



Town of Ogunquit  
Planning Board  
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**OGUNQUIT PLANNING BOARD  
PUBLIC HEARING and REGULAR BUSINESS MEETING  
MINUTES  
MARCH 28, 2022**

**A. ROLL CALL – 6:00 p.m.**

Members Present: Mark MacLeod (Acting Chair)  
Elaine Cooper  
Steven Meller

Also Present: Tyler McOsker, Code Enforcement Officer  
Lee Jay Feldman, SMPDC Town Planner

Mr. MacLeod informed the public that as of this afternoon both Mr. Wilkos and Ms. Bevins have tendered their resignations from the Board. Mr. MacLeod thanked both of them for their many years of dedicated service and hard work, and noted that they will both be missed.

**B. PLEDGE OF ALLEGIANCE –**

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

**D. MINUTES –** March 14, 2022 Workshop, Regular Business Meeting, and March 17, 2022 Special Meeting.

**Ms. Cooper Moved to Accept the Minutes of the March 14, 2022 Workshop as Submitted.  
COOPER/MELLER 3:0 UNANIMOUS**

**Ms. Cooper Moved to Accept the Minutes of the March 14, 2022 Regular Business Meeting as Submitted.  
COOPER/MELLER 3:0 UNANIMOUS**

**Ms. Cooper Moved to Accept the Minutes of the March 17, 2022 Special Meeting as Submitted.  
COOPER/MELLER 3:0 UNANIMOUS**

**E. PUBLIC INPUT –** The Planning Board welcomes input for any matter not on this agenda. There was no one who wished to be heard.

**F. UNFINISHED BUSINESS –**

**1. PUBLIC HEARINGS FOR PROPOSED ZONING ORDINANCE AMENDMENTS:**

**1.A. An Ordinance to Amend the Ogunquit Municipal Codes Chapter 225 Zoning Ordinance Violations – A Citation System.**

Public Hearing opened at 6:14 and closed without public comment at 6:16 p.m.

**Ms. Cooper Moved to send the proposed ordinance to the Select Board with a recommendation that it be included on the June 2022 Warrant for presentation to the voters.**

**COOPER/MELLER 3:0 UNANIMOUS**

**1.B An Ordinance to Amend the Ogunquit Municipal Codes Chapter 225 – Tiny Homes.**

The Public Hearing was opened at 6:17 p.m. and closed at 6:30 p.m. after a single comment from Kirsten Ross (184 Highland Avenue #10) regarding proper notice posting protocol and Town Staff's responsibility to meet posting requirements.

**Ms. Cooper Moved to send the proposed ordinance to the Select Board with a recommendation that it be included on the June Warrant for presentation to the voters.**

**COOPER/MELLER 3:0 UNANIMOUS**

**2. PUBLIC HEARING FOR: MAX CLAYTON / LEAVITT THEATER – 259 Main Street – Map 7 Block 9 – DBD/SP.**

The Public Hearing was opened at 6:30 and was closed at 6:38 with no comment from the public.

**2.A MAX CLAYTON / LEAVITT THEATER – 259 Main Street – Map 7 Block 9 – DBD/SP. Site Plan Review for a Change/Expansion of Use for a pre-1930 structure. Application to add outdoor seating and add a new ADA Bathroom.**

The Applicant agreed to install bollards as protection for outside diners against motor vehicle accidents.

The Board recommended stopping outside dining service at 9:00 and having the outside area cleared of patrons by 10:00.

Mr. MacLeod read the Conservation Commission's February 21, 2022 Memo into the record.

The Board reviewed the Site Plan Review Approval Checklist as outlined in Chapter 225-6.7 of the Ogunquit Zoning Ordinance – Standards Applicable to Site Plan Review, and found all standards to have been satisfied.

