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## **OGUNQUIT PLANNING BOARD MINUTES MONDAY JUNE 1, 2015**

### **REGULAR BUSINESS MEETING**

#### **A. ROLL CALL – 6:05 p.m.**

Mr. Wilkos called the roll with the following results:

Present:      Steve Wilkos (Chair)  
                  Muriel Freedman (Vice Chair)  
                  Ken Walsh  
                  Jackie Bevins

Also present: Scott Heyland, Code Enforcement Officer  
                  Maryann Stacy, Recording Secretary

#### **B. PLEDGE OF ALLEGIANCE -**

**C. MISSION STATEMENT -** The Mission Statement was read by Mr. Walsh.

#### **D. MINUTES – May 26, 2015**

**Ms. Freedman Moved to Accept the Minutes of the May 26, 2015 Meeting as Submitted.  
FREEDMAN/WALSH 4:0 UNANIMOUS**

#### **E. PUBLIC INPUT –** For any matter NOT already on this Agenda.

Mr. Wilkos asked if there was anyone who wished to be heard on any matter not on the Agenda.  
There was no one.

#### **F. UNFINISHED BUSINESS –**

- 1. JOHN STAND – ART OF SIGHT – ART OF MIND GALLERY- 622 Main Street –  
Map 9 Block 82 – Site Plan Review for Change of Use for a pre-1930 building.  
Proposed change of use from residential to commercial art gallery.**

Mr. Wilkos recused himself from hearing this application because he resides at this address. Mr. Wilkos left the auditorium.

Ms. Freedman assumed the role of Chair for the duration of this Application.

Mr. Stand summarized that the proposal is to take one room in his home and convert it into an art gallery. He noted that the room has its own entrance. He plans to operate the gallery fifteen (15) hours per week: Friday, Saturday, and Sunday from 10:00 a.m. to 3:00 p.m. There will be no exterior changes to the building with the exception of a small sign on the street.

Mr. Stand noted that the property has five existing parking spaces (two for the residents and three for the gallery), the property is also located next to a trolley stop.

Mr. Heyland informed the Applicant that he will need a sign permit.

Ms. Bevins asked for confirmation that there will be five parking spaces, and she asked if that would suffice.

Mr. Heyland responded that the requirement for this type of business is one parking space for every 100 square feet of floor area. Mr. Stand has three parking spaces which is sufficient. He also noted that the application is not for a complete change of use for the entire property, the change only involves a single room.

At this time the Board reviewed the Applicant's Submissions Waiver Requests and took the following actions:

6.6.C.3.G: Existing & Proposed: Utilities, Sewers, Water Mains, Culverts, Stormwater Mgmt, On-site or Adjacent:  
This property is already developed in the GB2 District.

**Mr. Walsh Moved to Approve the Waiver Request for Item 6.6.C.3.G for the reason stated by the Applicant.**  
**WALSH/BEVINS 3:0 UNANIMOUS (Mr. Wilkos had been recused)**

6.6.C.3.H: Existing and Proposed Two-foot Contours:  
This property is already developed in the GB2 District.

**Mr. Walsh Moved to Approve the Waiver Request for Item 6.6.C.3.H for the reason stated by the Applicant.**  
**WALSH/BEVINS 3:0 UNANIMOUS (Mr. Wilkos had been recused)**

6.6.C.3.I: Location of all wetlands, rivers, streams, brooks and other water bodies, natural features, on-site or adjacent:  
This property is already developed in the GB2 District.

**Mr. Walsh Moved to Approve the Waiver Request for Item 6.6.C.3.I for the reason stated by the Applicant.**  
**WALSH/BEVINS 3:0 UNANIMOUS (Mr. Wilkos had been recused)**

6.6.C.3.J: High intensity soil survey (for undeveloped, vacant sites w/o water & sewer):  
This item is not applicable as this property is already developed and connected to public water and sewer.

**Mr. Walsh Moved to Approve the Waiver Request for Item 6.6.C.3.J for the reason stated by the Applicant.**

**WALSH/BEVINS 3:0 UNANIMOUS (Mr. Wilkos had been recused)**

6.6.C.3.N.i: Sewer Service Area - A letter from the sewer district stating the district has the capacity to collect and treat the waste water, review and approval of sewerage design system:  
This item is not applicable because a public restroom is not required by the Ogunquit Zoning Ordinance.

**Mr. Walsh Moved to Approve the Waiver Request for Item 6.6.C.3.N.i for the reason stated by the Applicant.**

**WALSH/BEVINS 3:0 UNANIMOUS (Mr. Wilkos had been recused)**

6.6.C.3.N.ii: *Outside Sewer Service Area-* Septic System Design by LSE or PE:  
This item is not applicable as this property is connected to public water and sewer.

