

Robert M. Whitelaw, Chair
Carole J. Aaron, Vice Chair
Richard A. Dolliver
Heath R. Ouellette
Scott A. Vogel



Ogunquit Select Board
February 14, 2023
4:45 pm – Committee Interviews
5:00 pm - Workshop
6:00 pm – Meeting
Dunaway Community Center
23 School Street, Ogunquit, Maine

This meeting is being held at the Dunaway Community Center. Members of the public may attend in person, watch on Town Hall Streams (https://townhallstreams.com/towns/ogunquit_maine), or participate remotely via Zoom using the link below.

Connecting by computer or mobile device:

Register in advance or at the time of the meeting:

https://ogunquitpd-org.zoom.us/webinar/register/WN_KeqPns1IQkuTDU5fmy5auQ

After registering, you will receive a confirmation e-mail with information to join the meeting.

Connecting by landline/telephone:

If you want to call into the meeting, dial:1-312-626-6799 or 1-929-436-2866

Webinar ID: 816 0835 9304

Password: 641577

Agenda

4:45 pm **INTERVIEWS**

- a. Bicycle-Pedestrian Committee – John Marzinik

5:00 pm **WORKSHOP**

- *a. Ogunquit Fee Schedule

Board to discuss the Ogunquit Fee Schedule for the upcoming year. Fees have been taken from individual ordinances and placed on one Ogunquit Fee Schedule to be approved by the Select Board at a future meeting.

NOTE: There will be no public comment during this workshop. Select Board will hold a Public Hearing at a future meeting to allow for public input.

6:00 pm **MEETING**

1.0 **WELCOME AND CALL TO ORDER**

- *1.1 Roll Call

- *1.2 Pledge of Allegiance

- *1.3 Duties of the Select Board according to the Ogunquit Town Charter – Article III

The duty of the Select Board is to execute the will of the people, protect and maintain the assets of the Town and provide leadership and oversight on issues of importance to the Town. The Select Board will abide by and enforce all applicable codes, statutes, and procedural rules. As a policy-making board, the Select Board needs to be responsive to the citizens they serve, the staff they approve, and the Boards they appoint.

- 2.0** **FINANCE REPORT**, Mandy Cummings, Treasurer/Assistant Town Manager
- 2.1 Treasurer to update the community and the Select Board on the revenues and expenditures for the Town – 1st Meeting of the Month Only
- 2.2 Donations – January 2023
- a. Recognition and acceptance of donations for January 2023.

***3.0** **CONSENT AGENDA**

- *3.1 Approve Draft Minutes
- a. August 23, 2022
- b. November 1, 2022
- c. November 15, 2022
- d. December 6, 2022
- e. December 20, 2022
- *3.2 Approve Payroll Warrants
- a. January 19, 2023
- b. January 26, 2023
- c. February 2, 2023
- d. February 9, 2023
- *3.3 Approve Accounts Payable Warrant
- a. February 14, 2023
- *3.4 Approve Liquor Licenses – Renewal
- a. Barnacle Billy’s, Inc. – Malt, Wine, and Spirits
- b. Barnacle Billy’s, Etc. – Malt, Wine, and Spirits
- c. Jonathan’s – Malt, Wine, and Spirits
- d. Patio in Ogunquit LLC, The – Malt, Wine, and Spirits
- e. Perkins Cove Lobster Shack – Malt, Wine, and Spirits
- f. The Trap – Malt, Wine, and Spirits
- *3.5 Approve Amusement Licenses – Renewal
- a. Barnacle Billy’s, Etc.
- b. Jonathan’s
- c. Patio in Ogunquit LLC, The
- *3.6 Cystic Fibrosis Foundation
- a. Approve the CF Cycle for Life – Bicycle Tour – Saturday, July 15, 2023, through Ogunquit.
- b. Approve marking the roads every ½ mile
- *3.7 Maine Coast Half Marathon & 5K, Maine Coast Marathon, Erik Boucher, Ventures Endurance
- a. Approve the use of Town Property and the use of Police Department Personnel for the Maine Coast Half Marathon, Maine Coast 5K on May 6, 2023, and Maine Coast Marathon on May 7, 2023
- *3.8 Committee By-Laws
- a. Approve Board of Assessment Review By-Laws
- *3.9 Boards/Committees/Commission Appointments
- a. Appoint John Marzinik – Bicycle-Pedestrian Committee – Full Member – Term to expire 2025
- b. Acknowledge the Resignation of David Fazzino as Comprehensive Plan Committee Member
- c. Acknowledge the Resignation of Percy Stevens as Facilities & Space Needs Committee Member

*3.10

Visitor Services Vehicle Lease

- a. Approve the lease/purchase of a 2022 Ford Explorer Hybrid Vehicle for the Visitor Services Department from McGovern Commercial HQ, Framingham, Massachusetts

MOTION: *To Approve the Consent Agenda items 3.1 through 3.10 excluding items _____ (if removed).*