**Dr. Meller Moved to Approve the Application for MAX CLAYTON / LEAVITT THEATER – 259 Main Street – Map 7 Block 9 – DBD/SP. Site Plan Review for a**

**Change/Expansion of Use for a pre-1930 structure. Application to add outdoor seating and add a new ADA Bathroom.**

**MELLER/COOPER 3:0 UNANIMOUS**

**G. NEW BUSINESS –**

- 1. DUNELAWN CONDO ASSOCIATION – River Road/Main Street/Hoyts Lane - Map 7 Block 79 – SLR/R/GB1. Design Review and Site Plan Review for replacement of retaining wall and fence, parking lot resurfacing, constructing a new catch basin, and upgrading existing drainage.**

Jack McTigue gave a presentation of the proposed project which involves:

- Replacing the retaining wall.
- Replacing the fence.
- Improving the drainage.
- Repaving the parking lot.

It was confirmed that the Town has issued a revocable License Agreement.

Mr. Feldman reviewed his February 11, 2022 memo to the Board.

Mr. MacLeod reviewed the Fire Department, Public Works, and Police Department memos to the Board.

**Ms. Cooper Moved to find the Design Review Application complete for DUNELAWN CONDO ASSOCIATION – River Road/Main Street/Hoyts Lane -Map 7 Block 79 – SLR/R/GB1. Design Review and Site Plan Review for replacement of retaining wall and fence, parking lot resurfacing, constructing a new catch basin, and upgrading existing drainage.**

**COOPER/MELLER 3:0 UNANIMOUS**

**Ms. Cooper Moved to find the Site Plan Application complete for DUNELAWN CONDO ASSOCIATION – River Road/Main Street/Hoyts Lane -Map 7 Block 79 – SLR/R/GB1. Design Review and Site Plan Review for replacement of retaining wall and fence, parking lot resurfacing, constructing a new catch basin, and upgrading existing drainage.**

**COOPER/MELLER 3:0 UNANIMOUS**

Public Hearing scheduled for April 11, 2022

Site Visit scheduled for April 11<sup>th</sup> at 5:00

**Ms. Cooper Moved to Postpone the Application for DUNELAWN CONDO ASSOCIATION – River Road/Main Street/Hoyts Lane -Map 7 Block 79 – SLR/R/GB1. Design Review and Site Plan Review for replacement of retaining wall and fence, parking lot resurfacing, constructing a new catch basin, and upgrading existing drainage.**

**COOPER/MELLER 3:0 UNANIMOUS**

- 2. 243 MAIN STREET OGUNQUIT LLC – 243 Main Street – Map 7 Block 127 – DBD. Site Plan and Design Review to expand existing deck on a pre 1931 structure.**

Lucas Sevigney gave a brief project overview.

Mr. McOsker reviewed his March 11, 2022 Memo to the Board.

Mr. MacLeod reviewed the March 23, 2022 Conservation Commission Memo to the Board.

**Dr. Meller Moved to find the Design Review Application complete for 243 MAIN STREET OGUNQUIT LLC – 243 Main Street – Map 7 Block 127 – DBD. Site Plan and Design Review to expand existing deck on a pre 1931 structure.  
MELLER/COOPER 3:0 UNANIMOUS**

**Ms. Cooper Moved to find the Site Plan Review Application complete for 243 MAIN STREET OGUNQUIT LLC – 243 Main Street – Map 7 Block 127 – DBD. Site Plan and Design Review to expand existing deck on a pre 1931 structure.  
COOPER / MELLER 3:0 UNANIMOUS**

Public Hearing scheduled for April 11, 2022  
Site Visit determined to be unnecessary.

**Ms. Cooper Moved to postpone the application for 243 MAIN STREET OGUNQUIT LLC – 243 Main Street – Map 7 Block 127 – DBD. Site Plan and Design Review to expand Existing deck on a pre 1931 structure.  
COOPER/MELLER 3:0 UNANIMOUS**

**3. GREENERY HOLDINGS LLC – 369 Main Street – Map 14 Block 13 – GBD2 – Site Plan Review for Change of Use from business office to parking lot.**

Jerry DeHart gave a brief overview of the proposed project.

Mr. Feldman reviewed his March 17, 2022 Memo to the Board.

Mr. MacLeod reviewed the March 23, 2022 Conservation Commission Memo to the Board.

Mr. DeHart agreed to add a vegetative buffer along Glenn Avenue per Mr. Feldman's recommendation.

