPOSED DISCONTINUANCE OF A PORTION OF  
CAPTAIN THOMAS ROAD, OGUNQUIT, MAINE**

**TO:** Jennifer L. Kearns  
Personal Representative of the Estate of Mildred L. Adams  
848 Morrills Mill Road  
North Berwick, Maine 03906-5132

**FROM:** The Municipal Officers of the Town of Ogunquit

Dear Property Owner:

Our records show that you own property abutting a portion of the Captain Thomas Road and that you have requested that this portion of the road be discontinued. This is to notify you that on April 18, 2017 at 6:00p.m. the Municipal Officers will hold a meeting to determine whether to hold a public hearing at the Town Offices, located at 23 School Street in Ogunquit to determine whether to hold a public hearing on the request to discontinue the portion of the Captain Thomas Road set forth in the attachment to this Notice, and determining damages. If a public hearing is set, the Board of Selectmen will determine at that hearing what, if any, amount is to be paid to abutting property owners.

If an Order of Discontinuance is issued and subsequently approved by vote of the Ogunquit Town Meeting, the Town will have no obligation to maintain, repair or plow the road. Your petition has requested that the Town extinguish the public easement as well so that no public rights will remain in this area. These matters will be discussed at the public hearing. As an abutter, you or your designated agent will be invited to attend the public hearing and be heard on the issues of **discontinuance and damages; you will be sent additional notice of the date and time of the public hearing.**

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

Municipal Officers

\*\*\*\*\*

Send a copy of this Notice to all abutters and to the Planning Board.

**NOTICE OF PROPOSED DISCONTINUANCE OF A PORTION OF  
CAPTAIN THOMAS ROAD, OGUNQUIT, MAINE**

**TO:** Robert J. Johnson

**FROM:** The Municipal Officers of the Town of Ogunquit

Dear Property Owner:

Our records show that you own property abutting a portion of the Captain Thomas Road and that you have requested that this portion of the road be discontinued. This is to notify you that on April 18, 2017 at 6:00p.m. the Municipal Officers will hold a meeting to determine whether to hold a public hearing at the Town Offices, located at 23 School Street in Ogunquit to determine whether to hold a public hearing on the request to discontinue the portion of the Captain Thomas Road set forth in the attachment to this Notice, and determining damages. If a public hearing is set, the Board of Selectmen will determine at that hearing what, if any, amount is to be paid to abutting property owners.

If an Order of Discontinuance is issued and subsequently approved by vote of the Ogunquit Town Meeting, the Town will have no obligation to maintain, repair or plow the road. Your petition has requested that the Town extinguish the public easement as well so that no public rights will remain in this area. These matters will be discussed at the public hearing. As an abutter, you or your designated agent will be invited to attend the public hearing and be heard on the issues of **discontinuance and damages; you will be sent additional notice of the date and time of the public hearing.**

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

Municipal Officers

\*\*\*\*\*

Send a copy of this Notice to all abutters and to the Planning Board.

**Order of Discontinuance of a Town Way**

**To:** Residents of the Town of Ogunquit and other interested persons

**From:** Municipal Officers of the Town of Ogunquit

Pursuant to 23 M.R.S.A. § 3026-A, the Municipal Officers of the Town of Ogunquit hereby order the discontinuance as a Town way of that portion of Captain Thomas Road described as follows: The red cross-hatched area shown on Exhibit A.

The above-described parcel is a portion of the former right-of-way of Captain Thomas Road. The traveled way was relocated from this area by action of the Maine Department of Transportation in 1972. The current location of the traveled way is shown on the plan entitled "Maine State Highway Commission Right of Way Map State Aid Highway No. 9," dated January 1972 and recorded in the York County Registry of Deeds.

Having given best practicable notice to all abutting property owners, a list of whom is attached to this Order, and the Town Planning Board, we further order that no damages be awarded to the abutting property owners because they have waived all claims for damages.

Further, said Municipal Officers in their capacity as the Board of Selectmen, and after approval by vote of the Town Meeting acting as the legislative body of the Town of Ogunquit, hereby approve said order of the municipal officers and further order that said portion of Captain Thomas Road be discontinued immediately, without damages to abutters and with no public easement reserved.

Date: \_\_\_\_\_,

\_\_\_\_\_  
Barbara Dailey

\_\_\_\_\_  
John Daley

\_\_\_\_\_  
Rick Dolliver

\_\_\_\_\_  
Gary Latulippe

\_\_\_\_\_  
Robert Winn, Jr.

Municipal Officers/Board of Selectmen

**CERTIFICATE OF DISCONTINUANCE**

I, Chris Murphy, being the Town Clerk for the Town of Ogunquit, Maine hereby certify and attest that on \_\_\_\_\_, 2017 the Board of Selectmen took final action approving an Order of Discontinuance a portion of Captain Thomas Road by order signed \_\_\_\_\_, 2017, pursuant to a Town Meeting vote on \_\_\_\_\_, 2017. By approving the Order, the Municipality has discontinued that portion of **Captain Thomas Road** as shown on the plan attached hereto as **Exhibit A**, being a portion of the right-of-way of Captain Thomas Road. The traveled way was relocated from this area by action of the Maine Department of Transportation in 1972. The current location of the traveled way is shown on the plan entitled "Maine State Highway Commission Right of Way Map State Aid Highway No. 9," dated January 1972 and recorded in the York County Registry of Deeds.

