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*Thomas A. Fortier*  
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**OGUNQUIT PLANNING BOARD  
PUBLIC HEARING and REGULAR BUSINESS MEETING  
JANUARY 23, 2012**

**PUBLIC HEARING**

1. ALEXANDRE'S GARAGE / ROBERT ALEXANDRE – 254 Main Street – Map 7 Block 68.

Mr. Coles opened the Hearing at 6:08 p.m. He asked if there was anyone who wished to speak for, or against, this application. There being no one the Hearing was closed at 6:09 pm.

**REGULAR BUSINESS MEETING**

**A. ROLL CALL – 6:00 p.m.**

The Roll was called with the following results:

Members Present: Robert Coles (Chair)  
Don Simpson  
Craig Capone

Also Present: J.T. Lockman, Southern Maine Regional Planning Commission

**B. ELECTION OF OFFICERS –**

Mr. Coles noted that with the recent resignation of Chairman Tim Pinkham, he (Robert Coles) had automatically moved from the office of Vice Chair to Chairman. He informed the Board that he is unable to assume the office of Chair at this time and as such he would resign from that position. Mr. Coles noted that his resignation would be take effect concurrently with the election of a new Chair and he called for nominations.

**Mr. Capone nominated Don Simpson as Chair. Mr. Coles Seconded the nomination. Mr. Simpson agreed to accept the position, and the Motion carried 3/0.**

**Mr. Simpson nominated Robert Coles as Vice Chair. Mr. Capone seconded the nomination. Mr. Coles agreed to accept the position of Vice Chair, and the Motion carried 3/0.**

**C. MISSION STATEMENT -** The Mission Statement was read into the record by Mr. Capone.

**D. MINUTES – December 12, 2011 Regular Business Meeting.**

**Mr. Coles Moved to Accept the Minutes of the December 12, 2011 Meeting as Submitted.  
COLES/CAPONE 3/0 UNANIMOUS**

**E. PUBLIC INPUT –** None

**F. UNFINISHED BUSINESS –**

**1. 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 keeping a portion of the existing structure, replace said service station with five (5) commercial/retail shops, one office, and a single residential apartment.**

Harvey Wells addressed the Board as Mr. Alexandre’s representative. Mr. Wells noted that there were two outstanding issues from the last meeting: 1) the legality of the existing apartment and 2) the retention of the rear wall of the structure and the rear retaining wall which are both within the setback. Mr. Wells expressed his belief that both of these issues have been resolved. He noted that both the Code Enforcement Officer and the Town Planner agree that the apartment is legal and as such it may be included in the current project. In addition, Mr. Wells confirmed that the existing rear wall and retaining wall will be left in place and will become part of the new structure.

Mr. Coles pointed out that the other outstanding issue was the identification, on the plans, of the two parking spaces which are required for the apartment. Mr. Coles confirmed that these two parking spaces have been designated on the most recent plans dated November 14, 2011.

Mr. Wells confirmed that the two parking spaces are noted on the November 14, 2011 plans. He also included a notation indicating that should the agreement between Mr. Alexandre and the Old Village Inn ever be broken, for whatever reason, those two spaces on Mr. Alexandre’s property would be used to replace the Old Village Inn spaces.

Mr. Simpson reminded Mr. Wells that at the September 26, 2011 meeting he (Mr. Simpson) raised the issue of the required minimum square footage of the apartment needing to be 650 square feet. He asked for confirmation that the apartment will meet the 650 square foot requirement, and that the final plans will clearly indicate this.

Mr. Wells confirmed that the apartment will meet the minimum requirement of 650 square feet and that this will be noted on the final plans.

Mr. Capone reminded everyone that the Code Enforcement Officer can not issue either a building permit nor a Certificate of Occupancy if the square footage of the apartment doesn’t meet the 650 square foot minimum.

Mr. Lockman noted that the Board might make the updating of the plans a condition of approval and grant that approval immediately, or the Board might table the application pending submittal of revised plans which include the notation of the 650 square feet footage of the apartment.

Mr. Wells assured the Board that increasing the apartment size by 20 square feet is not a problem, they will simply reduce the size of the adjacent office space. It will not change the floor plan or the design of the building.

The Board reviewed both the Design Review and Site Plan Review Checklists and found all standards have been met.

Mr. Capone asked if there will be a dumpster on the property.

Mr. Wells responded that while there is sufficient space behind the building and each unit does have a rear door, Mr. Alexandre does not intend to install a dumpster. It is anticipated that each unit owner will be responsible for removing his/her own trash on a daily basis. Mr. Wells also pointed out that there will not be any food service businesses which would generate organic waste and as such they anticipate most trash will be paper waste such as packing boxes.

Mr. Lockman informed Mr. Wells that should a dumpster become necessary the Applicant will have to come back before the Board to amend the plan.

**Mr. Capone Move to Approve the Design Review and Site Plan Review for ALEXANDRE'S GARAGE / ROBERT ALEXANDRE – 254 Main Street – Map 7 Block 68, with the condition that final plans be submitted to the Code Enforcement Officer within two weeks which clearly indicate the 650 square foot apartment size.  
CAPONE/COLES 3/0 UNANIMOUS**

Mr. Simpson advised the Applicant that Section 8.12 of the Zoning Ordinance covers signs. He suggested the Applicant pay attention to aggregate tenant sign allotment and not allow a single tenant to monopolize that which is allowed for the entire building.

