

**WARRANT
FOR THE
2015 ANNUAL TOWN MEETING
OF THE
TOWN OF OGUNQUIT**

TO: **PATRICIA L. ARNAUDIN**, Chief of Police of the Town of Ogunquit, in the County of York, State of Maine:

GREETINGS:

In the name of the State of Maine, you are hereby required to notify and warn the inhabitants of the Town of Ogunquit in said county and state, qualified by law to vote in town affairs, to meet at the Dunaway Community Center in said Town on **Tuesday, the ninth (9th) day of June 2015**, A.D. at eight o'clock in the morning (8:00 a.m.) until eight o'clock in the evening (8:00 p.m.) to vote by secret ballot on the following warrant articles; to wit:

- Article 1:** To elect a Moderator to preside at said Meeting. [**Note:** This question is not intended to be acted upon as part of the official secret ballot at the Annual Town Meeting.]
- Article 2:** To elect **Two (2) Select Board Members** for a three (3) year term to commence at the conclusion of the 2015 Annual Town Meeting; term ending Annual Town Meeting 2018.
- Article 3:** To elect **Two (2) Budget Review Committee Members** for a three (3) year term to commence at the conclusion of the 2015 Annual Town Meeting; term ending Annual Town Meeting 2018.
- Article 4:** To elect **One (1) Wells-Ogunquit Community School District Trustee** for a one (1) year term to commence on July 1, 2015; term ending June 30, 2016 (fills vacancy), and **One (1) Wells-Ogunquit Community School District Trustee** for a three (3) year term to commence July 1, 2015; term ending June 30, 2018.
- Article 5:** To elect **One (1) Kennebunk, Kennebunkport & Wells Water District Trustee** for a three (3) year term to commence July 1, 2015; term ending June 30, 2018.
- Article 6:** To elect **Six (6) Charter Review Commission Members**; term to expire Thirty (30) Days after presentation of Final Report to the Select Board.
- Article 7:** Shall an ordinance entitled "**An Ordinance to Amend Title X of the Ogunquit Municipal Code, Ogunquit Zoning Ordinance as it relates to the Town of Ogunquit Official Zoning Map dated June 10, 2015**" be enacted?

**ZONING ORDINANCE TEXT CHANGES
RESULTING FROM ADOPTION OF
ZONING MAP DATED JUNE 10, 2015**

(Note: Language proposed to be inserted is indicated by underlining. Language proposed to be removed is indicated by a ~~strikeout~~ line. All other portions of the ordinance are proposed to remain unchanged. The symbol “* * * * *” indicates that a portion of the ordinance, which is not proposed to be changed, is not shown below, in order to save space.)

Section 1.2.E

- **** ~~E. Perkins Cove Residential District – PCR~~
- E ~~F.~~ Downtown Business District – DB
- F ~~G.~~ General Business District - GB1
- G ~~H.~~ General Business District - GB2
- H ~~I.~~ Limited Business District –LB
- I ~~J.~~ Farm District – F
- J ~~K.~~ Shoreland Limited Residential District - SLR
- K ~~L.~~ Shoreland Limited Commercial District - SLC
- L ~~M.~~ Shoreland General Development 1 – Ogunquit Beach – SG1
- M ~~N.~~ Shoreland General Development 2 – Perkins Cove – SG2
- N ~~O.~~ Stream Protection District -SP
- O ~~P.~~ Resource Protection District –RP ****

Section 1.3

****dated June 10, 2015 ~~April 1, 2009~~****

Section 1.8.C.2

- **** 2. ~~Section 9.15.L, Timber Harvesting, repeal in its entirety.~~
~~However, section 9.21 shall remain in force~~
- 3. ~~Article 2 – Definitions, repeal definitions of the following terms ***~~
~~Harvest Area~~
~~Residual Stand~~

Section 7.1.E

- ****~~E. Perkins Cove Residential District – PCR~~
~~To preserve the physical, aesthetic and social quality of the Perkins Cove residential area and to protect, encourage and restore the unhurried, quiet, seaside residential neighborhood which the area now enjoys.****~~

Table 702.1 – Key

~~****PCR Perkins Cove Residential District****~~

Table 702.1

~~****Removal of Perkins Cove Residential****~~

BFP- Permitted use with permit from the Bureau of Forest Protection

Timber Harvesting*	****	<u>€</u> <u>BFP</u>	NP	NP	NP	<u>€</u> <u>BFP</u>	<u>€</u> <u>BFP</u>
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Table 703.1

~~****Removal of Perkins Cove Residential****~~

Section 8.6.A

~~**** Ogunquit Beach Business District SG1 and
Perkins Cove Limited Business District SG2 ****~~

Section 8.6.E

~~****E. In the Perkins Cove Residential District fences shall:
1. not be more than six feet in height; and
2. not obstruct the view of tidal waters from a public way or other public
property.****~~

Section 8.6.F

~~****F. In SG1 Perkins Cove Limited Business District and SG2-
fences shall:
1. not be more than four feet in height; and
2. not obstruct the view of tidal waters from a public way or other public
property.****~~

Section 8.10.A.1

~~**** SG1 and SG2 Ogunquit Beach Business, and Perkins Cove Limited
Business Districts,****~~

Section 8.10.A.1.A

~~****SG1 and SG2 Ogunquit Beach Business, and Perkins Cove Limited Business
Districts****~~

Section 8.12.B

~~****SG1 and SG2 PCLB, OBB****
****RR1, RR2, PCR-and F) so****~~

Section 8.12.D.1

~~****and Perkins Cove Residential District****~~

Section 8.12.D.2.A.ii

~~****freestanding collective sign post, as set forth in section C.4 above.****~~

Section 9.15.L

~~**** L. Timber Harvesting (in the Shoreland Zone) (Amended 11/4/08, Effective 4/1/09)~~

~~Timber harvesting in any shoreland zone shall conform with the following provisions:~~

- ~~1. Selective cutting of no more than 40 per cent of the total volume of trees four inches or more in diameter measured at 4 1/2 feet above ground level on any lot in any 10 year period is permitted. In addition:
 - ~~a. Within seventy five (75) feet, horizontal distance, of the normal high water line of water bodies, tributary streams, or the upland edge of a wetland, there shall be no clear cut openings and a well distributed stand of trees and other vegetation, including existing ground cover, shall be maintained.~~
 - ~~b. At distances greater than seventy five (75) feet, horizontal distance, of the normal high water line of water bodies or the upland edge of a wetland, harvesting operations shall not create single clear cut openings greater than ten thousand (10,000) square feet in the forest canopy. Where such openings exceed five thousand (5000) square feet they shall be at least one hundred (100) feet, horizontal distance, apart. Such clear cut openings shall be included in the calculation of total volume removal. Volume may be considered to be equivalent to basal area.~~~~
- ~~2. No accumulation of slash shall be left within 50 feet, horizontal distance, of the normal high water line of a water body. In all other areas, slash shall either be removed or disposed of in such a manner that it lies on the ground and no part thereof extends more than four feet above the ground. Any debris that falls below the normal high water line of water body shall be removed.~~
- ~~3. Timber harvesting equipment shall not use stream channels as travel routes except when:
 - ~~a. Surface waters are frozen; and~~
 - ~~b. The activity will not result in any ground disturbance.~~~~
- ~~4. All crossings of flowing water shall require a bridge or culvert, except in areas with low banks and channel beds which are composed of gravel, rock or similar hard surface which would not be eroded or otherwise damaged.~~
- ~~5. Skid trail approaches to water crossings shall be located and designed so as to prevent water runoff from directly entering the water body or tributary stream.~~

~~Upon completion of timber harvesting, temporary bridges and culverts shall be removed and areas of exposed soil revegetated.~~

~~6. Except for water crossings, skid trails and other sites where the operation of machinery used in timber harvesting results in the exposure of mineral soil shall be located such that an unscarified strip of vegetation of at least 75 feet, horizontal distance, in width for slopes up to 10 percent shall be retained between the exposed mineral soil and the normal high water line of a water body or upland edge of a wetland. For each 10 per cent increase in slope, the unscarified strip shall be increased by 20 feet, horizontal distance. The provisions of this paragraph apply only to a face sloping toward the water body or wetland, provided, however, that no portion of such exposed mineral soil on a back face shall be closer than 25 feet, horizontal distance, from the normal high water line of a water body or upland edge of a wetland.~~

**** L M

M N

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O P

P Q****

Article 8: Shall an ordinance entitled “**An Ordinance to Amend Title X of the Ogunquit Municipal Code, Ogunquit Zoning Ordinance as it relates to Article 2, Definitions – Restaurant Type 2**” be enacted?

**A Change to the Zoning Ordinance to allow for
Type 2 and Type 3 Restaurants in the
Limited Business Zone / Shore Road, with restrictions.**

(Note: Language proposed to be inserted is indicated by underlining. Language proposed to be removed is indicated by a ~~strikeout~~ line. All other portions of the ordinance are proposed to remain unchanged. The symbol “* * * *” indicates that a portion of the ordinance, which is not proposed to be changed, is not shown below, in order to save space.)

Restaurant, Type 2

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

- (1) food or beverages (either alcoholic or nonalcoholic) are served to persons seated at either indoor or outdoor seating on the premises;
- (2) where food or beverages are not served to pedestrians from an exterior opening or counter, and

- (3) where the design of the facilities advertising, signage or packaging procedures does not promote the consumption of food or beverages off the premises. (Amended 4/01/06 ATM)
- (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 p.m.;
 - c. There shall be no outside music or outside entertainment allowed at anytime;
 - d. Type 2 Restaurant use in the Limited Business Zone is limited to lots that abut Shore Road.