A copy of this Certificate has been sent to the Maine Department of Transportation, Bureau of Maintenance and Operations.

Date: \_\_\_\_\_

\_\_\_\_\_  
Chris Murphy, Ogunquit Town Clerk

STATE OF MAINE  
YORK, SS.

\_\_\_\_\_, 2017

Personally appeared the above-named Chris Murphy, Town Clerk for the Town of Ogunquit, and acknowledged the above instrument to be her free act and deed in her said capacity and the free act and deed of said Town of Ogunquit.

Before me,

\_\_\_\_\_  
Notary Public/Attorney

\_\_\_\_\_  
(Print Name)

My commission expires: \_\_\_\_\_



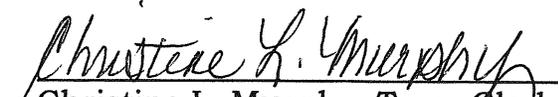
# Unfinished Business

# OGUNQUIT

*Beautiful Place by the Sea*

## **TOWN OF OGUNQUIT NOTICE OF PUBLIC HEARING**

The Municipal Officers of the Town of Ogunquit will conduct a Public Hearing at 6:00PM on Tuesday, April 11, 2017, in the Auditorium of the Dunaway Community Center, 23 School Street to consider the transfer of up to \$65,000 from the "Natural Disaster Emergency Repair Fund" for repairs to the Perkins Cove Footbridge pursuant to Referendum #7 of the July 26, 2005 Special Town Meeting.

  
Christine L. Murphy, Town Clerk

Posted by:

  
Patricia L. Arnaudin, Police Chief

Posted:

April 4, 2017

Dunaway Community Center  
Ogunquit Post Office  
Ogunquit Transfer Station  
Town of Ogunquit Web Page  
WOGT-TV



**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

March 14, 2017

To the Town of Ogunquit Select Board,

re: Proposed amendments to the Ogunquit Zoning Ordinance.

On March 13, 2017 the Ogunquit Planning Board unanimously voted to submit the attached proposed Zoning Ordinance Amendments to you, along with a request that said amendments be presented to the voters at the June 13, 2017 Town Meeting.

These proposed amendments were discussed by the Planning Board on:

\* February 27, 2017 and March 13, 2017 at Public Hearings which were open for public input. (Notice of the Public Hearings was posted at four locations in Ogunquit – Town Hall, U.S. Post Office, Town of Ogunquit Website, and WOGT on January 10, 2017; and notice was published in the Portland Press Herald on January 23, 2017, January 30, 2017, and February 17, 2017.

The Planning Board hereby respectfully requests that the proposed, enclosed amendments to the Ogunquit Zoning Ordinance be included on the warrant for the June 13, 2017 Town Meeting.

Respectfully,

Steve Wilkos  
Planning Board Chair

pc: Acting Town Manager (w/ enclosures)  
Christine Murphy, Ogunquit Town Clerk (w/ enclosures)



**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

**OGUNQUIT PLANNING BOARD  
ORDINANCE AMENDMENT  
PUBLIC HEARINGS**

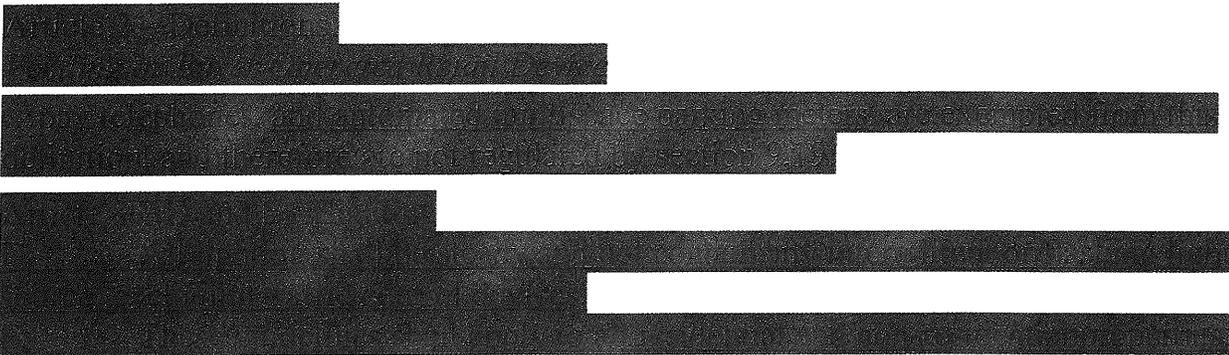
**February 27 and March 13, 2017  
6:00 p.m. on both nights  
DUNAWAY CENTER AUDITORIUM**

The Ogunquit Planning Board will hold three Public Hearings at the above dates, times, and location regarding the following proposed Zoning Ordinance amendments:

Article 2 – Definitions – “Bureau” and “Forest Management Activities”

Table 702.1 – Land Uses for “Forest Management Activities” and “Timber Harvesting”, and associated notation regarding “Reviewing Authority”

Article 9.21 – Forest Management Activities.



