

## Maryann Stacy

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**From:** June Saraceno [junesaraceno2@gmail.com]  
**Sent:** Friday, June 12, 2020 4:05 PM  
**To:** Maryann Stacy  
**Subject:** Change of Use 239 Shore Road  
**Attachments:** OGT-Letter for PLANNING BOARD 6-12-20.pages

Hi Maryann-  
as promised!

Please forward my letter to all board members in preparation for this Monday's packet for next Monday's meeting.

Thank you,  
June

Ogunquit Planning Board 6/12/20  
Maryann Stacy, Recording Secretary  
[mstacy@townofogunquit.org](mailto:mstacy@townofogunquit.org)

Re: 239 Shore Road, Application for Change of Use to Type 2 restaurant, with addition of new outdoor seating.

To the Members of the Ogunquit Planning Board,

As I write to you this time, and not knowing if the applicant will come forth with clear and true setbacks for the upcoming meeting, I reach out with what I know to be true regarding the proximity of 239 Shore to the boundary line shared with 241 Shore Road. I will share them with you.

According to the guidelines of Table 702.1 and 703.1note11, regarding setbacks for Restaurant Type 2 side setbacks are to be 15 feet.

According to documented surveying of both properties, the Applicant may have 6 feet, +/- inches at best.

In fact, if side set backs from both 239 & 241 are added together & combined -there STILL IS NOT 15 feet between both structures.

To explain how and what only some of the issues overlooking the lack of setback of 239 would create for 241 Shore Road, I'll borrow words and reference 8.3 Buffer Area and it's guidelines and reasons for existing- it conveniently describes the actual issues that lacking setback compliance creates.

(phrasing taken directly from section 8.3 re: buffers):

adverse effects upon the environmental or aesthetic qualities of abutting properties or any type of nuisance effecting the health, safety, welfare and property values of the residents of Ogunquit. the impacts of any kind of potential use such as: loading and unloading operations, outdoor storage areas, vehicle parking, mineral extraction, waste collection and disposal areas.

In the 14+ COMBINED property space or 239 & 241, there are 4 gas tanks, 2 for each property. Both need access from the street for routine tank fills & any future maintenance /repair.

It would also eliminate any access to the back portion of 241 Shore Road; use of, general maintenance, repair of property would be all greatly and negatively impacted. 241 does not have side access to back of property on southerly side at all. Blocking passage on the northerly side would literally divide 241 Shore Road in two, and simple access for lawn maintenance equipment and home maintenance services could not happen unless by the courtesy of other surrounding neighbors offering their property to access.

For these reasons and more, I believe the value of the property at 241 would be both monetarily and functionally devalued.

Because the Applicant at 239 Shore Road does not have close to the required 15 foot side setback, offering a 7.5 ft buffer zone is neither an option, nor a solution. In fact, it will create more hardships on 241. Beyond interfering with gas fills for heat & hot water, it also impedes ability to access the backyard.

[An area no less than one half the width of the side and rear yard setback shall be maintained as a landscaped vegetative buffer and not be paved or used for parking. The permitting authority may require that the buffer effectively screen the commercial use from view from the residential property by a continuous vegetative barrier or stockade fence not less]

When purchasing the property at 241 Shore Road, my family and I knew what we were purchasing and what it's limitations were/are by the Zoning Ordinance of Ogunquit. Those limitations have not always been favorable to plans we may have wished to pursue, but none the less, we respected/respect them as the foundation of what makes Ogunquit the town it is.

We have worked within the limitations of the property for over 20 years now.

The applicant moved into the neighborhood knowing what she was purchasing, and started the process of attempting non-compliant change before she even moved in. Her misunderstanding of what the ambience of this portion of Shore Road is, and her disregard for any rules already to date makes Change of Use very tenuous at best.

I'm sure that close proximity of structures is not unique to Ogunquit. I'm sure tight boundaries and closer than usual living are fairly common in some areas of most coastal communities. But folks typically move in with an appreciation of the town and an understanding that rules, and that they are for a reason, and for the betterment of all. The Applicant seems focused on coming in with changes that suit her wishes, regardless of the irreversible damage, alterations, and potential devaluation of the abutting properties. Please consider how adverse and detrimental these changes would be to all. With lack of conformity to the standards of setback, I hope this Change of Use is not able to move forward.

We all, as neighbors have agreed and voiced that we welcome the new retail wine shop at 239 Shore Road and wish her the best of success. But please, protect our neighborhood, and the value and use of the neighboring properties by confirming that 239 is not compliant with necessary standards set by the Ogunquit Zoning Ordinance. Please vote NO for Change of Use at 239 Shore Road.

Thank you for your time and consideration,  
June Saraceno 241 Shore Road 978-375-2826