**Mr. Walsh Moved to Approve the Waiver Request for Item 6.6.C.3.N.ii for the reason stated by the Applicant.**

**WALSH/BEVINS 3:0 UNANIMOUS (Mr. Wilkos had been recused)**

6.6.C.3.O.i: Water Service Area - A written statement from the servicing water district indicating review and approval of water system design:  
This item is not applicable as there is no proposed water flow.

**Ms. Bevins Moved to Approve the Waiver Request for Item 6.6.C.3.O.i for the reason stated by the Applicant.**

**BEVINS/WALSH 3:0 UNANIMOUS (Mr. Wilkos had been recused)**

6.6.C.3.0.iii: *Outside Sewer Service Area-* Evidence of adequate supply from well driller or hydro-geologist:  
This item is not applicable as this property is connected to public water and sewer.

**Ms. Bevins Moved to Approve the Waiver Request for Item 6.6.C.3.O.iii for the reason stated by the Applicant.**

**BEVINS/WALSH 3:0 UNANIMOUS (Mr. Wilkos had been recused)**

6.6.C.3.R Location of any open space to be preserved and a description of proposed ownership, improvement and management :  
This item is not applicable because no open space will be preserved.

**Ms. Bevins Moved to Approve the Waiver Request for Item 6.6.C.3.R for the reason stated by the Applicant.**

**BEVINS/WALSH 3:0 UNANIMOUS (Mr. Wilkos had been recused)**

6.6.C.3.S: Hydro-geologic assessment prepared by a Certified Geologist or Registered professional Engineer- *outside of public water & sewer areas*:

This item is not applicable as this property is connected to public water and sewer.

**Ms. Bevins Moved to Approve the Waiver Request for Item 6.6.C.3.S for the reason stated by the Applicant.**

**BEVINS/WALSH 3:0 UNANIMOUS (Mr. Wilkos had been recused)**

6.6.C.3.T: An estimate of the amount and type of vehicular traffic to be generated on a daily basis and at peak hours:

The project requires 5 parking spaces and will generate less than 50+ trips per day. The art gallery should generate approximately 10 trips per day (2 trips per hour). There is a trolley stop less than 100 yards away, so more foot traffic than vehicular traffic should be generated.

**Ms. Bevins Moved to Approve the Waiver Request for Item 6.6.C.3.T for the reason stated by the Applicant.**

**BEVINS/WALSH 3:0 UNANIMOUS (Mr. Wilkos had been recused)**

6.6.C.3.U: A traffic impact analysis, prepared by a Registered Professional Engineer with experience in traffic engineering (*for projects requiring 10 or more parking spaces, or projected 50+ trips per day*):

The project requires 5 parking spaces and will generate less than 50+ trips per day. The art gallery should generate approximately 10 trips per day (2 trips per hour). There is a trolley stop less than 100 yards away, so more foot traffic than vehicular traffic should be generated.

**Ms. Bevins Moved to Approve the Waiver Request for Item 6.6.C.3.U for the reason stated by the Applicant.**

**BEVINS/WALSH 3:0 UNANIMOUS (Mr. Wilkos had been recused)**

6.6.C.3.V: Areas within or adjacent to the proposed site which have been identified as high or moderate value wildlife habitat by Maine Department of Inland Fisheries and Wildlife or within the comprehensive plan:

This item is not applicable because there are no identified as high or moderate value wildlife habitat by Maine Department of Inland Fisheries and Wildlife or within the comprehensive plan

**Ms. Bevins Moved to Approve the Waiver Request for Item 6.6.C.3.V for the reason stated by the Applicant.**

**BEVINS/WALSH 3:0 UNANIMOUS (Mr. Wilkos had been recused)**

6.6.C.3.W: Historic Areas within or adjacent to the proposed site which are either listed on or eligible to be listed on the National Register of Historic Places, Ogunquit Historic Register, or have been identified in the comprehensive plan:

This item is not applicable because in 2005 the Ogunquit Historic Preservation Commission determined for Design Review that the property is not historic.

**Ms. Bevins Moved to Approve the Waiver Request for Item 6.6.C.3.W for the reason stated by the Applicant.**

**BEVINS/WALSH 3:0 UNANIMOUS (Mr. Wilkos had been recused)**

6.6.C.3.Y: Stormwater Management Plan:

This submission is beyond the scope of this application because it is a developed site in the GB2 District.

**Ms. Bevins Moved to Approve the Waiver Request for Item 6.6.C.3.Y for the reason stated by the Applicant.**

**BEVINS/WALSH 3:0 UNANIMOUS (Mr. Wilkos had been recused)**

6.6.C.3.Z: Erosion & Sedimentation Control Plan:

This submission is beyond the scope of this application. It is a developed site in the GB2 District.