Copies of the proposed Ordinance Amendments are available on the Town of Ogunquit Website ([www.townofogunquit.org](http://www.townofogunquit.org)), and are posted in the Dunaway Center and the Ogunquit Post Office.

Do not hesitate to call the Land Use Office at Tel. 207 646-9326, or visit us at 23 School Street if you have any questions.

Posted: January 10, 2017 and February 14, 2017 - Dunaway Center / Post Office/ WOGT/Town of Ogunquit Website.

Published: January 23, 2017 and January 30, 2017 in the Portland Press Herald and February 17, 2017.

Article 2 - Definitions  
An Ordinance to Amend the Ogunquit Zoning Ordinance

(Note: Language proposed to be inserted is indicated by underlining. Language proposed to be removed is indicated by a ~~strikeout line~~. All other portions of the ordinance are proposed to remain unchanged. The symbol “\* \* \* \* \*” indicates that a portion of the ordinance, which is not proposed to be changed, is not shown, in order to save space.)

Bureau (as referred to in Shoreland Zoning provisions)

State of Maine Department of ~~Conservation's Bureau of Forestry~~ Maine  
Forest Service \*\*\*\*

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Forest management activities

\*\*\*\* other similar or associated activities, ~~exclusive of~~ timber harvesting and the construction, creation or maintenance of roads. \*\*\*\*



Table 702.1 Land Uses Permitted in Zoning Districts  
An Ordinance to Amend the Ogunquit Zoning Ordinance

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Reviewing Authority

MFS BFP- Permitted use with permit from the Contact Maine Forest Service  
Bureau of Forest Protection

Table 702.1 Land Uses Permitted in Zoning Districts  
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**Table 702.1 – Timber Harvesting**

<u>Timber harvesting*</u>	€	€	€	€	NP	NP	NP	NP	€	BFP	NP	NP	NP	BF P	BFP
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Article 9.21 Forest Management Activities  
An Ordinance to Amend the Ogunquit Zoning Ordinance

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**Article 9.21 – Forest Management Activities:**

FOREST MANAGEMENT ACTIVITIES ~~Timber Harvesting Outside of the Shoreland Zone.~~

Forest management activities ~~Timber harvesting operations~~ outside of the Shoreland Zone shall meet the following standards:

- ~~A. Outside of the Shoreland or Resource Protection Districts, no permit is required for timber harvesting involving the cutting and removal of up to 10 cords of wood for personal use in any calendar year. Any other timber harvesting shall either require a permit, or shall not be permitted, as indicated in Table 702.1.~~
  - ~~B. Within the Shoreland and Resource Protection Districts, the provisions of section 9.15.L, of this Ordinance, as amended by section 1.8.C, shall apply to any timber harvesting.~~
  - ~~C. No slash or other debris shall remain on the ground within the right-of-way or within a distance of 50 feet from the nearest edge of the right-of-way of any public road for more than 15 days after accumulation.~~
  - ~~D. No slash or other debris shall remain on the ground within a distance of 25 feet from the boundary of land of another for more than 15 days after accumulation.~~
  - ~~E. No timber harvesting operations or stockpiling will take place in the Town right-of-way.~~
- FA. Within the public right-of-way of any new or proposed entrance onto a public way a culvert approved by the Road Commissioner may be required to ensure that the natural flow of drainage water will not be interrupted and to protect the shoulder of the public road.

- ~~GB.~~ Where yarding and loading operations are conducted within 50 feet of the right-of-way, all debris remaining after such operations shall be removed and the ground restored to its original contour.
- C. Notification must be made to the Maine Forest Service by the owner if applicable.
- D. Whenever provisions of this ordinance are less stringent than the corresponding provisions of applicable federal, state, or municipal law or regulations, the more stringent provisions apply.
- ~~J. The timber harvester shall conduct the operations in such a way to minimize soil erosion and sedimentation of surface waters. Operations shall conform to guidelines outlined in the book, Best Management Practices for Forestry: Protecting Maine's Water Quality, 2004, prepared by the Maine Forest Service.~~
- ~~K. Timber harvesting shall conform to all applicable state laws and regulations, unless local ordinances are more restrictive.~~

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Article 2 – Definitions:

*Vending or Buyer Operated Retail Device*

...pay telephones, and automated multispace parking meters, are exempted from this definition, and therefore are not regulated by section 9.19.

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Article 8.7.D and E - Lighting

D. All lighting shall be steady and not contain any intermittent or flashing light source, excluding traffic control devices.

E. These guidelines shall apply to all residential and non-residential properties.