Article 9: Shall an ordinance entitled “**An Ordinance to Amend Title X of the Ogunquit Municipal Code, Ogunquit Zoning Ordinance as it relates to Article 2, Definitions – Restaurant Type 3**” be enacted?

**A Change to the Zoning Ordinance to allow for
Type 2 and Type 3 Restaurants in the
Limited Business Zone / Shore Road, with restrictions.**

(Note: Language proposed to be inserted is indicated by underlining. Language proposed to be removed is indicated by a ~~strikeout line~~. All other portions of the ordinance are proposed to remain unchanged. The symbol “* * * * *” indicates that a portion of the ordinance, which is not proposed to be changed, is not shown below, in order to save space.)

Restaurant, Type 3

An establishment where food and/or beverages (either alcoholic or nonalcoholic) are prepared and served to the public, which meets all of the following characteristics:

- (1) where food and/or beverages are served for consumption on or for takeout off the premises,
- (2) where food and/or beverages are not served to pedestrians from an exterior opening or counter, nor to occupants in motor vehicles;
- (3) where exterior loudspeakers are not used; and
- (4) where alcoholic beverages may be served only within an enclosed area for on-premise consumption. (Amended 4/01/06 ATM)
- (5) when located in the Limited Business zone, the restaurant must also meet the following additional standards:

- a. The business shall be limited in size to no more than 600 square feet, which includes both the interior and exterior, excluding customer parking areas;
- b. The hours of operation may be from 7 am until 9 pm;
- c. There shall be no outside music or outside entertainment allowed at anytime;
- d. Type 3 Restaurant use in the Limited Business Zone is limited to lots that abut Shore Road.

Article 10: Shall an ordinance entitled “**An Ordinance to Amend Title X of the Ogunquit Municipal Code, Ogunquit Zoning Ordinance as it relates to Article 8.13.C, Traffic Impacts and Street Access Control**” be enacted?

[Note: Language proposed to be inserted is indicated by underlining. Language proposed to be removed is indicated by a ~~strikeout line~~. All other portions of the ordinance are proposed to remain unchanged. The symbol “*****” indicates that a portion of the ordinance, which is not proposed to be changed, is not shown below to save space.]

~~C~~D. The following standards and design criteria in this subsection ~~as well as in subsections D through G below~~ shall apply to any land use activities, lots, subdivisions, or activities requiring site plan review, as applicable:

1. Where a lot has frontage on two or more streets, the access to the lot shall be provided to the lot across the frontage and to the street where there is lesser potential for traffic congestion and for hazards to traffic and pedestrians.
2. Where necessary to safeguard against hazards to traffic and pedestrians and/or to avoid traffic congestion, provision shall be made for turning lanes, traffic directional islands, frontage roads, driveways and traffic controls within public streets.
3. Access ways shall be of a design and have sufficient capacity to avoid queuing of entering vehicles on any street or exiting the development onto any street
4. Where topographic and other conditions allow, provision shall be made for circulation driveway connections to adjoining lots of similar existing or potential use
 - a. when such driveway connection will facilitate fire protection services as approved by the Fire Chief and/or
 - b. when such driveway will enable the public to travel between two existing or potential uses, generally open to the public, without need to travel upon a street.

Article 11: Shall an ordinance entitled “**An Ordinance to Amend Title XVI of the Ogunquit Municipal Code, Streets, Sidewalks and Other Public Places as it relates to Chapter 609, Waiver of Fees**” be enacted? [Note: Language proposed to be inserted is indicated by underlining. Language proposed to be removed is indicated by a ~~strikeout line~~. All other portions of the ordinance are proposed to remain unchanged. The symbol “*****” indicates that a portion of the ordinance, which is not proposed to be changed, is not shown below to save space.]

609 All fees and charges collected by the Public Works Department in the issuance of permits pursuant to this article shall be ~~placed in a fund dedicated and utilized solely for the administration of this article and the rules and regulations, and the rehabilitation of town streets primarily due to excavations~~ reported as revenue to the Town. Sureties are not revenue. Cash sureties will be reported as a Town liability until the surety is either returned to the permittee or forfeited.

[Petitioned Article]

Article 12: Shall the following amendment to “**Article 2 Zoning definitions – Driveway – A vehicular access-way serving not more than two lots with dwelling units, or leading to the parking area of nonresidential uses on ~~only one lot~~ not more than two lots.**” be enacted?

[Text crossed out to be eliminated ~~text~~, text to be added underlined, ***** indicates rest not proposed to change]

BUDGET ARTICLES

Article 13: Shall the Town vote to increase the property tax levy limit established for Ogunquit by State law in the event that the municipal budget approved for fiscal year **2015-2016** will result in a tax commitment that is greater than the property tax levy limit?

Article 14: Shall the Town vote to raise and appropriate the sum of **\$790,060** for **General Government** expenditures? [Note: If this article is defeated, the appropriation for General Government will default to \$752,466 pursuant to Section 503 of the Town Charter].

Select Board recommends:	Yes	5-0
Budget Review Committee recommends:	Yes	5-0

Article 15: Shall the Town vote to raise and appropriate the sum of **\$12,000** for **Recreation Department** expenditures? [**Note:** If this article is defeated, the appropriation for the Recreation Department will default to \$8,000 pursuant to Section 503 of the Town Charter].

Select Board recommends: Yes 5-0
Budget Review Committee recommends: Yes 5-0

Article 16: Shall the Town vote to raise and appropriate the sum of **\$12,497** for **Ogunquit Heritage Museum** expenditures? [**Note:** If this article is defeated, the appropriation the Ogunquit Heritage Museum for will default to \$11,558 pursuant to Section 503 of the Town Charter].

Select Board recommends: Yes 5-0
Budget Review Committee recommends: Yes 5-0

Article 17: Shall the Town vote to raise and appropriate the sum of **\$7,500** for **Ogunquit Performing Arts**? [**Note:** If this article is defeated, the appropriation for Ogunquit Performing Arts will default to \$5,000 pursuant to Section 503 of the Town Charter].

Select Board recommends: Yes 5-0
Budget Review Committee recommends: Yes 5-0

Article 18: Shall the Town vote to raise and appropriate the sum of **\$341,245** for **Land Use Department** expenditures? [**Note:** If this article is defeated, the appropriation for the Land Use Department will default to \$305,640 pursuant to Section 503 of the Town Charter].

Select Board recommends: Yes 5-0
Budget Review Committee recommends: Yes 5-0

Article 19: Shall the Town vote to raise and appropriate the sum of **\$245,224** for **Visitors Services** expenditures? [**Note:** If this article is defeated, the appropriation for Visitor Services will default to \$233,432 pursuant to Section 503 of the Town Charter].

Select Board recommends: Yes 5-0
Budget Review Committee recommends: Yes 5-0

Article 20: Shall the Town vote to raise and appropriate the sum of **\$1,384,944** for **Police Department** expenditures? [Note: If this article is defeated, the appropriation for the Police Department will default to \$1,290,657 pursuant to Section 503 of the Town Charter].

Select Board recommends: Yes 5-0
Budget Review Committee recommends: Yes 5-0

Article 21: Shall the Town vote to raise and appropriate the sum of **\$1,192,420** for **Fire-Rescue Department** expenditures? [Note: If this article is defeated, the appropriation for the Fire-Rescue Department will default to \$1,150,077 pursuant to Section 503 of the Town Charter].

Select Board recommends: Yes 5-0
Budget Review Committee recommends: Yes 5-0

Article 22: Shall the Town vote to raise and appropriate the sum of **\$136,180** for **Lifeguard Services** expenditures? [Note: If this article is defeated, the appropriation for Lifeguard Services will default to \$135,680 pursuant to Section 503 of the Town Charter].

Select Board recommends: Yes 5-0
Budget Review Committee recommends: Yes 5-0

Article 23: Shall the Town vote to raise and appropriate the sum of **\$203,000** to provide for **Utilities (Street Lights, Sewer Fees and Water Hydrants)**? [Note: If this article is defeated, the appropriation for Utilities will default to \$185,750 pursuant to Section 503 of the Town Charter].

Select Board recommends: Yes 5-0
Budget Review Committee recommends: Yes 5-0

Article 24: Shall the Town vote to raise and appropriate the sum of **\$782,220** for **Public Works Department** expenditures? [Note: If this article is defeated, the appropriation for the Public Works Department will default to \$874,734 pursuant to Section 503 of the Town Charter].

Select Board recommends: Yes 5-0
Budget Review Committee recommends: Yes 5-0

Article 25: Shall the Town vote to raise and appropriate the sum of **\$308,707** for **Transfer Station** expenditures? [**Note:** If this article is defeated, the appropriation for the Transfer Station will default to \$300,000 pursuant to Section 503 of the Town Charter].

Select Board recommends: Yes 5-0
Budget Review Committee recommends: Yes 5-0

Article 26: Shall the Town vote to raise and appropriate the sum of **\$118,352** for **Harbormaster** expenditures? [**Note:** If this article is defeated, the appropriation for the Harbormaster will default to \$119,459 pursuant to Section 503 of the Town Charter].

Select Board recommends: Yes 5-0
Budget Review Committee recommends: Yes 5-0

Article 27: Shall the Town vote to raise and appropriate the sum of **\$3,400** for **General Assistance** expenditures? [**Note:** If this article is defeated, the appropriation for General Assistance will default to \$3,400 pursuant to Section 503 of the Town Charter].

