

**OGUNQUIT PLANNING BOARD
REGULAR BUSINESS MEETING
DECEMBER 12, 2011 6:00 p.m.**

REGULAR BUSINESS MEETING

A. ROLL CALL –

The Roll was called with the following results:

Members Present: Tim Pinkham, Chair
 Robert Coles, Vicechair
 Don Simpson
 Craig Capone

Also Present: J.T. Lockman, Southern Maine Regional Planning Commission
 Paul Lempicki, Ogunquit Code Enforcement Officer

B. MISSION STATEMENT - The Mission Statement was read by Mr. Capone.

C. MINUTES – November 28, 2011 Public Hearing and Regular Business Meeting.

The Minutes of the November 28, 2011 Meeting were Accepted as Submitted.

D. PUBLIC INPUT –

Mr. Pinkham asked if there was anyone who wished to be heard on any matter not on this evening's agenda. There was no one.

E. UNFINISHED BUSINESS –

1. FINDINGS OF FACT FOR WAYNE FETTE – BLACK BOAR INN – 277 Main Street – Map 7 Block 13-1.

**Mr. Simpson Moved to Accept the Findings of Fact for Wayne Fette – Black Boar Inn (Map 7 Block 13-1) as Submitted.
SIMPSON/COLES 4/0 UNANIMOUS**

2. ALEXANDRE'S GARAGE / ROBERT ALEXANDRE – 254 Main Street – Map 7 Block 68 – Site Plan Review and Design Review for a post 1930 structure. Application to remove existing service station and buried fuel tanks, and replace them with retail shops.

Harvey Wells addressed the Board as the Applicant's representative. Mr. Wells referred the Board to Mr. Lockman's 8 December 2011 Memo. He noted that both Mr. Lockman and the Code Enforcement Officer agree that the existing apartment is a legal apartment and as such it can remain.

Mr. Wells provided the Board with a letter from Michael Kenslea dated 1 November 1994 wherein Mr. Kenslea informed the Planning Board that he “will allow Robert Alexandre 2 (two) parking spaces as designated area on my property (O.V.I) on a year to year basis....”. Mr. Wells pointed out that the revised application plans also include two tandem parking spaces which will be reserved for the use of the occupants of the apartment. He suggested that the Applicant will continue with his agreement with Mr. Kenslea and if that agreement should be broken he (Mr. Alexandre) will have the two tandem parking spaces to fall back on. As long as the agreement is in place they will use the landscaped tandem parking spaces on Mr. Alexandre’s property for nonparking uses.

Mr. Lockman responded that he is in agreement with Mr. Wells and that the application appears to be complete and ready for Public Hearing.

Mr. Simpson noted that Mr. Lockman’s memo refers to a “deed” for the two parking spaces. He pointed out that the letter provided by Mr. Wells is not a “deed”. Mr. Simpson agreed that the plans do allow for two tandem parking spaces which will be landscaped and may be used should the agreement with Mr. Kenslea be broken would suffice.

Mr. Lockman agreed and added that he only used the word “deed” because the 1994 Planning Board Minutes refer to a “covenant” which generally refers to a deed. He agreed that the letter would suffice given the allocated parking spaces on the plans. He suggested the Board might make it a condition of approval that should the agreement ever be broken, parking will have to be provided on-site as indicated on the plans.

The Board agreed with Mr. Lockman’s suggestion.

Mr. Capone asked if the Applicant is going to retain a portion of the existing structure.

Mr. Wells responded that the foundation under the retaining wall and the masonry one story wall will be retained, along with the easement in the back of the lot going down to the lower town parking lot. He noted that the most recent plans do show this.

Mr. Capone asked if the Applicant originally intended to demolish the entire building.

Mr. Wells confirmed that this was the original plan; however Mr. Alexandre does not want to lose the grandfathered footprint of the building. In order to accomplish this they will retain the rear wall and a portion of the side walls.

Mr. Pinkham asked if the Code Enforcement Officer was satisfied with everything.

Mr. Lempicki responded that he is.

Mr. Coles Moved to Find the Application Complete for ALEXANDRE’S GARAGE / ROBERT ALEXANDRE – 254 Main Street – Map 7 Block 68, with the Condition that should the parking agreement between the Applicant and the Old Village Inn ever be broken the two parking spaces, noted on the Applicant’s plan, will be used to satisfy the requirements for parking for the dwelling unit.

COLES/CAPONE 4/0 UNANIMOUS

Mr. Pinkham noted that the Public Hearing would be held on January 9, 2012 at 6:00 p.m.

Mr. Wells confirmed the date and time and asked if the Design Review would be handled on that night.

Mr. Lockman confirmed that the Board usually handles the Design Review and the Site Plan Review on the same night as the Public Hearing.

F. NEW BUSINESS – None

G. CODE ENFORCEMENT OFFICER BUSINESS –

Mr. Lempicki reminded the Board that he has several times recommended the scheduling of a Planning Board / Zoning Board of Appeals Workshop to review potential revisions to the Zoning Ordinance. He has been asked by the ZBA to set this up. Mr. Lempicki noted that Mr. Smith, the Chairman of the Board of Appeals, has put together a list of things he would like to discuss.

Mr. Lockman reminded the Board that they would need to provide him with a specific list of things they would like him to do.

Mr. Pinkham asked the recording secretary to contact the Zoning Board of Appeals Chair and see if a date can be set when both Boards are available to meet.

Mr. Simpson asked about the process regarding Subdivisions. He asked, if homeowners' documents are required, would the Planning Board be involved with this?

Mr. Lockman responded that the Board would be involved, and Condo Docs would generally be submitted at the end of the Final Stage of a Subdivision Application. He noted that a land use attorney is usually hired to work these things up at some point in the Final Stage.

Mr. Simpson informed the Board that he attended the Maine Municipal Associations Board Seminar. He noted that this was a very well presented seminar and he agreed to draft a written report for the other Board members.

H. OTHER BUSINESS –

1. Set the Planning Board Calendar for 2012.

The Board set the calendar for the first six months of 2012 noting that the only conflict is with May 28th which is a holiday (Memorial Day). The Board agreed to move that meeting to the following night (Tuesday May 29, 2012 at 6:00 p.m.).

I. ADJOURNMENT -

**Mr. Simpson Moved to Adjourn at 6:30 p.m.
SIMPSON/COLES 4/0 UNANIMOUS**

Respectfully Submitted

Maryann Stacy
Planning Board
Recording Secretary

Approved on January 23, 2012