Mr. Wells responded that this issue will probably be dealt with in the lease agreements. Individual tenants will be informed as to the maximum size sign they will each be allowed, however design or appearance will be left up to each individual tenant and they will obtain sign permits from the Code Enforcement Officer.

**G. NEW BUSINESS –**

- 1. AMI-O / ANCHORAGE BY THE SEA – 125 Shore Road – Map 6 Block 74 – Site Plan Review and Design Review for a post 1930 structure. Application to remove an awning over an existing deck and replace it with a four-season structure and an open air second floor deck.**

Mitch Ramsey addressed the Board as the owner of the Anchorage by the Sea. Mr. Ramsey suggested that the application is complete as submitted and he asked the Board to find it so.

Mr. Lockman advised the Board that the only concern he had was whether or not the proposed room / deck will be categorized as an accessory use to the hotel or as a stand-alone restaurant. As long as it remains an accessory use, secondary to the primary use of the hotel, the Board does not need to concern itself with parking requirements. However the Applicant's intention is to encourage use of the restaurant

by people who are not guests of the hotel, then the Board will need to review the parking standards. Mr. Lockman noted that it appears from Mr. Ramsey's statements that the intended use of this proposed space is accessory to the hotel and will be primarily for use by hotel guests.

Mr. Simpson asked if the restaurant is currently open to non-guests of the hotel.

Mr. Ramsey responded that the restaurant is primarily intended for use by the Anchorage guests, however they do not turn away the very small number of the public who wish to come in.

Mr. Simpson asked if the proposed changes will change the number of people who will be able to utilize the facility.

Mr. Ramsey responded that this is a difficult question to answer. His intent is to create an atmosphere of casual relaxation with chair and sofa groupings. The primary use of the deck will be for sunning and perhaps enjoying a cocktail and/or lite meal. Mr. Ramsey noted that the buildings on that side of the street have 138 units and 176 parking spaces which give them an excess of 38 parking spaces. Mr. Ramsey went on to say that the property is controlled with parking attendants during the daylight hours who know everyone who comes onto and leaves the property.

Mr. Coles asked how many new seats are proposed.

Mr. Ramsey responded that they are anticipating 48 seats in total. However some of the seating will be in the form of sofas, overstuffed chairs, and lounge chairs. Not all the seats will be for restaurant purposes.

Mr. Coles noted that the plans indicate eight two-top tables.

Mr. Simpson noted that there is currently a bar on the deck. He asked if there will be a second bar on the new second floor deck.

Mr. Ramsey responded that there will be a mobile bar on the upper deck.

Mr. Lockman reiterated that the only concern is whether or not the bar will be accessory to the hotel or if it will be a second principal use. If it will function as a stand alone restaurant then it needs its own parking compliment. If it's an accessory use going along with the hotel then it does not require its own parking.

Mr. Coles confirmed that "accessory use" is about intention not the effect.

Mr. Lockman agreed and noted that the applicant has an excess of parking anyway.

The Board members, and Mr. Lockman all agreed that the restaurant and deck will be an accessory use subordinate to the principal use of the hotel and as such there is no issue with parking.

**Mr. Coles Moved to Find the Application Complete for AMI-O / ANCHORAGE BY THE SEA – 125 Shore Road – Map 6 Block 74, and to note for the record that the proposed expansion/restaurant is an accessory use to the hotel.  
COLES/CAPONE 3/0 UNANIMOUS**

Mr. Simpson informed the Applicant that the Public Hearing for this application would take place on February 27, 2012 at 6:00 p.m.

Mr. Ramsey confirmed the date and time.

**H. CODE ENFORCEMENT OFFICER BUSINESS – None**

**I. OTHER BUSINESS –**

Mr. Simpson informed the Board that the Recording Secretary has requested funding to attend the Maine Municipal Seminar on Planning Board. Mr. Simpson has confirmed that there are sufficient funds in the Board's budget and that the Town Manager approves of this expenditure.

**Mr. Coles Moved to Approve funding to send the Recording Secretary to the MMA Board Seminar on March 15, 2012.**

**COLES/CAPONE 3/0 UNANIMOUS**

**1. Ordinance Workshop Discussion.**

It was noted that the first workshop had been held and that the next workshop would be scheduled in the near future.

Mr. Simpson also pointed out that Selectboard members Bob Winn and Chris Jarochem attended the Workshop.

Mr. Simpson suggested that anyone submitting suggested changes should also submit some background reasons for those changes.

Mr. Coles agreed that this would be very helpful.

**J. ADJOURNMENT -**

**Mr. Coles Moved to Adjourn at 6:58 p.m.**

**COLES/SIMPSON 3/0 UNANIMOUS**

Respectfully Submitted

Maryann Stacy  
Ogunquit Planning Board  
Recording Secretary

*Approved February 27, 2012*