Select Board recommends: Yes 5-0
Budget Review Committee recommends: Yes 5-0

Article 28: Shall the Town vote to raise and appropriate the sum of **\$149,700** for **Insurance** expenditures? [**Note:** If this article is defeated, the appropriation for Insurance will default to \$159,700 pursuant to Section 503 of the Town Charter].

Select Board recommends: Yes 5-0
Budget Review Committee recommends: Yes 5-0

Article 29: Shall the Town vote to raise and appropriate the sum of **\$431,606** for **Administrative Services Department** expenditures? [**Note:** If this article is defeated, the appropriation for the Administrative Services Department will default to \$421,071 pursuant to Section 503 of the Town Charter].

Select Board recommends: Yes 5-0
Budget Review Committee recommends: Yes 5-0

Article 30: Shall the Town vote to raise and appropriate the sum of **\$8,730** for **Conservation** expenditures? [**Note:** If this article is defeated, the appropriation for Conservation will default to \$10,085 pursuant to Section 503 of the Town Charter].

Select Board recommends: Yes 5-0
Budget Review Committee recommends: Yes 5-0

Article 31: Shall the Town vote to raise and appropriate the sum of **\$55,640** for **Information Services** expenditures? [Note: If this article is defeated, the appropriation for Information Services will default to \$58,879 pursuant to Section 503 of the Town Charter].

Select Board recommends: Yes 5-0
Budget Review Committee recommends: Yes 5-0

Article 32: Shall the Town vote to raise and appropriate the sum of **\$10,080** for **Shellfish Conservation** expenditures? [Note: If this article is defeated, the appropriation for Shellfish Conservation will default to \$6,900 pursuant to Section 503 of the Town Charter].

Select Board recommends: Yes 5-0
Budget Review Committee recommends: Yes 5-0

Article 33: Shall the Town vote to raise and appropriate the sum of **\$5,523** for **Piping Plover** expenditures? [Note: If this article is defeated, the appropriation for Piping Plover will default to \$5,523 pursuant to Section 503 of the Town Charter].

Select Board recommends: Yes 5-0
Budget Review Committee recommends: Yes 5-0

Article 34: Shall the Town vote to raise and appropriate the sum of **\$11,000** for the **Marginal Way Committee to Manage Invasive Plants and Restore the Habitat along the Marginal Way**? [Note: If this article is defeated, the appropriation for the Marginal Way Committee to Manage Invasive Plants and Restore the Habitat along the Marginal Way will default to \$0 pursuant to Section 503 of the Town Charter].

Select Board recommends: Yes 5-0
Budget Review Committee recommends: Yes 5-0

Article 35: Shall the Town vote to raise and appropriate the sum of **\$500** for the **American Legion**? [Note: If this article is defeated, the appropriation for American Legion will default to \$500 pursuant to Section 503 of the Town Charter].

Select Board recommends: Yes 5-0
Budget Review Committee recommends: Yes 5-0

Article 36: Shall the Town vote to raise and appropriate the sum of **\$1,800** for **Cemeteries**? [Note: If this article is defeated, the appropriation for Cemeteries will default to \$1,800 pursuant to Section 503 of the Town Charter].

Riverside Cemetery	\$ 500.00
Locust Grove Cemetery	\$ 500.00
Old Burying Ground	\$ 300.00
Ocean View Cemetery	\$ 500.00

Select Board recommends:	Yes	5-0
Budget Review Committee recommends:	Yes	5-0

Article 37: Shall the town vote to raise and appropriate the sum of **\$5,000** for the **Wells-Ogunquit Historical Society**? [Note: If this article is defeated, the appropriation for the Wells-Ogunquit Historical Society will default to \$5,000 pursuant to Section 503 of the Town Charter].

Select Board recommends:	Yes	5-0
Budget Review Committee recommends:	Yes	5-0

Article 38: Shall the town vote to raise and appropriate the sum of **\$500** for the **Wells-Ogunquit Senior Center**? [Note: If this article is defeated, the appropriation for the Wells-Ogunquit Senior Center will default to \$0 pursuant to Section 503 of the Town Charter].

Select Board recommends:	Yes	5-0
Budget Review Committee recommends:	Yes	5-0

Article 39: Shall the Town vote to raise and appropriate the sum of **\$822,195** for **Debt Management** expenditures? [Note: If this article is defeated, the appropriation for Debt Management will default to \$793,486 pursuant to Section 503 of the Town Charter].

Select Board recommends:	Yes	5-0
Budget Review Committee recommends:	Yes	5-0

Article 40: Shall the Town vote to raise and appropriate the sum of **\$3,000** for the **Unemployment Reserve Account**? [Note: If this article is defeated, the appropriation for the Unemployment Reserve Account will default to \$9,000 pursuant to Section 503 of the Town Charter].

Select Board recommends:	Yes	5-0
Budget Review Committee recommends:	Yes	5-0

Article 41: Shall the Town vote to raise and appropriate the sum of **\$40,000** for the **Accrued Liability Reserve Account**? [Note: If this article is defeated, the appropriation for the Accrued Liability Account will default to \$40,000 pursuant to Section 503 of the Town Charter].

Select Board recommends: Yes 5-0
Budget Review Committee recommends: Yes 5-0

Article 42: Shall the Town vote to raise and appropriate the sum of **\$5,000** for the **Union Contract and Salary Adjustment Reserve Account**, as needed? [Note: If this article is defeated, the appropriation for the Union Contract and Salary Adjustment Reserve Account will default to \$5,000 pursuant to Section 503 of the Town Charter].

Select Board recommends: Yes 5-0
Budget Review Committee recommends: Yes 5-0

Article 43: Shall the Town vote to raise and appropriate the sum of **\$15,000** for the **Building Maintenance Reserve Account**, which shall be part of **General Government**? [Note: If this article is defeated, the appropriation for the Building Maintenance Reserve Account will default to \$15,000 pursuant to Section 503 of the Town Charter].

Select Board recommends: Yes 5-0
Budget Review Committee recommends: Yes 5-0

Article 44: Shall the Town approve the creation of a Reserve Account to set aside the future costs for the closeout and/or retirement of ECOMaine Facilities, to be known as the **Reserve for Closeout and/or Retirement of ECOMaine Facilities**; and to appropriate the sum of **\$20,000** in Fiscal Year 2016 as the First Payment into that Reserve Account? [Note: If this article is defeated, the appropriation for the Reserve for Closeout and /or Retirement of ECOMaine Facilities will default to \$0 pursuant to Section 503 of the Town Charter].

Select Board recommends: Yes 5-0
Budget Review Committee recommends: Yes 5-0

Article 45: Shall the Town vote to appropriate the sum of **\$65,759** from **Undesignated Fund Balance** to replenish the **Natural Disaster Emergency Repair Fund**? [Note: If this article is defeated, the appropriation for the Natural Disaster Emergency Repair Fund will default to \$0 pursuant to Section 503 of the Town Charter].

Select Board recommends: Yes 5-0
Budget Review Committee recommends: Yes 5-0

Article 46: Shall the Town vote to raise and appropriate the sum of **\$16,000** to purchase an **All Terrain Vehicle** for the **Police Department**? [Note: If this article is defeated, the appropriation for the Police Department All Terrain Vehicle will default to \$0 pursuant to Section 503 of the Town Charter].

Select Board recommends:	Yes	4-1
Budget Review Committee recommends:	Yes	3-2

Article 47: Shall the Town (1) vote to approve the purchase of a **Police Cruiser** for the **Police Department** (the “Project”); (2) appropriate a sum not to exceed **\$40,000** to provide for the costs of the Project; and (3) to fund said appropriation, authorize the Treasurer and Chairman of the Select Board to issue general obligation securities of the Town of Ogunquit, Maine (including temporary notes in anticipation of the sale thereof) in an aggregate principal amount not to exceed **\$40,000**; and (4) delegate to the Treasurer and the Chairman of the Select Board the authority to fix the date(s), maturity(ies), interest rate(s), call(s) for redemption, refunding of said securities, place(s) of payment, form, and other details of said securities, including execution and delivery of said securities on behalf of the Town of Ogunquit, and to provide for the sale thereof?

FINANCIAL STATEMENT

1. Total Indebtedness
 - a. Bonds outstanding and unpaid: \$ 7,389,294
 - b. Bonds authorized and unissued: \$ -0-
 - c. Bonds to be issued if this Article is approved \$ 40,000

2. Costs
 - a. At an estimated interest rate of 2.25% for a five (5) year maturity, the estimated costs of this bond issue will be:

Principal:	\$ <u>40,000</u>
Interest	\$ <u>2,700</u>
Total Debt Service:	\$ <u>42,700</u>

3. Validity

The validity of the bonds and of the voters’ ratification of the bonds may not be affected by any errors in the above estimates. If the actual amount of the total debt service for the bond issue varies from the estimate, the ratification by the electors is nevertheless conclusive and the validity of the bond issue is not affected by reason of the variance.

/s/ _____
 John Quartararo
 Town Treasurer

[Note: If this article is defeated, the appropriation for the Police Cruiser for the Police Department will default to \$0 pursuant to Section 503 of the Town Charter].

Select Board recommends: Yes 4-1
 Budget Review Committee recommends: Yes 5-0

Article 48: Shall the Town vote to raise and appropriate sum of **\$15,000** to **Remove Underground Fuel Tanks, Replace Furnace and Pave Front and Rear Ramps** at the **Fire-Rescue Department**? [Note: If this article is defeated, the appropriation to Remove Underground Fuel Tanks, Replace Furnace and Pave Front and Rear Ramps will default to \$0 pursuant to Section 503 of the Town Charter].

