



Town of Ogunquit
Planning Board
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**OGUNQUIT PLANNING BOARD
REGULAR BUSINESS MEETING
MINUTES
AUGUST 22, 2022**

A. ROLL CALL – 6:00 p.m.

Members Present: Steve Wilkos, Chair
Leslie Olear, Vice Chair
Steven Meller
Jackie Bevins
Rusty Hayes

Also Present: Tyler McOsker, Code Enforcement Officer

B. PLEDGE OF ALLEGIANCE –

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

D. MINUTES – August 8, 2022 Meeting.

**Ms. Olear Moved to Accept the Minutes of the August 8, 2022 Meeting as Submitted.
OLEAR/MELLER 4:0 (Ms. Bevins was excused from the August 8 Meeting)**

E. PUBLIC INPUT – None

F. UNFINISHED BUSINESS – None

G. NEW BUSINESS –

**THE GREENERY MARKET AND BAKERY – 251 Main Street – Map 7 Block 8 –
DBD/SP. After the Fact Design Review for a post 1930 structure. Application for new
exterior steps and walkway.**

Attorney Gregory Braun, representing the Applicant, addressed the Board. Attorney Braun summarized the proposed project as the installation of a granite stairway/walkway from the

sidewalk to the building's front entrance. The Applicant also intends to install a handrail. They are also waiting for a response to their application to the Maine Department of Transportation (MDOT). There is a chance that the very bottom of the steps/walkway extends out into the MDOT property.

Attorney Braun confirmed that GUS251, LLC is the owner of the property and that Amy Hale and Lisa St Hilaire are the sole owners and managers of GUS251, LLC. Jennifer Walker is an approved Agent for the LLC.

Attorney Braun agreed to provide written proof of Jennifer Walker's position within the business (Ms. Walker submitted the MDOT Application on behalf of GUS251, LLC).

Attorney Braun agreed to provide an amended Site Plan which includes the new stairs and walkway.

Attorney Braun confirmed that he will provide the MDOT Permit as soon as it is issued. He also agreed to request the MDOT include a statement that addresses the Town of Ogunquit's liability should someone be injured in the area between the sidewalk and walkway/stairs.

Attorney Braun agreed to provide a pictorial representation of the hand railing's design/appearance. They will also apply for a Building Permit as soon as they receive Planning Board Approval. He acknowledged that the Town Code determines some specifics of the railing dimensions.

Attorney Braun suggested the Application be tabled pending submission of the above documents.

Mr. Hayes Moved to Table the Application for THE GREENERY MARKET AND BAKERY – 251 Main Street – Map 7 Block 8 – DBD/SP. After the Fact Design Review for a post 1930 structure. Application for new exterior steps and walkway pending submission of the following documentation:

Written proof of Jennifer Walker's position as an agent for GUS251, LLC;

An amended Site Plan which includes the new stairs and walkway;

MDOT Permit;

A statement from MDOT that addresses the Town of Ogunquit's liability should someone be injured in the area between the sidewalk and walkway/stairs;

**Pictorial representation of the hand railing.
HAYES/OLEAR 5:0 UNANIMOUS**

H. CODE ENFORCEMENT OFFICER BUSINESS – None

I. OTHER BUSINESS –

1. Review, Adopt, and Sign the Town of Ogunquit Code of Ethics for Boards, Committees, and Commissions.

The Board agreed that they would like the Town Attorney’s opinion regarding Section 3 - Conduct of Members. They would like confirmation that this section does not infringe upon the Board Members’ First Amendment Rights when acting as Planning Board Members as well as during their personal time.

Mr. Hayes Moved to have the Town Attorney review Section 3 – Conduct of Members and give the Board her opinion as to whether or not this in any way impinges upon the Board Members’ First Amendment Rights both when they are acting on the Planning Board’s behalf and when they are in their personal life.

HAYES / BEVINS 4:1 (Ms. Olear Dissenting)

2. Review, Amend, and Adopt By-Laws.

Ms. Olear Moved to Amend the By-Laws by removing Section 1.4 regarding the use of electronic devices during Meetings; and renumbering 1.5 to become the new 1.4.

OLEAR/HAYES 5:0 UNANIMOUS

Ms. Olear Moved Amend Section 1.1 to include “...Roberts Rules of Order including, without limitation, the section relating to reconsideration of decisions...”

OLEAR/HAYES 5:0 UNANIMOUS

The Board expressed its belief that Alternate Board Members should be allowed to fully participate in meeting discussions up to the point of application deliberations and voting. It was agreed that Alternate Members bring valuable input to discussions and should be allowed to participate. It was acknowledge that the Town Attorney has opined that alternates are to be viewed as members of the public and should not be given a seat at the table unless/until a regular Board Member is absent and the Alternate is called to serve. The Board requested the Town Attorney provide her written opinion.

Dr. Meller Moved to Amend Section 3.1.1 to include a stipulation in By-Laws that the Board will have a meeting hard stop at 10:00 p.m. and will not take up any new applications after 9:15 p.m.

MELLER/BEVINS 5:0 UNANIMOUS

3. Discussion regarding Workshop - Impacts of LD 2003 and proposed Ordinance Amendments.

It was noted that the Board held its 2nd Workshop regarding LD2003. Several proposed Ordinance amendments were suggested and Mr. Feldman agreed to draft updated documents for submittal at a future workshop. It was also noted that the Board intends to present these

proposed amendments to the Select Board for inclusion on the June 2023 Town Meeting Warrant.

J. ADJOURNMENT –

**Mr. Meller Moved to Adjourn at 7:00 P.M.
MELLER/HAYES 5:0 UNANIMOUS**

Maryann Stacy

Maryann Stacy

Town of Ogunquit

Planning Board Recording Secretary

Accepted on September 12, 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.*