



Town of Ogunquit
Planning Board
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**OGUNQUIT PLANNING BOARD
PUBLIC HEARING and REGULAR BUSINESS MEETING
MINUTES
FEBRUARY 27, 2023**

A. ROLL CALL – 6:00 p.m.

Members Present: Steve Wilkos, Chair
Leslie Olear, Vice Chair
Steve Meller (via ZOOM)
Rusty Hayes (via ZOOM)

Members Excused: Jackie Bevins

Also Present: Tyler McOsker, Ogunquit Code Enforcement
Lee Jay Feldman (via ZOOM)

**Vice Chair Olear Moved to Excuse Ms. Bevins.
OLEAR/HAYES 4:0 UNANIMOUS**

B. PLEDGE OF ALLEGIANCE –

C. MISSION STATEMENT – The Mission Statement was read by Dr. Meller.

D. MINUTES – February 6, 2023 Special Meeting and February 13, 2023 Regular Meeting.

**Vice Chair Olear Moved to Accept the Minutes of the February 6, 2023 Meeting as Submitted.
OLEAR/HAYES 3:0 (Dr. Meller was excused from the February 6, 2023 Meeting).**

**Vice Chair Olear Moved to Accept the Minutes of the February 13, 2023 Meeting as Submitted.
OLEAR/HAYES 3:0 (Dr. Meller was excused from the February 13, 2023 Meeting).**

E. PUBLIC INPUT – The Planning Board welcomes input for any matter not on this agenda.

There was no public input.

F. UNFINISHED BUSINESS –

1. PUBLIC HEARING FOR: 9 SHORE RD. LLC – 9 Shore Road – Map 7 Block 100 – DBD.

Elaine Cooper (23 Spring Street) submitted several comments, suggestions, and questions for the Board and the Applicant.

Mr. DeHart, the Applicant’s representative, and Mr. Vogel, the Applicant responded to some of Ms. Cooper’s comments.

Wendy Levine (Obeds Lane and a member of the Ogunquit Conservation Commission) expressed concern about Veterans Park vegetation; the noise level from the proposed “rooftop bar”; and the lack of any historical preservation review.

Jim Hartwell (297 Shore Road) asked the Board Members to remember the Planning Board Mission Statement and their role with regard to that statement.

Wes Elliott (36 Tall Pines Rd) expressed support for the Application.

Kiersten Ross (184 Highland Ave. #10) asked the Board and the Town to confirm the property boundary lines between the Applicant’s property and the Town’s property, and to require the boundary line be clearly marked on the ground with a permanent marker.

Rebecca Fox (21 Marginal Ave.) expressed concern about the lack of any historical review of this property and suggested the Board hire an outside consultant. She also asked for further review of the outside rooftop activities with regard to noise levels.

Robert Mace expressed support for the Application.

David Hutchins (Agamenticus Road) expressed support for the Application.

Mr. Wilkos reviewed two e-mails which were received by the Board (copies will be maintained in the Applicant’s Planning Board File).

With no further public comments, Mr. Wilkos closed the Public Hearing at 6:47 p.m.

1.A 9 SHORE RD. LLC – 9 Shore Road – Map 7 Block 100 – DBD. Site Plan and Design Review for a pre -1930 structure. Application to replace existing kitchen and construct a 2 ½ story 64’x23’ +/- addition with: interior and exterior staircases, ADA Lift, rooftop seating / bar area.

Mr. DeHart, the Applicant’s representative, asked the Board to accept several late submittals.

The Board agreed to accept one sheet of elevations which illustrates the proposed 7’ sound proofing barrier on the rooftop deck.

Based on its length and technical nature, and the fact that the material wasn’t forwarded to the Board until two hours prior to the meeting start time, the Board refused to accept a submittal

from Sebago Technics labeled “Response to the Stormwater Peer Review” and dated February 27, 2023.

The Board heard from Kendra Ramsell the Project Manager from Sebago Technics who outlined the “Response to the Stormwater Peer Review” which will be submitted to the Board for their next meeting.

Mr. McOsker informed the Board that he received a telephone call and e-mail from Jay Stevens at Civil Consultants (who prepared the original Peer Review of the Applicant’s proposed Storm Water Report). Mr. Stevens reviewed Ms. Ramsell’s response and he “concurred with the Stormwater Narrative as revised.”

Mr. Feldman reviewed the procedure a noise level expert would use for evaluating different noise level potentials, as well as possible abatement options.

The Board asked the Applicant to provide a sound study prepared by a professional sound engineer.

Mr. Feldman agreed to provide the Applicant with several recommendations for sound engineers who can prepare the asked for report.

Mr. McOsker noted that amplified music (speakers, microphones, amplifiers) is not allowed in the Downtown Area.

It was noted that the Conservation Commission submitted a memo to the Planning Board, however the Conservation Commission was unable to hold a legal meeting to review this application prior to preparing that memo; as a result the memo was deemed null and void and removed from the file.

It was agreed that this application will come back before the Board on March 27th in order to give the Applicant time to procure the requested sound report.