Select Board recommends: Yes 5-0
 Budget Review Committee recommends: Yes 5-0

Article 49: Shall the Town vote to raise and appropriate the sum of **\$16,000** to purchase an **All Terrain Vehicle** for the **Fire-Rescue Department**? [Note: If this article is defeated, the appropriation for the Fire-Rescue Department All Terrain Vehicle will default to \$0 pursuant to Section 503 of the Town Charter].

Select Board recommends: Yes 5-0
 Budget Review Committee recommends: Yes 4-1

Article 50: Shall the Town vote to (1) vote to approve the purchase of a **Chief’s Vehicle** for the **Fire Department** (the “Project”); (2) appropriate a sum not to exceed **\$35,000** to provide for the costs of the Project; and (3) to fund said appropriation, authorize the Treasurer and Chairman of the Select Board to issue general obligation securities of the Town of Ogunquit, Maine (including temporary notes in anticipation of the sale thereof) in an aggregate principal amount not to exceed **\$35,000**; and (4) delegate to the Treasurer and the Chairman of the Select Board the authority to fix the date(s), maturity(ies), interest rate(s), call(s) for redemption, refunding of said securities, place(s) of payment, form, and other details of said securities, including execution and delivery of said securities on behalf of the Town of Ogunquit, and to provide for the sale thereof?

FINANCIAL STATEMENT

1.	<u>Total Indebtedness</u>	
a.	Bonds outstanding and unpaid:	<u>\$7,389,294</u>
b.	Bonds authorized and unissued:	<u>\$ -0-</u>
c.	Bonds to be issued if this Article is approved	<u>\$ 35,000</u>
2.	<u>Costs</u>	
a.	At an estimated interest rate of <u>2.25%</u> for a <u>five (5)</u> year maturity, the estimated costs of this bond issue will be:	
	Principal:	<u>\$ 35,000</u>
	Interest:	<u>\$ 2,363</u>
	Total Debt Service:	<u>\$ 37,363</u>

3. Validity

The validity of the bonds and of the voters' ratification of the bonds may not be affected by any errors in the above estimates. If the actual amount of the total debt service for the bond issue varies from the estimate, the ratification by the electors is nevertheless conclusive and the validity of the bond issue is not affected by reason of the variance.

/s/
John Quartararo
Town Treasurer

[Note: If this article is defeated, the appropriation for the Chief's Vehicle for the Fire-Rescue Department will default to \$0 pursuant to Section 503 of the Town Charter].

Select Board recommends: Yes 5-0
Budget Review Committee recommends: Yes 5-0

Article 51: Shall the Town (1) vote to approve the purchase of a **Ten (10) Replacement Airpaks** for the **Fire Department** (the "Project"); (2) appropriate a sum not to exceed **\$75,000** to provide for the costs of the Project; and (3) to fund said appropriation, authorize the Treasurer and Chairman of the Select Board to issue general obligation securities of the Town of Ogunquit, Maine (including temporary notes in anticipation of the sale thereof) in an aggregate principal amount not to exceed **\$75,000**; and (4) delegate to the Treasurer and the Chairman of the Select Board the authority to fix the date(s), maturity(ies), interest rate(s), call(s) for redemption, refunding of said securities, place(s) of payment, form, and other details of said securities, including execution and delivery of said securities on behalf of the Town of Ogunquit, and to provide for the sale thereof?

FINANCIAL STATEMENT

1. Total Indebtedness

a. Bonds outstanding and unpaid: \$7,389,294
b. Bonds authorized and unissued: \$ -0-
c. Bonds to be issued if this Article is approved \$ 75,000

2. Costs

a. At an estimated interest rate of 3.25% for a five (5) year maturity, the estimated costs of this bond issue will be:
Principal: \$ 75,000
Interest \$ 13,406
Total Debt Service: \$ **88,406**

3. Validity

The validity of the bonds and of the voters' ratification of the bonds may not be affected by any errors in the above estimates. If the actual amount

of the total debt service for the bond issue varies from the estimate, the ratification by the electors is nevertheless conclusive and the validity of the bond issue is not affected by reason of the variance.

/s/

John Quartararo
Town Treasurer

[**Note:** If this article is defeated, the appropriation for the Ten (10) Replacement Airpaks for the Fire Department will default to \$0 pursuant to Section 503 of the Town Charter].

Select Board recommends: Yes 5-0
Budget Review Committee recommends: Yes 5-0

Article 52: Shall the Town vote to raise and appropriate the sum of **\$5,000** to purchase **Vehicle Diagnostic Software** for the **Public Works Department**? [**Note:** If this article is defeated, the appropriation for the Vehicle Diagnostic Software for the Public Works Department will default to \$0 pursuant to Section 503 of the Town Charter].

Select Board recommends: Yes 5-0
Budget Review Committee recommends: Yes 5-0

Article 53: Shall the Town vote to raise and appropriate the sum of **\$13,000** to **Replace the Roof at the Salt Shed** for the **Public Works Department**? [**Note:** If this article is defeated, the appropriation to Replace the Roof at the Salt Shed for the Public Works Department will default to \$0 pursuant to Section 503 of the Town Charter].

Select Board recommends: Yes 5-0
Budget Review Committee recommends: Yes 5-0

Article 54: Shall the Town vote to appropriate **\$90,000** from **Undesignated Fund Balance** to purchase a **Trash Compactor Truck** for the **Public Works Department**? [**Note:** If this article is defeated, the appropriation to purchase a Trash Compactor Truck for the Public Works Department will default to \$0 pursuant to Section 503 of the Town Charter].

Select Board recommends: Yes 5-0
Budget Review Committee recommends: Yes 5-0

Article 55: Shall the Town vote to raise and appropriate the sum of **\$17,512** to **Reclaim and Repave Woodbury Lane**? [Note: If this article is defeated, the appropriation to Reclaim and Repave Woodbury Lane will default to \$0 pursuant to Section 503 of the Town Charter].

Select Board recommends: Yes 5-0
Budget Review Committee recommends: Yes 5-0

Article 56: Shall the Town vote to raise and appropriate the sum of **\$19,000** **Reclaim and Repave the Main Beach Road and Trolley Stop Lot**? [Note: If this article is defeated, the appropriation to Reclaim and Repave the Main Beach Road and Trolley Stop Lot will default to \$0 pursuant to Section 503 of the Town Charter].

Select Board recommends: Yes 5-0
Budget Review Committee recommends: Yes 5-0

Article 57: Shall the Town vote to appropriate the sum of **\$97,180** from **Undesignated Fund Balance** for the **Lower Lot Paving Project**? [Note: If this article is defeated, the appropriation for the Lower Lot Paving Project will default to \$0 pursuant to Section 503 of the Town Charter].

Select Board recommends: Yes 5-0
Budget Review Committee recommends: Yes 5-0

Article 58: Shall the Town vote to appropriate the sum of **\$140,000** from **Undesignated Fund Balance** for **Paving of Municipal Roads** [which includes Ledge Road, Rebecca Road and Stearns Road]? [Note: If this article is defeated, the appropriation for Paving of Municipal Roads will default to \$0 pursuant to Section 503 of the Town Charter].

Select Board recommends: Yes 5-0
Budget Review Committee recommends: Yes 5-0

Article 59: Shall the Town (1) vote to approve a capital improvement project consisting of the **Footbridge Beach Revitalization Project, which includes the Footbridge Beach Comfort Station and the Footbridge Beach Bridge**, (the “Project”); (2) appropriate a sum not to exceed **\$275,000** to provide for the costs of the Project; and (3) to fund said appropriation, authorize the Treasurer and Chairman of the Select Board to issue general obligation securities of the Town of Ogunquit, Maine (including temporary notes in anticipation of the sale thereof) in an aggregate principal amount not to exceed **\$275,000**; and (4) delegate to the Treasurer and the Chairman of the Select Board the authority to fix the date(s), maturity(ies), interest rate(s), call(s) for redemption, refunding of said securities, place(s) of payment, form, and other details of said securities, including execution and delivery of said securities on behalf of the Town of Ogunquit, and to provide for the sale thereof?

FINANCIAL STATEMENT

- 1. Total Indebtedness
 - a. Bonds outstanding and unpaid: \$7,389,294
 - b. Bonds authorized and unissued: \$ -0-
 - c. Bonds to be issued if this Article is approved \$ 275,000
- 2. Costs
 - a. At an estimated interest rate of 4.50% for a twenty (20) year maturity, the estimated costs of this bond issue will be:
 - Principal: \$ 275,000
 - Interest: \$ 129,938
 - Total Debt Service: \$ 404,938

- 3. Validity

The validity of the bonds and of the voters' ratification of the bonds may not be affected by any errors in the above estimates. If the actual amount of the total debt service for the bond issue varies from the estimate, the ratification by the electors is nevertheless conclusive and the validity of the bond issue is not affected by reason of the variance.

/s/ _____
John Quartararo
Town Treasurer

[**Note:** If this article is defeated, the appropriation for the Footbridge Beach Revitalization Project will default to \$0 pursuant to Section 503 of the Town Charter].

Select Board recommends: Yes 5-0
Budget Review Committee recommends: Yes 5-0

Article 60: Shall the Town vote to appropriate **\$1,425,000** from **anticipated parking lot revenues** to fund the **2015-2016** fiscal year budget?

Select Board recommends: Yes 5-0

Article 61: Shall the Town vote to collect and appropriate the estimated amounts in Town **Generated Revenue** and **State Revenue** in the amount of **\$1,074,640** to reduce the amount to be raised by taxation?