4.0 PUBLIC HEARING AND SELECT BOARD VOTE

4.1 Chapter 225 – Zoning Ordinance (Note: *To allow Contract or Conditional Zoning in General Business District 2*)

- a. §225 – 1.9.F Contract or Conditional Zoning
- b. Municipal Officers Certification of Official Text on the Proposed Amendment to Chapter 225 – 1.9.F Contract or Conditional Zoning for the June 13, 2023, Annual Town Meeting

MOTION: *To approve the Official Text on the Proposed Ordinance Amendment to Chapter 225 Zoning Ordinance – §1.9.F Contract or Conditional Zoning for the Annual Town Meeting – Candidate/Referendum Election scheduled for June 13, 2023*

4.2 Chapter 225 – Zoning Ordinance (Note: *To change the definition of Affordable Housing and Affordable Housing Covenant to be compliant with State Law*)

- a. §225 – 2.2 Definitions
- b. Municipal Officers Certification of Official Text on the Proposed Amendment to Chapter 225 – 2.2 Definitions for the June 13, 2023, Annual Town Meeting

MOTION: *To approve the Official Text on the Proposed Ordinance Amendment to Chapter 225 Zoning Ordinance – §2.2 Definitions for the Annual Town Meeting – Candidate/Referendum Election scheduled for June 13, 2023*

4.3 Chapter 225 – Zoning Ordinance (Note: *This change is to define “Tiny Homes”*)

- a. §225 – 2.2 Definitions
- b. Municipal Officers Certification of Official Text on the Proposed Amendment to Chapter 225 – 2.2 Definitions for the June 13, 2023, Annual Town Meeting

MOTION: *To approve the Official Text on the Proposed Ordinance Amendment to Chapter 225 Zoning Ordinance – §2.2 Definitions for the Annual Town Meeting – Candidate/Referendum Election scheduled for June 13, 2023*

4.4 Chapter 225 – Zoning Ordinance (Note: *This change is relative to “Tiny Homes”*)

- a. §225 – 9 Standards for Specific Land Uses
- b. Municipal Officers Certification of Official Text on the Proposed Amendment to Chapter 225 – 9 Standards for Specific Land Uses for the June 13, 2023, Annual Town Meeting

MOTION: *To approve the Official Text on the Proposed Ordinance Amendment to Chapter 225 Zoning Ordinance – §9 Standards for Specific Land Uses for the Annual Town Meeting – Candidate/Referendum Election scheduled for June 13, 2023*

- 4.5 Chapter 225 – Zoning Ordinance (Note: To change Affordable Apartment classification to comply with State Law)
- a. §225 – 9.1 Accessory Dwelling Units
 - b. Municipal Officers Certification of Official Text on the Proposed Amendment to Chapter 225 – 9.1 Accessory Dwelling Units for the June 13, 2023, Annual Town Meeting

MOTION: To approve the Official Text on the Proposed Ordinance Amendment to Chapter 225 Zoning Ordinance – §9.1 Accessory Dwelling Units for the Annual Town Meeting – Candidate/Referendum Election scheduled for June 13, 2023

- 4.6 Chapter 225 – Zoning Ordinance (Note: To promote residential development in areas served by public utilities and to comply with State Law)
- a. §225 – 9.5 Increased Housing Density
 - b. Municipal Officers Certification of Official Text on the Proposed Amendment to Chapter 225 – 9.5 Increased Housing Density Units for the June 13, 2023, Annual Town Meeting

MOTION: To approve the Official Text on the Proposed Ordinance Amendment to Chapter 225 Zoning Ordinance – §9.5 Increased Housing Density for the Annual Town Meeting – Candidate/Referendum Election scheduled for June 13, 2023

- 4.7 Chapter 225 – Zoning Ordinance (Note: To comply with State Law)
- a. §225 – 9.20 Affordable Housing Provisions
 - b. Municipal Officers Certification of Official Text on the Proposed Amendment to Chapter 225 – 9.20 Affordable Housing Provisions for the June 13, 2023, Annual Town Meeting

MOTION: To approve the Official Text on the Proposed Ordinance Amendment to Chapter 225 Zoning Ordinance – §9.20 Affordable Housing Provisions for the Annual Town Meeting – Candidate/Referendum Election scheduled for June 13, 2023

- 4.8 Chapter 225 – Zoning Ordinance (Note: To allow Contract or Conditional Zoning in General Business District 2)
- a. §225 – Table 702.1 Land Uses Permitted in Zoning Districts
 - b. Municipal Officers Certification of Official Text on the Proposed Amendment to Chapter 225 – Table 702.1 Land Uses Permitted in Zoning District for the June 13, 2023, Annual Town Meeting

MOTION: To approve the Official Text on the Proposed Ordinance Amendment to Chapter 225 Zoning Ordinance – §Table 702.1 Land Uses Permitted in Zoning Districts for the Annual Town Meeting – Candidate/Referendum Election scheduled for June 13, 2023

