



MUNICIPAL OFFICES
23 SCHOOL STREET • P.O. BOX 875
OGUNQUIT, MAINE 03907-0875
(207) 646-5139 General Offices
(207) 646-9326 Land Use
(207) 646-9546 Town Clerk
E-mail: townofogt@maine.rr.com

OGUNQUIT PLANNING BOARD MINUTES SEPTEMBER 8, 2014

A. ROLL CALL –

The Roll was called with the following results:

Members Present: Don Simpson, Chair
 Rich Yurko, Vice Chair
 Jackie Bevins
 Muriel Freedman

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

B. PLEDGE OF ALLEGIANCE -

C. MISSION STATEMENT – The Mission Statement was read by Mr. Simpson.

D. MINUTES – August 11, 2014 Regular Business Meeting.

**Mr. Yurko Moved to Accept the Minutes of the August 22, 2014 Meeting as Amended.
YURKO/BEVINS 4:0 UNANIMOUS**

E. PUBLIC INPUT –

Dan Bardsley (8 George Jacobs Lane) addressed the Board. Mr. Bardsley submitted proposed language regarding the definition of “Boarding House”. He proposed the following:

“Terms for consideration:
Lodging accommodations
Lodging and rooming houses
Employer sponsored housing
Work force accommodations

In a building or buildings with the maximum number of guest accommodations limited to the applicable dimensional requirements of a dwelling unit as defined in the Zoning Ordinance.

He would remove language which requires a manager live on the premises acting as proprietor or owner. He also removed language regarding the size of the site, the period of stay, and the offering of meals on site, none of which are applicable to a boarding house definition.

Mr. Yurko responded that he also prepared a sample definition for “Boarding House”. He noted that the current ordinance states that the minimum stay shall be two weeks with no maximum stay. This is what differentiates a boarding house from a motel / transient accommodation. He proposed changing the minimum stay to one week, and noted that if the minimum stay is eliminated completely then the definition for “boarding house” could apply to any hotel. Mr. Yurko suggested having Mr. Feldman craft language incorporating the best of both proposals.

Mr. Bardsley responded that he added the wording of “rooming house” because that is the wording used in Chapter 26 of the Fire Code and he wanted to maintain continuity.

Mr. Simpson asked why Mr. Bardsley struck out the language requiring a proprietor live on site.

Mr. Bardsley responded that at the last meeting it was discussed that this was a relatively obsolete practice.

Mr. Yurko agreed that putting in the requirement of a “manager” living on site provides a loophole which could be used to “get around” Boarding House restrictions.

Mr. Simpson confirmed that both proposed drafts would be submitted to Mr. Feldman along with a request that he produce a definition for consideration. When Mr. Feldman’s work has been completed the Board will put this topic back on the agenda.

F. UNFINISHED BUSINESS –

1. FINDINGS OF FACT for:

- 1. ROBERT AND BARBARA KINSMAN – Bittersweet Lane - Map 21 Block 7-5-632.**

**Mr. Yurko Moved to Accept the Findings of Fact for ROBERT AND BARBARA KINSMAN – Bittersweet Lane - Map 21 Block 7-5-632 as Amended.
YURKO/BEVINS 4:0 UNANIMOUS**

- 2. OGUNQUIT PLAYHOUSE FOUNDATION – 42 Main Street – Map 5 Block 42.**

**Mr. Yurko Moved to Accept the Findings of Fact for the OGUNQUIT PLAYHOUSE FOUNDATION – 42 Main Street – Map 5 Block 42 as Submitted.
YURKO/BEVINS 4:0 UNANIMOUS**

G. NEW BUSINESS –

1. CDRV, INC / AMY AND V. MATT FORBES – 103 Perkins Cove Road – Map 3 Block 69– Design Review for a pre-1930 structure. Application to renovate 2nd floor with minor expansion.

Mr. and Mrs. Forbes explained that they currently have two bedrooms and a bathroom on the second floor and they want to increase their available living space by extending out over a currently open ceiling. They also want to reconfigure the portion of the building where the roof slopes down by bringing it straight up giving them more interior living space.

Mr. Simpson asked if the building footprint was expanding.

Mr. Forbes responded that he does not believe that it will be expanding.

Mr. Simpson asked about the proposed stairs.

Mr. Heyland responded that the proposed development is over an existing deck within the same footprint.

Mr. Simpson asked for the purpose of the expansion.

Mr. Forbes responded that they intend to live there.

Mr. Simpson asked for confirmation that title and ownership have been verified.

Mr. Heyland responded that they have.

Ms. Freedman asked if the building would have new siding.

Mrs. Forbes responded that they will have hardy plank siding on the two sides with abutting buildings, and the front will be left as is with wood shingles.

Mr. Forbes added that they went with the hardy plank siding because of the higher fire rating and because the buildings are so close together.

Mr. Yurko noted that on occasion Design Review may have a Public Hearing.

Mr. Simpson responded that the abutters appear to have no issues with the proposed plan, however this building is in Perkins Cove and highly visible.

Mr. Yurko expressed confusion over the Historic Preservation Commission's submission of a memo which they then withdrew.

Newell Perkins, Ogunquit Historic Preservation Commission, addressed the Board. Mr. Perkins took personal responsibility for the misinterpretation of the motion made and sent to the Planning Board. He stated that a lengthy discussion at the OHPC Meeting included a great deal of reminiscing which proved to be a distraction. The Commission's Secretary, David Barton, extracted what he took to be a motion, which, in reality, needed to be refined to the essence and meaning of what the actual motion was intended to be.

Mr. Perkins stated that the Applicants and their architect have done their very best to blend the expansion of living space into an acceptable exterior façade. The changes to the building are at a minimal for what the Applicant's wish to do. The Commission's concern is with the exterior of historic buildings, this building has kept its original appearance with very few alterations. The new changes do not increase or draw away from the historic elements of this historic building. The Commission found that the Applicant's have not made an unreasonable request. Of great importance is the Applicants willingness to work with the historic nature of the building and not demolish it or make substantial changes to the façade, or the rooflines, or dramatically increase the mass of the structure.

The Board agreed that given the Historic Preservation Commission's "stamp of approval" and the lack of any concern by abutters, no Public Hearing would be required.

Mr. Simpson asked if the height of the building was changing.

Mr. Heyland responded that it is, however it will not violate the 27 foot height restriction.

The Board reviewed the Design Review Submission Checklist and found it complete.

**Mr. Yurko Moved to Find the Application Complete.
YURKO/BEVINS 4:0 UNANIMOUS**

**Mr. Yurko Moved to Approve the Application.
YURKO/FREEDMAN 4:0 UNANIMOUS**

H. CODE ENFORCEMENT OFFICER BUSINESS – None

1. OTHER BUSINESS - None

J. ADJOURNMENT -

**Ms. Freedman Moved to Adjourn at 6:45 p.m.
FREEDMAN/YURKO 4:0 UNANIMOUS**

Respectfully Submitted

Maryann Stacy

Maryann Stacy
Recording Secretary

Approved on September 22, 2014