Select Board recommends: Yes 5-0

Article 62: Shall the Town vote to accept the categories of funds, listed herein, as provided by the Maine Legislature:

<u>ITEM</u>	<u>AMOUNT</u>
State Education Tax Relief	\$Unknown
Emergency Management Funds	\$Unknown
Public Library Aid	\$Unknown
Specialized State Grants/Funds	\$Unknown

Article 63: Shall the Town vote to allow the Highway Department to plow and sand private roads on which the Town holds a recorded public easement during the upcoming winter season as otherwise allowed by Title 23 M.R.S.A. §3105 and previously authorized by a vote on Article 3 of a Special Town Meeting held on November 5, 2002, provided that any necessary expenses pertaining thereto must fall within existing appropriations?

Article 64: Shall the Town authorize the Select Board to apply for and accept grant funds, donations and gifts; and authorize the Select Board to spend such funds for the purposes intended as allowed by law?

Article 65: Shall the Town vote to fix the date when property taxes shall be due and payable as follows:

- One-half (1/2) of the tax commitment shall be due 30 days after the commitment; on or about November 2, 2015,
- The other one-half (1/2) of the tax commitment shall be due on or about May 2, 2016; and further,
- Interest at the rate of seven-percent (7%) per annum shall be charged for taxes not paid by the established due date(s).

Article 66: Shall the Town vote to pay no more than three-percent (3%) per annum to taxpayers who pay taxes in excess of the amounts finally assessed, and to authorize such interest paid or abatements granted to be charged against the Town's annual overlay, or if necessary, against the Town's **Undesignated Fund** balance?

Article 67: Shall the Town vote to authorize the Select Board to make one of the following decisions for each **Tax Lien Acquired Property**?

1. To dispose of the property by allowing the immediate former owner, or the immediate former owner's estate, to buy back title to the property from the Town. Buy-back of the property shall require: payment of all taxes due plus interest and lien costs; payment of all other costs, and satisfaction of all other conditions established by the Select Board.
2. To dispose of Timeshare properties to the Timeshare Property Owners for the payment of all taxes due plus interest and lien costs; payment of all other costs and satisfaction of all other conditions established by the Select Board.

3. To dispose of the property by public sealed bid auction or other public process.
4. To dispose of the property by conducting a limited public sale among the parties who own property that directly abuts this property.
5. To hold Town title to the property.

Article 68: Shall the Town authorize the Treasurer to waive foreclosure on a Tax Lien, leaving the Tax Lien Mortgage in full force and effect as provided for in 36 M.R.S.A. 944 (1)?

Article 69: Shall the Town vote to authorize the Select Board to dispose of town-owned surplus property upon such terms and conditions as the Select Board may deem to be in the best interests of the Town as otherwise allowed by law?

Given under our hands this 24th day of April 2015, A.D. in Ogunquit, Maine, by the Select Board, acting in their capacity as the Municipal Officers:

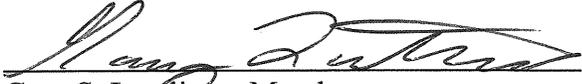
OGUNQUIT SELECT BOARD

Barbara Dailey, Chair

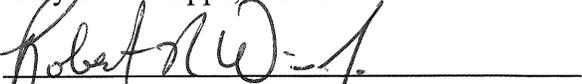
John M. Daley, Vice-Chair



David F. Barton, Member



Gary S. Latulippe, Member



Robert N. Winn, Jr., Member

State of Maine
County of York, ss

A True Copy,
Attest:

Town of Ogunquit, Maine

Dated: _____

OGUNQUIT

Beautiful Place by the Sea

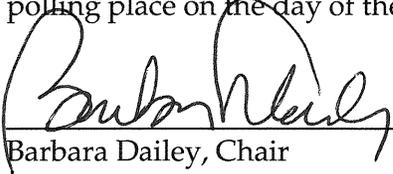
To the Town Clerk of Ogunquit:

We hereby certify that the document to which we have affixed this Certificate is a true copy of the official text of an Ordinance entitled:

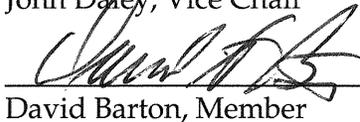
"Acceptance of the revised Town of Ogunquit Official Zoning Map dated June 10, 2015 and resulting changes to the Ogunquit Zoning Ordinance. (Both the current Zoning Map and the proposed map are on display on the wall outside the Dunaway Auditorium doors) (See attached for text changes to the Zoning Ordinance resulting from the adoption of the proposed new Zoning Map)."

This amendment will be presented to voters by referendum ballot, for their consideration at the Annual Town Meeting to be held on June 9, 2015.

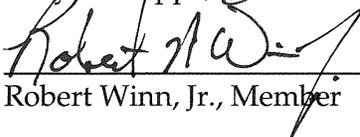
Pursuant to 30-A, MRSA ss 3002(2), you will retain this copy of the complete text of the ordinance amendments as a public record and make other copies available for distribution to the voters, and you will ensure that these copies are available at the polling place on the day of the vote.


Barbara Dailey, Chair

Not present
John Daley, Vice Chair


David Barton, Member


Gary Latulippe, Member


Robert Winn, Jr., Member

OGUNQUIT SELECT BOARD

DATED: April 21, 2015

A True Copy,

Attest: _____
Christine L. Murphy, Town Clerk

**ZONING ORDINANCE TEXT CHANGES RESULTING FROM
ADOPTION OF
ZONING MAP DATED JUNE 10, 2015**

(Note: Language proposed to be inserted is indicated by underlining. Language proposed to be removed is indicated by a ~~strikeout line~~. All other portions of the ordinance are proposed to remain unchanged. The symbol “* * * *” indicates that a portion of the ordinance, which is not proposed to be changed, is not shown below, in order to save space.)

Section 1.2.E

- **** ~~E. Perkins Cove Residential District – PCR~~
E F. Downtown Business District – DB
F G. General Business District - GB1
G H. General Business District - GB2
H I. Limited Business District –LB
I J. Farm District – F
J K. Shoreland Limited Residential District - SLR
K L. Shoreland Limited Commercial District - SLC
L M. Shoreland General Development 1 – Ogunquit Beach – SG1
M N. Shoreland General Development 2 – Perkins Cove – SG2
N O. Stream Protection District -SP
O P. Resource Protection District –RP ****

Section 1.3

****dated June 10, 2015 ~~April 1, 2009~~****

Section 1.8.C.2

- **** 2. ~~Section 9.15.L, Timber Harvesting, repeal in its entirety.
However, section 9.21 shall remain in force.~~
3. ~~Article 2 – Definitions, repeal definitions of the following terms ***
Harvest Area
Residual Stand~~

Section 7.1.E

~~****E. Perkins Cove Residential District PCR
To preserve the physical, aesthetic and social quality of the Perkins Cove residential area and to protect, encourage and restore the unhurried, quiet, seaside residential neighborhood which the area now enjoys.****~~

Table 702.1 – Key

~~****PCR Perkins Cove Residential District****~~

Table 702.1

~~****Removal of Perkins Cove Residential****~~

BFP- Permitted use with permit from the Bureau of Forest Protection

Timber harvesting*	****	<u>€</u> <u>BFP</u>	NP	NP	NP	<u>€</u> <u>BFP</u>	<u>€</u> <u>BFP</u>
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Table 703.1

~~****Removal of Perkins Cove Residential****~~

Section 8.6.A

~~**** Ogunquit Beach Business District Shoreland General District 1
Perkins Cove Limited Business District Shoreland General District 2****~~

Section 8.6.E

~~****E. In the Perkins Cove Residential District fences shall:
1. not be more than six feet in height; and
2. not obstruct the view of tidal waters from a public way or other public property.****~~

Section 8.6.F

~~**** F. In the Shoreland General District 2 Perkins Cove Limited Business District and the Ogunquit Beach Business District fences shall:
1. not be more than four feet in height; and
2. not obstruct the view of tidal waters from a public way or other public property.****~~

Section 8.10.A.1

~~**** Shoreland General 1 and Shoreland General 2, Ogunquit Beach Business, and Perkins Cove Limited Business Districts,****~~

Section 8.10.A.1.A

~~****Shoreland General 1 and Shoreland General 2 Ogunquit Beach Business, and Perkins Cove Limited Business Districts****~~

Section 8.12.B

~~****SG1 and SG2 PCLB, OBB****~~

~~****RR1, RR2, PCR and F) so****~~

Section 8.12.D.1

~~****and Perkins Cove Residential District****~~

Section 8.12.D.2.A.ii

~~****freestanding collective sign post, as set forth in section C.4 above.****~~

Section 9.15.L

~~**** L. Timber Harvesting (in the Shoreland Zone) (Amended 11/4/08, Effective 4/1/09)~~

~~Timber harvesting in any shoreland zone shall conform with the following provisions:~~

- ~~1. Selective cutting of no more than 40 per cent of the total volume of trees four inches or more in diameter measured at 4 1/2 feet above ground level on any lot in any 10 year period is permitted. In addition:
 - ~~a. Within seventy five (75) feet, horizontal distance, of the normal high water line of water bodies, tributary streams, or the upland edge of a wetland, there shall be no clear cut openings and a well-distributed stand of trees and other vegetation, including existing ground cover, shall be maintained.~~
 - ~~b. At distances greater than seventy five (75) feet, horizontal distance, of the normal high water line of water bodies or the upland edge of a wetland, harvesting operations shall not create single clear cut openings greater than ten thousand (10,000) square feet in the forest canopy. Where such openings exceed five~~~~

