



Town of Ogunquit
Planning Board
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**OGUNQUIT PLANNING BOARD
REGULAR BUSINESS MEETING
MINUTES
OCTOBER 24, 2022**

A. ROLL CALL – 6:00 p.m.

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

Members Excused: Rusty Hayes

Also Present: Tyler McOsker, Code Enforcement Officer

**Ms. Olear Moved to Excuse Mr. Hayes
OLEAR/BEVINS 4:0 UNANIMOUS**

B. PLEDGE OF ALLEGIANCE –

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

D. MINUTES – October 11, 2022 Regular Business Meeting.

**Dr. Meller Moved to Accept the Minutes of the October 11, 2022 Meeting as Amended.
MELLER/BEVINS 4:0 UNANIMOUS**

E. PUBLIC INPUT – None

F. UNFINISHED BUSINESS –

- 1. 298 SHORE ROAD LLC / ROBERT DIVAIO – 298 Shore Road – Map 3 Block 8 – LBD. After the Fact Site Plan Review for a Change of Use from Single Family Residence to Type 2 Transient Accommodation (B&B) with four guest rooms and one on-site manager’s apartment.**

Mr. Wilkos reviewed the Town Attorney’s opinion regarding Chapter 225-9.4 of the Ogunquit Zoning Ordinance which states that each room in a Bed and Breakfast shall have not less than

10'x12' horizontal dimensions. Ms. Costigan's opinion, as stated in an October 18, 2022 e-mail to the Code Enforcement Officer, was:

“As we discussed, Section 225-9.4 of the Zoning Ordinance states that each rental room in a bed and breakfast shall have not less than 10 feet by 12 feet horizontal dimensions. It is reasonable to interpret that provision as requiring that each room be no less than 120 square feet in size or greater, it would meet the intent of the requirement even though the rooms may be less than 10 feet in one dimension. Given the age of some of the homes in Ogunquit that likely have rooms with differing dimensions, this is a reasonable interpretation.”

Mr. Wilkos stated that he disagreed with the Town Attorney's opinion however he would abide by it.

Dr. Meller agreed.

The Board reviewed the Standards as outlined in Chapter 225-11.7.C of the Ogunquit Zoning Ordinance and found all standards to have been satisfied.

Ms. Olear Moved to Approve the Application for 298 SHORE ROAD LLC / ROBERT DIVAIO – 298 Shore Road – Map 3 Block 8 – LBD. After the Fact Site Plan Review for a Change of Use from Single Family Residence to Type 2 Transient Accommodation (B&B) with four guest rooms and one on-site manager's apartment. OLEAR/BEVINS 4:0 UNANIMOUS

2. 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 Braun addressed the Board via ZOOM as the Applicants' representative.

Mr. Wilkos reviewed a cover letter from Attorney Braun dated October 14, 2022 which was provided with three new application submittals.

It was confirmed by Attorney Braun that Daniel Fitzgerald and his wife are the sole owners of GUS251, LLC. The Applicants, Amy Hale and Lisa St Hilaire, lease the property for their business (The Greenery Market and Bakery). It was also confirmed the Jennifer Walker has been authorized by the Applicants to act on their behalf.

Attorney Braun stated that he has made requests for an amended Site Plan however it has not been provided to him.

It was noted that the Applicants have provided photographs of the railings, walk-way, and stairs in place, as well as a Maine DOT waiver of any concerns about encroachment into the right-of-way.

The Board members agreed that the Board had requested, and still wanted, a revised Site Plan which shows the locations of the new walkway, stairs, and railings.

**Ms. Olear 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 submittal of an updated, revised Site Plan showing the walkway, stairs, and railings.
OLEAR/BEVINS 4:0 UNANIMOUS**

G. NEW BUSINESS –

- 1. GORGES GRANT HOTEL, LLC – DAVID HANSON – 449 MAIN STREET – MAP 14 BLOCK 18 – GBD2. Design Review for a post 1930 structure. Application to replace entrance stairs and vestibule and add ADA platform lift.**

David Hanson addressed the Board and gave a brief outline of the proposed project. The primary goal is to relocate an existing outside handicapped lift to the inside of the front entry way.

**Ms. Olear Moved to find the Application Complete.
OLEAR/BEVINS 4:0 UNANIMOUS**

The Board unanimously agreed that no Site Visit or Public Hearing would be required.

The Board reviewed the standards under Chapter 225-11.7.C of the Ogunquit Zoning Ordinance and found all standards satisfied.

**Ms. Olear Moved to Approve the application for GORGES GRANT HOTEL, LLC – DAVID HANSON – 449 MAIN STREET – MAP 14 BLOCK 18 – GBD2. Design Review for a post 1930 structure. Application to replace entrance stairs and vestibule and add ADA platform lift.
OLEAR/BEVINS 4:0 UNANIMOUS**

H. CODE ENFORCEMENT OFFICER BUSINESS – None

I. OTHER BUSINESS –

Discussion regarding LD 2003 and proposed Ordinance Amendments Workshop.

Mr. Wilkos summarized the takeaway from the workshop as:

- 650 square feet;
- No TA1 Short Term Home Rentals;
- Design Review will be required even if the new unit is not located in “the district”.

The next meeting, which will be on November 14th, will include a presentation of the final revision; and a Public Hearing will be scheduled for November 28th.

J. ADJOURNMENT –

**Ms. Olear Moved to Adjourn at 7:10 p.m.
OLEAR / BEVINS 4:0 UNANIMOUS**

Accepted on November 14, 2022

Respectfully Submitted

Maryann Stacy

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Town of Ogunquit

Planning Board Recording Secretary

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.*