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## MEMORANDUM

Date: February 14, 2020  
To: Town of Ogunquit Planning Board  
From: Scott Heyland- Director of Codes and Planning  
RE: Site Plan and Design Review  
Coastal Wine Ogunquit - 239 Shore Road – Map 6 Block 31

### **Project description**

Kate Mitsch owner of Coastal Wine is requesting a Design and Site Plan Review for a change of use at 239 Shore Rd. from a Retail establishment to a Type 2 Restaurant with a small Retail wine sales area. The changes also include a small outdoor dining area. The property includes a residential use on the second floor which is not changing. The property is located in the Limited Business 2 District. Waivers of 6.6.C.3.T & 6.6.C.3.U Traffic Estimate and Traffic Impacts have been requested.

### **Review Standards for consideration**

#### *Restaurant, Type 2*

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

- (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).*

The maximum seating capacity will be limited to 40 due to the single bathroom available.

#### 8.3 Buffer Areas

The abutting properties are residential. The Board should review the Buffer Standards with the applicant the Buffer standards will be met.

*A non-residential use which abuts an existing or potential residential use shall maintain a buffer strip along the side and rear yards for the purpose of eliminating any 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. Where natural vegetation cannot be maintained or due to varying site conditions, the buffer area may consist of fences, walls, tree plantings, hedges or combinations thereof. The buffering shall be sufficient to minimize 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. 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 than six feet in height.*

#### 8.7 Lighting

The applicant has not described the proposed exterior lighting. The Board should review with the applicant any additional exterior lighting if any.

#### 8.10 Off Street Parking and Loading

The property currently provides for four onsite parking spaces. The proposed first floor Restaurant/Retail area contains 422 SF inside and 270 SF outdoors (690 SF) which requires seven parking spaces and the second floor dwelling unit requires two for a total of nine required spaces.

The Applicant is proposing to reduce the total number of spaces to two. This will allow for a small outdoor dining area in front of the business. The Ordinance does allow the Planning Board to reduce the number of required spaces:

*Except for transient accommodations and residential uses, the Planning Board may reduce the requirements of this Section for the number of parking spaces, where it is shown that the application meets one or more of the following standards:*

- a. appropriate parking and loading spaces will be maintained sufficiently for the intended use, based on the availability of public transit, which can reasonably be expected to be utilized by sufficient numbers of customers or patrons of the use, to justify the waiver request;*
- b. a public parking lot is located within five hundred (500) feet of the proposed use;*
- c. appropriate parking and loading spaces will be maintained sufficiently for the intended use, based on the availability of adequate and safe pedestrian facilities and crosswalks, which can reasonably be expected to be utilized by sufficient numbers of customers or patrons of the use, to justify the waiver request; or*
- d. the owner or operator of the proposed use will provide valet parking service for customers or patrons.*

*The Planning Board may require additional information be provided by the applicant in support of any request for a waiver of parking requirements, including, but not limited to:*

- a. projections regarding how many customers or patrons will arrive at the proposed use at various times of day, by each possible mode of transportation;*
- b. proposed hours, methods, and locations for the provision of valet parking; or*
- c. distance measurements and/or diagrams showing connections to pedestrian or transit facilities, and projected customer travel routes.*

#### **Conclusions-**

The Planning Board shall consider holding a Site Visit and shall hold a public hearing on the site plan review application within 30 days of determining the application is complete.