~~thousand (5000) square feet they shall be at least one hundred (100) feet, horizontal distance, apart. Such clear cut openings shall be included in the calculation of total volume removal. Volume may be considered to be equivalent to basal area.~~

- ~~2. No accumulation of slash shall be left within 50 feet, horizontal distance, of the normal high water line of a water body. In all other areas, slash shall either be removed or disposed of in such a manner that it lies on the ground and no part thereof extends more than four feet above the ground. Any debris that falls below the normal high water line of water body shall be removed.~~
- ~~3. Timber harvesting equipment shall not use stream channels as travel routes except when:
 - ~~a. Surface waters are frozen; and~~
 - ~~b. The activity will not result in any ground disturbance.~~~~
- ~~4. All crossings of flowing water shall require a bridge or culvert, except in areas with low banks and channel beds which are composed of gravel, rock or similar hard surface which would not be eroded or otherwise damaged.~~
- ~~5. Skid trail approaches to water crossings shall be located and designed so as to prevent water runoff from directly entering the water body or tributary stream. Upon completion of timber harvesting, temporary bridges and culverts shall be removed and areas of exposed soil revegetated.~~
- ~~6. Except for water crossings, skid trails and other sites where the operation of machinery used in timber harvesting results in the exposure of mineral soil shall be located such that an unscarified strip of vegetation of at least 75 feet, horizontal distance, in width for slopes up to 10 percent shall be retained between the exposed mineral soil and the normal high water line of a water body or upland edge of a wetland. For each 10 per cent increase in slope, the unscarified strip shall be increased by 20 feet, horizontal distance. The provisions of this paragraph apply only to a face sloping toward the water body or wetland, provided, however, that no portion of such exposed mineral soil on a back face shall be closer than 25 feet, horizontal distance,~~

~~from the normal high water line of a water body or upland edge of a wetland.~~

**** L M

M N

N O

O P

P Q****

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Beautiful Place by the Sea

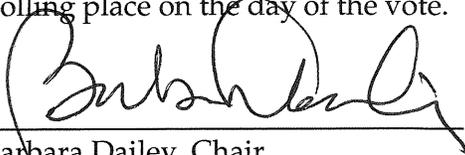
To the Town Clerk of Ogunquit:

We hereby certify that the document to which we have affixed this Certificate is a true copy of the official text of an Ordinance entitled:

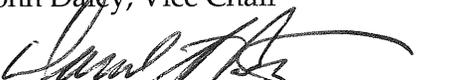
"A change to the Zoning Ordinance to allow for Type 2 Restaurants in the Limited Business District / Shore Road, with restrictive conditions." (See attached)

This amendment will be presented to voters by referendum ballot, for their consideration at the Annual Town Meeting to be held on June 9, 2015.

Pursuant to 30-A, MRSA ss 3002(2), you will retain this copy of the complete text of the ordinance amendments as a public record and make other copies available for distribution to the voters, and you will ensure that these copies are available at the polling place on the day of the vote.


Barbara Dailey, Chair

~~Not present~~
John Daley, Vice Chair


David Barton, Member


Gary Latulippe, Member

Robert Winn, Jr., Member

OGUNQUIT SELECT BOARD

DATED: April 21, 2015

A True Copy,

Attest: _____
Christine L. Murphy, Town Clerk

A Change to the Zoning Ordinance Ordinance to allow for Type 2 and Type 3 Restaurants in the Limited Business Zone / Shore Road, with restrictions.

The following underlined language shall be added to Article 2 of the Ogunquit Zoning Ordinance – Definitions – Restaurants Type 2 and Restaurant Type 3. Text not underlined shall remain unchanged.

Restaurant, Type 2

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

- (1) food or beverages (either alcoholic or nonalcoholic) are served to persons seated at either indoor or outdoor seating on the premises;
- (2) where food or beverages are not served to pedestrians from an exterior opening or counter, and
- (3) where the design of the facilities advertising, signage or packaging procedures does not promote the consumption of food or beverages off the premises.
(Amended 4/01/06 ATM)
- (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 p.m.;
 - c. There shall be no outside music or outside entertainment allowed at anytime;
 - d. Type 2 Restaurant use in the Limited Business Zone is limited to lots that abut Shore Road.

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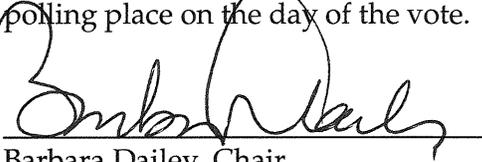
To the Town Clerk of Ogunquit:

We hereby certify that the document to which we have affixed this Certificate is a true copy of the official text of an Ordinance entitled:

“A change to the Zoning Ordinance to allow for Type 3 Restaurants in the Limited Business District / Shore Road, with restrictive conditions.” (See attached)

This amendment will be presented to voters by referendum ballot, for their consideration at the Annual Town Meeting to be held on June 9, 2015.

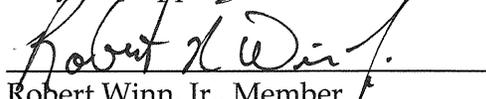
Pursuant to 30-A, MRSA ss 3002(2), you will retain this copy of the complete text of the ordinance amendments as a public record and make other copies available for distribution to the voters, and you will ensure that these copies are available at the polling place on the day of the vote.


Barbara Dailey, Chair

Not present
John Daley, Vice Chair


David Barton, Member


Gary Latulippe, Member


Robert Winn, Jr., Member

OGUNQUIT SELECT BOARD

DATED: April 21, 2015

A True Copy,

Attest: _____
Christine L. Murphy, Town Clerk

Restaurant, Type 3

An establishment where food and/or beverages (either alcoholic or nonalcoholic) are prepared and served to the public, which meets all of the following characteristics:

- (1) where food and/or beverages are served for consumption on or for takeout off the premises,
- (2) where food and/or beverages are not served to pedestrians from an exterior opening or counter, nor to occupants in motor vehicles;
- (3) where exterior loudspeakers are not used; and
- (4) where alcoholic beverages may be served only within an enclosed area for on-premise consumption. (Amended 4/01/06 ATM)
- (5) when located in the Limited Business zone, the restaurant must also meet the following additional standards:
 - a. The business shall be limited in size to no more than 600 square feet, which includes both the interior and exterior, excluding customer parking areas;
 - b. The hours of operation may be from 7 am until 9 pm;
 - c. There shall be no outside music or outside entertainment allowed at anytime;
 - d. Type 3 Restaurant use in the Limited Business Zone is limited to lots that abut Shore Road.

OGUNQUIT

Beautiful Place by the Sea

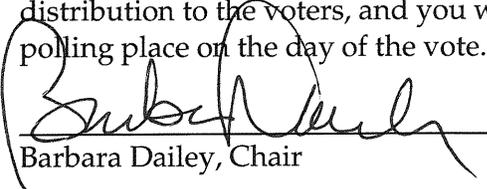
To the Town Clerk of Ogunquit:

We hereby certify that the document to which we have affixed this Certificate is a true copy of the official text of an Ordinance entitled:

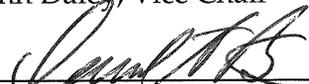
"Removal of language in Section 8.13.C of the Ogunquit Zoning Ordinance which refers to non-existent subsections: "The following standards and design criteria in this subsection as well as in subsections D through G below, shall apply to any land use activities*" (Struck through language to be removed, all other language to be left unchanged)(See attached)."**

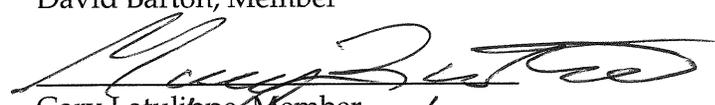
This amendment will be presented to voters by referendum ballot, for their consideration at the Annual Town Meeting to be held on June 9, 2015.

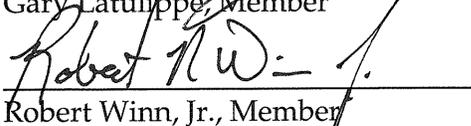
Pursuant to 30-A, MRSA ss 3002(2), you will retain this copy of the complete text of the ordinance amendments as a public record and make other copies available for distribution to the voters, and you will ensure that these copies are available at the polling place on the day of the vote.


Barbara Dailey, Chair

Not present
John Daley, Vice Chair


David Barton, Member


Gary Latulippe, Member


Robert Winn, Jr., Member

OGUNQUIT SELECT BOARD

DATED: April 21, 2015

A True Copy,

Attest: _____
Christine L. Murphy, Town Clerk

the actual travel distance from the proposed development is already at “D” or below, the application for such a subdivision or activity requiring site plan review meeting or exceeding the ADT or parking space threshold of 8.13.B above, shall be denied unless the applicant can improve the street or intersection capacities or level of service so that no further increase in delay or waiting times will occur, should the project be constructed, as demonstrated by a traffic impact analysis prepared by a licensed professional engineer, submitted by the applicant.

~~ED.~~ The following standards and design criteria in this subsection ~~as well as in subsections D through G below~~ shall apply to any land use activities, lots, subdivisions, or activities requiring site plan review, as applicable:

1. Where a lot has frontage on two or more streets, the access to the lot shall be provided to the lot across the frontage and to the street where there is lesser potential for traffic congestion and for hazards to traffic and pedestrians.
2. Where necessary to safeguard against hazards to traffic and pedestrians and/or to avoid traffic congestion, provision shall be made for turning lanes, traffic directional islands, frontage roads, driveways and traffic controls within public streets.
3. Access ways shall be of a design and have sufficient capacity to avoid queuing of entering vehicles on any street or exiting the development onto any street
4. Where topographic and other conditions allow, provision shall be made for circulation driveway connections to adjoining lots of similar existing or potential use
 - a. when such driveway connection will facilitate fire protection services as approved by the Fire Chief and/or
 - b. when such driveway will enable the public to travel between two existing or potential uses, generally open to the public, without need to travel upon a street.