Vice Chair Olear Moved to Table the Application for 9 SHORE RD. LLC – 9 Shore Road – Map 7 Block 100 – DBD. Site Plan and Design Review for a pre-1930 structure. Application to replace existing kitchen and construct a 2 ½ story 64’x23’ +/- addition with: interior and exterior staircases, ADA Lift, rooftop seating / bar area, to March 27, 2023. OLEAR/MELLER 4:0 UNANIMOUS

G. NEW BUSINESS –

1. ELEANOR HUBBARD – 197 Shore Road – Map 6 Block 98 – LBD. Design Review for the addition of a dormer on a barn with an existing two-bedroom apartment on the 2nd floor.

Mark Perkins, the Applicant’s Representative addressed the Board and gave a brief summary of the proposed project.

The Board reviewed the Design Review Submission Checklist and found all items to have been submitted or deemed to be not applicable to this project.

**Vice Chair Olear Moved to find the Application complete.
OLEAR/HAYES 4:0 UNANIMOUS.**

The Board reviewed the standards for Design Review as listed in Chapter 225-11.7.C of the Ogunquit Zoning Ordinance and found all standards to have been met.

It was agreed by the Board that no Public Hearing or Site Visit would be needed.

**Mr. Hayes Moved to Approve the Application for ELEANOR HUBBARD – 197 Shore Road – Map 6 Block 98 – LBD. Design Review for the addition of a dormer on a barn with an existing two-bedroom apartment on the 2nd floor.
HAYES/OLEAR 4:0 UNANIMOUS**

2. THOMAS & ELIZABETH HUTCHINS / HUTCHINS ANTIQUES ETC – 166 Main Street – Map 6 Block 22-23 – GBD1. Site Plan Review for a pre-1930 structure. Application for temporary use as a parking lot at the location of a structure destroyed by fire on September 10, 2022.

Thomas Bannister addressed the Board as the Applicants’ representative. Mr. Bannister gave a brief review of the proposed project.

Mr. Feldman gave an overview of applications for a “temporary use” and how they work if the Applicant were to decide not to rebuild a new structure.

It was confirmed that the Applicant has one year from the date of the fire (September 10, 2022) to apply for a Building Permit for reconstruction (September 10, 2023), and one year from that date to complete construction (September 10, 2024).

It was determined that the Applicant is asking for 11 parking spaces; and no handicap parking spaces are proposed or required. The new parking spaces will be required to meet the Ordinance’s current parking design standards. The parking spaces must be striped and there must be directional arrows.

It was noted that the Applicant has asked for a Waiver for Submission Item 6.6.C.3.u – a Traffic Impact Analysis, prepared by a Professional Engineer with experience in traffic engineering (*for projects requiring 10 or more parking spaces; or projected 50+ trips per day*).

**Vice Chair Olear Moved to Grant the Waiver for Submission Item 6.6.C.3.u – a Traffic Impact Analysis, prepared by a Professional Engineer with experience in traffic engineering (*for projects requiring 10 or more parking spaces; or projected 50+ trips per day*).
OLEAR/HAYES 4:0 UNANIMOUS**

The Board reviewed the Site Plan Review Submission Checklist and found all items to have been submitted or deemed to be not applicable to this project.

Mr. Hayes Moved to find the Site Plan Review Submission Checklist Complete for THOMAS & ELIZABETH HUTCHINS / HUTCHINS ANTIQUES ETC – 166 Main Street – Map 6 Block 22-23 – GBD1. Site Plan Review for a pre-1930 structure. Application for

temporary use as a parking lot at the location of a structure destroyed by fire on September 10, 2022.

HAYES/MELLER 4:0 UNANIMOUS

A Public Hearing was scheduled to take place on March 13, 2023 at 6:00 p.m.

It was determined that no Site Visit was needed.

Dr. Meller Moved to Table the Application for THOMAS & ELIZABETH HUTCHINS / HUTCHINS ANTIQUES ETC – 166 Main Street – Map 6 Block 22-23 – GBD1. Site Plan Review for a pre-1930 structure. Application for temporary use as a parking lot at the location of a structure destroyed by fire on September 10, 2022, to the Public Hearing on March 13, 2023.

MELLER/HAYES 4:0 UNANIMOUS

H. CODE ENFORCEMENT OFFICER BUSINESS – None

I. OTHER BUSINESS – None

J. ADJOURNMENT –

Moved to Adjourn at 8:25 p.m.

MELLER/HAYES 4:0 UNANIMOUS

Respectfully Submitted

Maryann Stacy

Maryann Stacy

Town of Ogunquit

Planning Board Recording Secretary

Approved on March 13, 2023

Notes:

- *These minutes are a summary of what was discussed and are not a transcript.*
- *Copies of all referenced documents will be maintained in the Application packets on file with the Land Use Office.*
- *All Planning Board meetings are video archived, and may be viewed for one year after the meeting date, on the Town of Ogunquit's website at www.townofogunquit.org.*