- 4.9 Chapter 225 – Zoning Ordinance (Note: To change dimensional requirements to comply with State Law)
- a. §225 – Table 703.1 Dimensional Requirements of Each Zoning District
 - b. Municipal Officers Certification of Official Text on the Proposed Amendment to Chapter 225 – Table 703.1 Dimensional Requirements of Each Zoning District for the June 13, 2023, Annual Town Meeting

MOTION: To approve the Official Text on the Proposed Ordinance Amendment to Chapter 225 Zoning Ordinance – §Table 703.1 Dimensional Requirements of Each Zoning District for the Annual Town Meeting – Candidate/Referendum Election scheduled for June 13, 2023

- 4.10 Chapter 6 – Disbursement Warrant Ordinance (Note: To provide an alternative to the statutory procedure for approval of warrants authorizing the Treasurer to disburse money)
- a. §6 – 6.1 Purpose
 - b. §6 – 6.2 Authority
 - c. §6 – 6.3 Procedure for Approval
 - d. Municipal Officers Certification of Official Text on the Proposed New Ordinance to Chapter 6 – 6.1, 6.2, and 6.3 for the June 13, 2023, Annual Town Meeting

MOTION: To approve the Official Text on the Proposed New Ordinance to Chapter 6 – Disbursement Warrant Ordinance §6.1 Purpose, §6.2 Authority, and §6.3 Procedure for Approval for the Annual Town Meeting – Candidate/Referendum Election scheduled for June 13, 2023

- 4.11 Chapter 91 – Harbor & Watercraft Ordinance (Note: To update Appendix I and Appendix II)
- a. Chapter 91 – Harbor & Watercraft Ordinance - Appendix I
 - b. Chapter 91 – Harbor & Watercraft Ordinance - Appendix II
- (Note: Fees are a Select Board action and do not require a Town Meeting vote)

MOTION: To approve the Proposed Amendments to Chapter 91 – Harbor & Watercraft Ordinance, Appendix I, and Appendix II

- 4.12 Chapter 91 – Harbor & Watercraft Ordinance (Note: To increase the allowed width of a boat on a mooring in Perkins Cove)
- a. § 91.4.B Watercraft Regulations
 - b. Municipal Officers Certification of Official Text on the Proposed Amendment to Chapter 91 – Harbor & Watercraft Ordinance § 91.4.B Watercraft Regulations for June 13, 2023, Annual Town Meeting

MOTION: To approve the Official Text on the Proposed Ordinance Amendment to Chapter 91 – Harbor & Watercraft Ordinance § 91-4.B Watercraft Regulations for the Annual Town Meeting – Candidate/Referendum Election scheduled for June 13, 2023

5.0 PRESENTATIONS, PROCLAMATIONS, RESOLUTIONS & COMMUNICATIONS

- 5.1 2022 Fiscal Year Audit Report - Erika McKay, Auditor - RHR Smith & Company

MOTION: To accept the 2022 Fiscal Year Audit Report

- 5.2 Facilities & Space Needs Committee, Matthew Buttrick, Town Manager
- a. Update on Facilities & Space Needs Committee Survey

6.0 TOWN MANAGER REPORT, Matthew Buttrick, Town Manager

Town Manager to update the community and the Select Board on the status of projects and departmental achievements – 1st Meeting of the Month Only

- a. Sustainability Committee mailer review

7.0 UNFINISHED BUSINESS

7.1 Prior Meeting Unanswered Questions

Select Board will address any unanswered questions from the prior meeting

7.2 Ogunquit Fire Training Site, Russell Osgood, Fire Chief

- a. Discuss the recent Preliminary Investigation of Aqueous Film Forming Foam (AFFF) Containing Per – and Polyfluoroalkyl Substances (PFAS) at the Town’s Fire Training Site at 30 Salt Shed Drive

7.3 Town Property, Matthew Buttrick, Town Manager

- a. Update on property located at 102 Main Street, Tax Map 006 Lot 065, currently occupied by Arts Ogunquit

8.0 NEW BUSINESS

9.0 PUBLIC COMMENTS

The Select Board welcomes the public to comment and ask questions about Town related matters, and any items on the agenda including license renewals during public comment. Questions are not always answered immediately; the Select Board has agreed to answer questions by the next regularly scheduled meeting whenever possible. We ask that people keep comments brief and to the point (no more than three minutes and one time per meeting, except when public comment is solicited on specific agenda items) and that your comments be respectful of the community we aspire to. We also ask that if you have a complaint or concern, it would be most helpful if you also offer a solution or solutions. Please begin your comments by stating your name and your affiliation with Ogunquit (i.e., resident, taxpayer, voter, business owner, etc.) or state the Town you are from.

***10.0 SELECT BOARD COMMENTS & LIAISON UPDATES**

***11.0 ADJOURN**

Agenda items with an asterisk () indicate when public comment is not planned for that specific item.

CONSENT AGENDA – Note: Public comment on the Consent Agenda will be taken at the start of the Consent Agenda.