8.14 Waste-Water Pollution (Subparagraph C Amended June 8, 2010)

- A. The disposal of waste water by means other than a public system must comply with the laws of the State of Maine and the Town concerning water pollution. Where a public sanitary sewer system is located within 100 feet, horizontal distance, of any portion of any new buildings used for human habitation or occupancy as measured from the public way, the Town shall require participation in said sewer. Wherever the requirements of this Ordinance are at variance with the rules and regulations of the Sewer District, the most restrictive shall govern. Buildings existing as of April 10, 2001 within 100 feet of a public sanitary sewer system which are served by a private sewer or drainage system shall not be required to connect to the sewer or drain of the Sewer District so long as the private sewer or drainage system functions in a satisfactory and sanitary manner and does not violate any law or ordinance applicable thereto or any applicable requirement of the State of Maine Plumbing Code as determined by the Ogunquit Licensed Plumbing Inspector. In the event of a failure of any private sewer or drainage system within 100 feet of a public waste water system as determined by the Code Enforcement Officer, such private system shall be

OGUNQUIT

Beautiful Place by the Sea

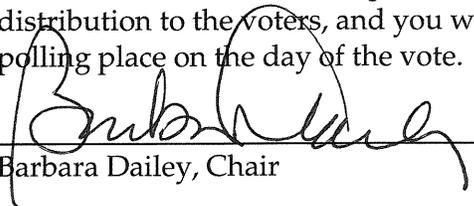
To the Town Clerk of Ogunquit:

We hereby certify that the document to which we have affixed this Certificate is a true copy of the official text of an Ordinance entitled:

Shall an ordinance entitled “An Ordinance to Amend Title XVI of the Ogunquit Municipal Code, Streets, Sidewalks and Other Public Places as it relates to Chapter 609, Waiver of Fees” be enacted?

This amendment will be presented to voters by referendum ballot, for their consideration at the Annual Town Meeting to be held on June 9, 2015.

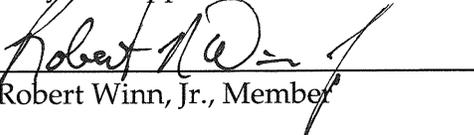
Pursuant to 30-A, MRSA ss 3002(2), you will retain this copy of the complete text of the ordinance amendments as a public record and make other copies available for distribution to the voters, and you will ensure that these copies are available at the polling place on the day of the vote.


Barbara Dailey, Chair

Not Present
John Daley, Vice Chair


David Barton, Member


Gary Fatulippe, Member


Robert Winn, Jr., Member

OGUNQUIT SELECT BOARD

DATED: April 21, 2015

A True Copy,

Attest: _____
Christine L. Murphy, Town Clerk

Amendment to Title XVI – Streets, Sidewalks and Other Public Places

Shall an ordinance entitled “**An Ordinance to Amend Title XVI of the Ogunquit Municipal Code, Streets, Sidewalks and Other Public Places as it relates to Chapter 609, Waiver of Fees**” be enacted? [Note: Language proposed to be inserted is indicated by underlining. Language proposed to be removed is indicated by a ~~strikeout line~~. All other portions of the ordinance are proposed to remain unchanged. The symbol “*****” indicates that a portion of the ordinance, which is not proposed to be changed, is not shown below to save space.]

609 All fees and charges collected by the Public Works Department in the issuance of permits pursuant to this article shall be ~~placed in a fund dedicated and utilized solely for the administration of this article and the rules and regulations, and the rehabilitation of town streets primarily due to excavations reported as revenue to the Town.~~ Sureties are not revenue. Cash sureties will be reported as a Town liability until the surety is either returned to the permittee or forfeited.

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March 24, 2015

To The Ogunquit Select Board,

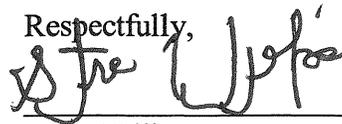
re: Proposed amendments to the Ogunquit Zoning Ordinance.

On March 23, 2015 the Ogunquit Planning Board unanimously voted to submit the following proposed Zoning Ordinance Amendments to you along with a request that said amendments be presented to the voters at the June 2015 Town Meeting:

- 1. Acceptance of the revised Town of Ogunquit Official Zoning Map dated June 10, 2015 and resulting changes to the Ogunquit Zoning Ordinance.**
(Both the current Zoning Map and the proposed map are on display on the wall outside the Dunaway Auditorium doors) (see attached for text changes to the Zoning Ordinance resulting from the adoption of the proposed new Zoning Map).
- 2. A change to the Zoning Ordinance to allow for Type 2 Restaurants in the Limited Business District / Shore Road, with restrictive conditions.**
(see attached)
- 3. A change to the Zoning Ordinance to allow for Type 3 Restaurants in the Limited Business District / Shore Road, with restrictive conditions.**
(see attached)
- 4. Removal of language in Section 8.13.C of the Ogunquit Zoning Ordinance which refers to non-existent subsections: "The following standards and design criteria in this subsection as well as in subsections D through G below, shall apply to any land use activities****" (Struck through language to be removed, all other language to be left unchanged)(see attached).**

Be advised that the Planning Board has conducted several workshops and a Public Hearing (March 23, 2015) for the above-noted proposed amendments.

The Planning Board hereby respectfully requests that the proposed, enclosed amendments to the Ogunquit Zoning Ordinance be presented to the voters on the warrant for the June 2015 Town Meeting.

Respectfully,


Steve Wilkos
Planning Board Chair

attachments: six

pc: Thomas Fortier, Town Manager (w/ enclosures)
Christine Murphy, Ogunquit Town Clerk (w/ enclosures)

**ZONING ORDINANCE TEXT CHANGES RESULTING FROM
ADOPTION OF
ZONING MAP DATED JUNE 10, 2015**

(Note: Language proposed to be inserted is indicated by underlining. Language proposed to be removed is indicated by a ~~strikeout line~~. All other portions of the ordinance are proposed to remain unchanged. The symbol “* * * * *” indicates that a portion of the ordinance, which is not proposed to be changed, is not shown below, in order to save space.)

Section 1.2.E

- **** ~~E. Perkins Cove Residential District – PCR~~
E F. Downtown Business District – DB
F ~~G.~~ General Business District - GB1
G H. General Business District - GB2
H I. Limited Business District –LB
I ~~J.~~ Farm District – F
J K. Shoreland Limited Residential District - SLR
K L. Shoreland Limited Commercial District - SLC
L M. Shoreland General Development 1 – Ogunquit Beach – SG1
M N. Shoreland General Development 2 – Perkins Cove – SG2
N O. Stream Protection District -SP
O P. Resource Protection District –RP ****

Section 1.3

**** dated June 10, 2015 ~~April 1, 2009~~****

Section 1.8.C.2

- **** 2. ~~Section 9.15.L, Timber Harvesting, repeal in its entirety.~~
~~However, section 9.21 shall remain in force.~~
3. ~~Article 2 – Definitions, repeal definitions of the following terms ***~~
~~Harvest Area~~
~~Residual Stand~~

Section 7.1.E

~~****E. Perkins Cove Residential District PCR
 To preserve the physical, aesthetic and social quality of the Perkins Cove residential area and to protect, encourage and restore the unhurried, quiet, seaside residential neighborhood which the area now enjoys.****~~

Table 702.1 – Key

~~****PCR Perkins Cove Residential District****~~

Table 702.1

~~****Removal of Perkins Cove Residential****~~

BFP- Permitted use with permit from the Bureau of Forest Protection

Timber harvesting*	****	<u>€</u> <u>BFP</u>	NP	NP	NP	<u>€</u> <u>BFP</u>	<u>€</u> <u>BFP</u>
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Table 703.1

~~****Removal of Perkins Cove Residential****~~

Section 8.6.A

~~**** Ogunquit Beach Business District Shoreland General District 1
 Perkins Cove Limited Business District Shoreland General District 2****~~

Section 8.6.E

~~****E. In the Perkins Cove Residential District fences shall:
 1. not be more than six feet in height; and
 2. not obstruct the view of tidal waters from a public way or other public property.****~~

Section 8.6.F

~~**** F. In the Shoreland General District 2 Perkins Cove Limited Business District and the Ogunquit Beach Business District fences shall:
 1. not be more than four feet in height; and
 2. not obstruct the view of tidal waters from a public way or other public property.****~~

Section 8.10.A.1

~~**** Shoreland General 1 and Shoreland General 2, Ogunquit Beach Business, and Perkins Cove Limited Business Districts,****~~

Section 8.10.A.1.A

~~****Shoreland General 1 and Shoreland General 2 Ogunquit Beach Business, and Perkins Cove Limited Business Districts****~~

Section 8.12.B

~~****SG1 and SG2 PCLB, OBB****~~

~~****RR1, RR2, PCR and F) so****~~

Section 8.12.D.1

~~****and Perkins Cove Residential District****~~

Section 8.12.D.2.A.ii

~~****freestanding collective sign post, as set forth in section C.4 above.****~~

Section 9.15.L

~~**** L. Timber Harvesting (in the Shoreland Zone) (Amended 11/4/08, Effective 4/1/09)~~