Mr. DeHart agreed to some form of indicator which would prevent vehicles from turning left onto Glenn Avenue and would force vehicles to turn right onto Glenn Avenue.

It was agreed that no traffic study would be required for this project and the Board would accept the Sewall Traffic Impact Assessment dated February 3, 2022.

Attorney Braun asked for a waiver to allow employees to park on the property while the application is being considered.

The Board rejected his request.

**Ms. Cooper Moved to find the Site Plan Review Application complete for GREENERY HOLDINGS LLC – 369 Main Street – Map 14 Block 13 – GBD2 – Site Plan Review for**

**Change of Use from business office to parking lot.  
COOPER/MELLER 3:0 UNANIMOUS**

Public Hearing scheduled for April 11, 2022.  
Site Visit was deemed not necessary.

**Ms. Cooper Moved to Postpone the Application for GREENERY HOLDINGS LLC – 369 Main Street – Map 14 Block 13 – GBD2 – Site Plan Review for Change of Use from business office to parking lot.  
COOPER / MELLER 5:0 UNANIMOUS**

**4. NOVEMBER CHARLIE’S / JANA MEDINA – 20 Shore Road Unit 1R – Map 7 Block 118-8 – DBD. Site Plan Review for a post 1930 structure. Change of Use from spa to Type 1 Restaurant.**

Jana Medina and Christian Millian gave an overview of the proposed project.

Mr. McOsker reviewed his March 21, 2022 Memo to the Board.

Mr. MacLeod reviewed the Water and Sewer District Letters, as well as the Police Department, and Conservation Commission’s memos to the Board.

Fire Chief Osgood reviewed his March 22, 2022 Memo to the Board.

Applicant confirmed that there will be no external lighting and the only signage will be one logo on the door.

The Applicant agreed to provide a report from Mark Richards certifying internal fire safety conditions as asserted by the architect. Said report will be prepared by a Certified License Engineer who is Certified by the State of Maine.

**Ms. Cooper Moved to find the application complete for NOVEMBER CHARLIE’S / JANA MEDINA – 20 Shore Road Unit 1R – Map 7 Block 118-8 – DBD. Site Plan Review for a Post 1930 structure. Change of Use from spa to Type 1 Restaurant.  
COOPER/MELLER 3:0 UNANIMOUS**

Public Hearing scheduled for April 11, 2022  
Site Visit scheduled for April 11, 2022 at 4:30 p.m.

**Ms. Cooper Moved to Postpone the Application for NOVEMBER CHARLIE’S / JANA MEDINA – 20 Shore Road Unit 1R – Map 7 Block 118-8 – DBD. Site Plan Review for a post 1930 structure. Change of Use from spa to Type 1 Restaurant.  
COOPER/MELLER**

**H. CODE ENFORCEMENT OFFICER BUSINESS –**

**I. OTHER BUSINESS –**

1. **Request (dated March 18, 2022) regarding “The Preserve at Roby’s Pond Subdivision” for a 6 month extension of their Preliminary Plan Approval.**  
Preliminary Plan Approved on October 12, 2021 – Approval Expires on April 12, 2022.  
Six month extension new expiration date would be October 12, 2022.

Ryan McCarthy Tidewater Engineering addressed the Board and explained the need for an extension.

**Ms. Cooper Moved to grant a six month extension. New deadline for submission of the Final Plan Application will be October 12, 2022.**  
**COOPER/MELLER 3:0 UNANIMOUS**

**The following two agenda items were moved to the beginning of the meeting and were Voted on under Item A.**

- A. **An Ordinance to Amend the Ogunquit Municipal Codes Chapter 225 Zoning Ordinance Violations – A Citation System.**
- B. **A Ordinance to Amend the Ogunquit Municipal Codes Chapter 225 – Tiny Homes.**
- J. **ADJOURNMENT –**

**Ms. Cooper Moved to Adjourn at 8:30**  
**COOPER/MELLER 3:0 UNANIMOUS**

*Maryann Stacy*  
Maryann Stacy  
Town of Ogunquit  
Planning Board Recording Secretary

*Accepted on April 11, 2022*

*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](http://www.townofogunquit.org).*