**Ms. Bevins Moved to Approve the Waiver Request for Item 6.6.C.3.Z for the reason stated by the Applicant.**

**BEVINS/WALSH 3:0 UNANIMOUS (Mr. Wilkos had been recused)**

6.6.C.3.AA: Location of any streets, public improvements or open space shown in the comprehensive plan, within the site:

This item is not applicable because the property does not contain any public improvements or open space as shown in the comprehensive plan or capital improvements plan.

**Ms. Bevins Moved to Approve the Waiver Request for Item 6.6.C.3.AA for the reason stated by the Applicant.**

**BEVINS/WALSH 3:0 UNANIMOUS (Mr. Wilkos had been recused)**

6.6.C.3.BB: Parcels of land proposed to be dedicated to public use and the conditions of such dedication:

This item is not applicable because the property is developed and privately-owned.

**Ms. Bevins Moved to Approve the Waiver Request for Item 6.6.C.3.BB for the reason stated by the Applicant.**

**BEVINS/WALSH 3:0 UNANIMOUS (Mr. Wilkos had been recused)**

6.6.C.3.CC: Location/Method of Land Clearing & Construction Debris disposal:

This submission is beyond the scope of this application.

**Mr. Walsh Moved to Approve the Waiver Request for Item 6.6.C.3.CC for the reason stated by the Applicant.**

**WALSH/BEVINS 3:0 UNANIMOUS (Mr. Wilkos had been recused)**

6.6.C.3.DD: Cost Estimates for Setting Performance Guarantees, pursuant to sec. 4.8:

This submission is beyond the scope of this application.

**Mr. Walsh Moved to Approve the Waiver Request for Item 6.6.C.3.DD for the reason stated by the Applicant.**

**WALSH/BEVINS 3:0 UNANIMOUS (Mr. Wilkos had been recused)**

6.6.C.3.EE: State or Federal Permits: DEP Site Law, DEP NRPA, DHHS, Army Corps, DOT: This item is inapplicable because there are no State or Federal permits required.

**Mr. Walsh Moved to Approve the Waiver Request for Item 6.6.C.3.EE for the reason stated by the Applicant.**

**WALSH/BEVINS 3:0 UNANIMOUS (Mr. Wilkos had been recused)**

**Mr. Walsh Moved to find the Application Complete for JOHN STAND – ART OF SIGHT – ART OF MIND GALLERY- 622 Main Street – Map 9 Block 82 – Site Plan Review for Change of Use for a pre-1930 building. Proposed change of use from residential to commercial art gallery.**

**WALSH/BEVINS 3:0 UNANIMOUS (Mr. Wilkos had been recused)**

Ms. Freedman reviewed memos from: the Chief of Police who had no concerns regarding the application and the Ogunquit Historic Preservation Commission who had no concerns regarding the application.

Mr. Stand informed the Board that there is a typo on the Mortgage Survey Plan. Where the plan indicates four required parking spaces it should read five required parking space.

Ms. Freedman informed the Applicant that the Public Hearing would take place on June 15, 2015 at 6:00 p.m.

Mr. Wilkos returned to the room and resumed as Chair.

**G. NEW BUSINESS – None**

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

**I. OTHER BUSINESS –**

Mr. Wilkos noted that at the workshop earlier this evening the Ogunquit Historic Preservation Commission (OHPC) recommended including all districts for review of pre 1930 structures.

Mr. Heyland added that there are some districts which are currently excluded for Design Review Requirements. The OHPC would like to include all districts in the Town.

Mr. Wilkos added that it is sometimes difficult to visualize how a new construction will look post construction. It was suggested the Board might require hard models when needed.

Ms. Bevins suggested that the entire Zoning Ordinance should be reviewed and that there are other sections, more critical than Design Review, which might be looked at first.

The Board agreed to schedule a series of workshops to review the Zoning Ordinance, beginning with Design Review.

Mr. Heyland stressed that it is imperative the Board make it very clear what projects require Design Review and what projects do not.

The Board scheduled a Workshop to take place on June 15<sup>th</sup> from 4:30 to 6:00 p.m. to continue discussion regarding the Design Review process, and a second Workshop to take place on June 22<sup>nd</sup> from 4:30 to 5:30 p.m. as follow-up.

The Board also tentatively scheduled a Workshop to take place on June 29<sup>th</sup> at 4:30 p.m.

**J.     ADJOURNMENT -**

**Ms. Bevins Moved to Adjourn at 7:15 p.m.**  
**BEVINS/WALSH 4:0 UNANIMOUS**

Respectfully Submitted

*Maryann L. Stacy*

Maryann Stacy  
Recording Secretary

*Approved on June 15, 2015*