~~Timber harvesting in any shoreland zone shall conform with the following provisions:~~

~~1. Selective cutting of no more than 40 per cent of the total volume of trees four inches or more in diameter measured at 4 1/2 feet above ground level on any lot in any 10 year period is permitted. In addition:~~

~~a. Within seventy five (75) feet, horizontal distance, of the normal high water line of water bodies, tributary streams, or the upland edge of a wetland, there shall be no clear cut openings and a well-distributed stand of trees and other vegetation, including existing ground cover, shall be maintained.~~

~~b. At distances greater than seventy five (75) feet, horizontal distance, of the normal high water line of water bodies or the upland edge of a wetland, harvesting operations shall not create single clear cut openings greater than ten thousand (10,000) square feet in the forest canopy. Where such openings exceed five~~

~~thousand (5000) square feet they shall be at least one hundred (100) feet, horizontal distance, apart. Such clear cut openings shall be included in the calculation of total volume removal. Volume may be considered to be equivalent to basal area.~~

- ~~2. No accumulation of slash shall be left within 50 feet, horizontal distance, of the normal high water line of a water body. In all other areas, slash shall either be removed or disposed of in such a manner that it lies on the ground and no part thereof extends more than four feet above the ground. Any debris that falls below the normal high water line of water body shall be removed.~~
- ~~3. Timber harvesting equipment shall not use stream channels as travel routes except when:
 - ~~a. Surface waters are frozen; and~~
 - ~~b. The activity will not result in any ground disturbance.~~~~
- ~~4. All crossings of flowing water shall require a bridge or culvert, except in areas with low banks and channel beds which are composed of gravel, rock or similar hard surface which would not be eroded or otherwise damaged.~~
- ~~5. Skid trail approaches to water crossings shall be located and designed so as to prevent water runoff from directly entering the water body or tributary stream. Upon completion of timber harvesting, temporary bridges and culverts shall be removed and areas of exposed soil revegetated.~~
- ~~6. Except for water crossings, skid trails and other sites where the operation of machinery used in timber harvesting results in the exposure of mineral soil shall be located such that an unscarified strip of vegetation of at least 75 feet, horizontal distance, in width for slopes up to 10 percent shall be retained between the exposed mineral soil and the normal high water line of a water body or upland edge of a wetland. For each 10 per cent increase in slope, the unscarified strip shall be increased by 20 feet, horizontal distance. The provisions of this paragraph apply only to a face sloping toward the water body or wetland, provided, however, that no portion of such exposed mineral soil on a back face shall be closer than 25 feet, horizontal distance,~~

~~from the normal high water line of a water body or upland edge of a wetland.~~

**** L M

M N

N O

O P

P Q****

A Change to the Zoning Ordinance Ordinance to allow for Type 2 and Type 3 Restaurants in the Limited Business Zone / Shore Road, with restrictions.

The following underlined language shall be added to Article 2 of the Ogunquit Zoning Ordinance – Definitions – Restaurants Type 2 and Restaurant Type 3. Text not underlined shall remain unchanged.

Restaurant, Type 2

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

- (1) food or beverages (either alcoholic or nonalcoholic) are served to persons seated at either indoor or outdoor seating on the premises;
- (2) where food or beverages are not served to pedestrians from an exterior opening or counter, and
- (3) where the design of the facilities advertising, signage or packaging procedures does not promote the consumption of food or beverages off the premises.
(Amended 4/01/06 ATM)
- (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 p.m.;
 - c. There shall be no outside music or outside entertainment allowed at anytime;
 - d. Type 2 Restaurant use in the Limited Business Zone is limited to lots that abut Shore Road.

Restaurant, Type 3

An establishment where food and/or beverages (either alcoholic or nonalcoholic) are prepared and served to the public, which meets all of the following characteristics:

- (1) where food and/or beverages are served for consumption on or for takeout off the premises,
- (2) where food and/or beverages are not served to pedestrians from an exterior opening or counter, nor to occupants in motor vehicles;
- (3) where exterior loudspeakers are not used; and
- (4) where alcoholic beverages may be served only within an enclosed area for on-premise consumption. (Amended 4/01/06 ATM)
- (5) when located in the Limited Business zone, the restaurant must also meet the following additional standards:
 - a. The business shall be limited in size to no more than 600 square feet, which includes both the interior and exterior, excluding customer parking areas;
 - b. The hours of operation may be from 7 am until 9 pm;
 - c. There shall be no outside music or outside entertainment allowed at anytime;
 - d. Type 3 Restaurant use in the Limited Business Zone is limited to lots that abut Shore Road.

the actual travel distance from the proposed development is already at “D” or below, the application for such a subdivision or activity requiring site plan review meeting or exceeding the ADT or parking space threshold of 8.13.B above, shall be denied unless the applicant can improve the street or intersection capacities or level of service so that no further increase in delay or waiting times will occur, should the project be constructed, as demonstrated by a traffic impact analysis prepared by a licensed professional engineer, submitted by the applicant.

~~ED.~~ The following standards and design criteria in this subsection ~~as well as in subsections D through G below~~ shall apply to any land use activities, lots, subdivisions, or activities requiring site plan review, as applicable:

1. Where a lot has frontage on two or more streets, the access to the lot shall be provided to the lot across the frontage and to the street where there is lesser potential for traffic congestion and for hazards to traffic and pedestrians.
2. Where necessary to safeguard against hazards to traffic and pedestrians and/or to avoid traffic congestion, provision shall be made for turning lanes, traffic directional islands, frontage roads, driveways and traffic controls within public streets.
3. Access ways shall be of a design and have sufficient capacity to avoid queuing of entering vehicles on any street or exiting the development onto any street
4. Where topographic and other conditions allow, provision shall be made for circulation driveway connections to adjoining lots of similar existing or potential use
 - a. when such driveway connection will facilitate fire protection services as approved by the Fire Chief and/or
 - b. when such driveway will enable the public to travel between two existing or potential uses, generally open to the public, without need to travel upon a street.

8.14 Waste-Water Pollution (Subparagraph C Amended June 8, 2010)

- A. The disposal of waste water by means other than a public system must comply with the laws of the State of Maine and the Town concerning water pollution. Where a public sanitary sewer system is located within 100 feet, horizontal distance, of any portion of any new buildings used for human habitation or occupancy as measured from the public way, the Town shall require participation in said sewer. Wherever the requirements of this Ordinance are at variance with the rules and regulations of the Sewer District, the most restrictive shall govern. Buildings existing as of April 10, 2001 within 100 feet of a public sanitary sewer system which are served by a private sewer or drainage system shall not be required to connect to the sewer or drain of the Sewer District so long as the private sewer or drainage system functions in a satisfactory and sanitary manner and does not violate any law or ordinance applicable thereto or any applicable requirement of the State of Maine Plumbing Code as determined by the Ogunquit Licensed Plumbing Inspector. In the event of a failure of any private sewer or drainage system within 100 feet of a public waste water system as determined by the Code Enforcement Officer, such private system shall be



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OGUNQUIT PLANNING BOARD PUBLIC HEARINGS

**MARCH 23, 2015 at 6:00 P.M.
DUNAWAY CENTER AUDITORIUM**

The Ogunquit Planning Board will hold four (4) Public Hearings at the above date, time, and location regarding the following proposed Ordinance amendments:

- 1. Acceptance of the revised Town of Ogunquit Official Zoning Map dated June 9, 2015 and resulting changes to the Ogunquit Zoning Ordinance.**
- 2. Removal of the following language in Section 8.13.C of the Town of Ogunquit Zoning Ordinance which refers to non-existent subsections: “as well as in subsections D through G below”.**
- 3. Proposed Boarding House Definition:**
Lodging accommodations in a home or other building where a person or company acts as a proprietor or owner. The number of guest accommodations will be limited by the towns adopted National Fire Protection Association 101 Life Safety Code standards, and located in the zones as found in Table 702.1 of the zoning ordinance. Meals may be offered to overnight boarders in a common area with either partial or full cooking facilities. The minimum stay shall be one (1) week with no maximum stay required. This definition shall include housing for Seasonal Workers. Offsite employer housing for 4 or more Individuals shall be deemed a boarding house.
- 4. A change to the Zoning Ordinance to allow for Type 2 and Type 3 Restaurants in the Limited Business District / Shore Road, with restrictive conditions.**

Do not hesitate to call the Land Use Office at Tel. 207 646-5140 if you have any questions.



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REVISED OGUNQUIT PLANNING BOARD PUBLIC HEARINGS

**MARCH 23, 2015 at 6:00 P.M.
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- 2. Removal of language in Section 8.13.C of the Ogunquit Zoning Ordinance which refers to non-existent subsections: “The following standards and design criteria in this subsection as well as in subsections D through G below, shall apply to any land use activities***”**

THIS ITEM HAS BEEN TABLED FOR ADDITIONAL REVIEW BY THE BOARD AND WILL NOT APPEAR ON THE JUNE 2015 TOWN MEETING BALLOT.

3. ~~Proposed Boarding House Definition:~~

~~Lodging accommodations in a home or other building where a person or company acts as a proprietor or owner. The number of guest accommodations will be limited by the towns adopted National Fire Protection Association 101 Life Safety Code standards, and located in the zones as found in Table 702.1 of the zoning ordinance. Meals may be offered to overnight boarders in a common area with either partial or full cooking facilities. The minimum stay shall be one (1) week with no maximum stay required. This definition shall include housing for Seasonal Workers. Offsite employer housing for 4 or more Individuals shall be deemed a boarding house.~~

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