

Minutes of the Ogunquit Historic Preservation Commission Work Shop of 07/21/2017

Meeting called to order at 11:07, AM, by Chairman Newell Perkins

Members present:

Helen Horn

Marcia Williams

Sumner Nystedt

Leonard Wyman Vice-Chairman

Newell Perkins chairman

Also present were: Marsha Northrop, Pam Lynch, David Barton, Maddy Franchi, Wendy Levine and Maryellen Braunstein.

Discussion among the commission members and input from persons in the audience.

First subject: How the OHPC needs to adopt a format to improve the reviews of property changes for submission to the Ogunquit Planning Board.

Over the last 6 years, on three occasions the Select Board has set aside and refused to entertain the request of the OHPC for a budgeted sum of money for operations of the Commission for clerical help, supplies and most importantly for legal fees for a review of the Ogunquit Historic Preservation Ordinance by an Attorney who is well versed in Historic Preservation law in the State of Maine. Through the Maine Historic Preservation Commission we received recommendations of three attorneys that we might contact for help with Title 11 legal interpretation for the Commission. When these names were presented to the select Board we received a dressing down for wasting the tax payers money on problems that had not yet occurred.

Through no fault of the Commission, we have been dragged into political fire storms that have led to the Select board denying the Commission a budget for operations and for a legal adviser to give the commission members parameters in which to handle the reviews of changes to pre 12/31/1930 structures. This would be a protection for both the Commission and for the applicants for changes as well as for the Town of Ogunquit tax payers. Further, the Ogunquit Planning Board would have a better understanding of the Title 11 and of the Article 11 requirements.

It was suggested that a budget needed to be assembled with some degree of accuracy as it would receive scrutiny from both the Select Board and the Budget Review Board.

Proposed Budget for the operation of the Ogunquit Historic Preservation Commission:

1. Clerical help with taking of the minutes or reviewing and transcribing the meeting of a tape recorded set of minutes including meeting notices and agendas. Est. 50 hours per year at \$20.00 per hour= \$1,000.00

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2. The Commission secretary uses approximately 4 to 5 sets of printer cartridges annually at a cost of \$100.00 per set. Est. 4 at \$100.00= \$400.00
3. The Commission uses 6 reams of copy paper annually. Est. \$30.00
4. The estimated number of hours that one of the three well qualified Historic Preservation Attorneys would most likely charge per billable hour would be between \$250.00 and \$300.00 per hour for as many as 20 hours. Est. \$6,000.00
5. Unanticipated expenses and reserves. Est. \$570.00 For a total requested operating budget of = \$8,000.00

David Barton suggested that the Select Board might wish to give the Commission access to the annually budgeted legal fund in an amount not to exceed \$6,000.00 for the expenditures for legal advice for the Historic Preservation Commission. In this instance the requested budget would reduce to \$2,000.00 for supplies and clerical assistance.

Question from Marsha Northrop: Would it not be wise to have all Historic Preservation meetings taped and shown on live Ch. 3 Public access TV? The answer is, Yes If the Cable TV personnel of Ogunquit could provide this service it would be a positive step toward clear and open public understanding of the workings of the Commission.

Question from Wendy Levine: Would it not seem to be a good idea for this Commission to ask for volunteers to serve on standing committee's to assist the Commission members with the operation of the OHPC with the understanding that as non- voters who reside for less than 6 months a year in Ogunquit and vote elsewhere other than in Ogunquit their status would be as non voting members? It was thought to be a good and positive idea.

The Commission has received from Maddy Franchi a copy of the Downtown Historic District Design Guidelines for the City of Fernandina Beach FL. This document is very well put together and is somewhat like the Town of York ME. Historic Guidelines which may be very useful for the Commission in the near future.

We will make contact with Kathy Connor to set a date to meet with her to discuss the Comprehensive Plan up-date now under way.

One of the important items to discuss with Kathy is the need to set aside individual clusters of like designed properties into districts with each area having its own design guidelines for future applications for change of structure and appearance. Perkins Cove is certainly on the top of that list for its iconic fishing shack heritage. Some of the more recognizable buildings are the Ice House, Art School and many fishing shacks now converted to retail and restaurant uses.

It was noted by a Commission member that one of the Town crews was in the process of disposing of important town records related to the history of the Beach and of the Cove, such as surveys and documentation concerning these two valuable town assets. Most of these records have been set aside for safe keeping.

This brought up the subject of the ownership squabble between the Norseman Resorts and the Town of Ogunquit. This year the Town hired Attorney Jeffery Clark of York to undertake a title review of Ocean Avenue at the intersection of Beach Street running north and curving east to Ogunquit Beach.

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His finding was conclusive: The Town of Ogunquit owns the land under Ocean Avenue and it is 49.5 feet in width in its entirety. His letter of finding went to the Select Board to send notification to the Norseman Resorts that their claim that the right of way width is in fact 39.5 feet and that the Norseman Resorts is the owner of the 10 feet of land left over from the Town's claim of 49.5 ft. To the knowledge of anyone on this Commission not one thing has been done to correct for the future this erroneous claim with the Norseman Resorts. In the last two years the Town of Ogunquit has lost 30 feet of waterfront land at Perkins Cove due in part to a weak response to a challenge by a land owner who overstepped the boundaries of Town owned land.

Wendy Levine: Wanted the Commissioners to know that the Winn House Museum is a fine source of historical information for the OHPC as the Commission moves forward. This is a town funded museum and will be receptive to providing any information that the Winn Museum might have to the commission. She also wanted the commissioners to know of the opportunities that the Non Profits could offer the Town in the form of funding and support for the preservation projects that will be before us in the future.

Article 11 of the town zoning ordinance requires buildings located in [the districts] built prior to 12/31/1930 to be considered as having an Architectural, Neighborhood and Historical significance that should be protected by the OHPC and the Planning board. This date and place in time was well thought out for it was just after the stock market crash of 1929, it was before World War II , and it was before the returning sailors, airman and solders returned from over there and were in desperate need of housing with new style ranch homes being built as fast as was possible. Ogunquit owes its charm and architectural integrity and sense of a well cared for village which it has been from 1895 through the 1960s, upon which business pressures have exerted great changes in the more recent times.

In the future the Ogunquit Historic Preservation Commission must separate itself from politics and confine the work to the architectural Integrity of the town in those districts that require our review through Article 11.

It was stated that hopefully the results of the last election may be a turning point for this Commission and that "good architectural design" will be recognized as being good for everyone and that the few grabby developers will avoid Ogunquit due to the firm evenhanded administration of the Boards, Commissions and the Code Office.

"GOOD ARCHITECTURE IS GOOD FOR EVERONE".

Our fellow Commission member Leonard Wyman, a member of the VFW, brought to our attention the case of an Ancient Cemetery located on the southeast corner of Riverbank Road and Main Street. A deed and a survey have just been obtained by him showing that there may be burial sites under a paved parking area, this could be taken as an uncorrectable mistake except for the fact that it is documented that there are 3 Revolutionary solders interred somewhere on that land. In a recent case much like this in Wells all further changes in the property were halted until ground seeking radar was brought in to locate the probable sites of interments by seeking ground disturbances, known as anomalies which show the actual site of interments. In Wells the cost was borne by the Town due to the fact that the

federal Government requires each town and city to oversee, protect and if necessary care for the graves of all Revolutionary War Veterans. The costs and the procedures to employ ground seeking radar experts may be found by talking with Town of Wells Code Officer Jodine Adams or Town Manager Jon Carter. VFW members Leonard Wyman, John Mixon and Stillman Bradish intend to present their findings to the Ogunquit Planning Board for the record and then proceed to the Select Board.

Commission member Helen Horn asked to be allowed to make a statement for the record: That due to personal conflicts in the past with David Barton who has shown interest in returning to the OHPC that if David is appointed to this commission or to any board that she serves on she will resign from the commission or committee or board immediately.

Motion to adjourn at 12:30 by Sumner Nystedt and seconded by Helen Horn vote 5 yes 0 no.

Time 1 hour 24 minutes.

Meeting recorded by voice recorder.



Newell Perkins acting chairman and member until an appointment of a new member is made by the Select Board.