

OGUNQUIT HISTORIC PRESERVATION COMMISSION

BYLAWS

I. TITLE

This title shall be known as the Bylaws of the "Ogunquit Historic Preservation Commission" and may be referred to herein as OHPC.

II. PURPOSE

To provide a legal framework within which the residents of the Town of Ogunquit can protect the historic, architectural, and cultural heritage of historically significant sites, landmarks and structures in the community, while accepting as appropriate, compatible new construction.

To prevent the loss of architectural history which serves to give beauty and pleasure to residents, attract visitors and new residents, give the Town a particular character, and educate the community about its past.

To protect the outward appearance and architectural features of designated sites, landmarks and structures within the Town.

To prevent the demolition or removal of designated sites, landmarks and structures within the Town in accordance with Maine State Laws and Statutes and/or applicable Town Ordinances.

To preserve the essential character of the Town by protecting relationships of groups of buildings and structures.

To accept buildings and structures in the Town of Ogunquit, which are designed and built in a manner that is in compliance with the character of the Town.

III. AUTHORITY

The Ogunquit Historic Preservation Commission, (OHPC) has been created pursuant to the Town of Ogunquit, ME/Town Ordinances adopted 4/3/2000 with the Authority to enact the Historic Preservation chapter found generally in Title 30-A of the Maine State Statutes (See Chapter 97-1 to 94-44).

IV. DUTIES, FUNCTIONS AND POWERS

To assist, advise and educate owners of historic sites, landmarks and structures, and various departments of the Town of Ogunquit, on physical and financial aspects of preservation, renovation, rehabilitation, and reuse.

To assist, advise and educate owners on compliance with requirements of this Ordinance to the extent possible with any funding that may be available to the OHPC.

To provide continuing education on historic preservation issues to local citizens.

To process applications for Certificates of Appropriateness and Certificates of Demolition.

To serve an advisory role to local government officials regarding local historical and cultural resources and act as liaison between local government and those persons and organizations connected with historic preservation.

To make recommendations to the Select Board in accordance with the procedures set forth in Chapter 3 of the Town Ordinance creating the OHPC for establishing or revising historic sites, historic landmarks, and historic structures.

To conduct or initiate a survey to identify historically, culturally, architecturally and archaeologically significant areas, sites, landmarks and structures in accordance with Maine Historic Preservation Commission guidelines.

To keep a register of all sites, landmarks and structures that have been designated as historic sites, historic landmarks or historic structures, including all information required in support of each designation.

To establish a schedule of reasonable fees for applicants based on notification costs, reviewing costs, and costs of construction, which will be forwarded to the Select Board for final approval.

To receive fees, to accept grants, appropriations and gifts of money and services, and to use its financial resources to employ clerical and technical assistance, publish educational materials, conduct surveys of properties, all to assist in the performance of its duties.

To request reports and recommendations from Town departments and agencies and from other organizations and sources, who may have information or can advise on an application or its impact on the Town.

To appoint citizens committees, and testify before other Town boards whenever appropriate.

To take any action necessary or appropriate to implement the purposes of the Ordinance which created the OHPC.

V. MEMBERS

The OHPC shall consist of five regular members and two alternate members. The members shall be appointed by the Select Board and shall be residents of the Town of Ogunquit or

otherwise as the Town Charter may require, from time to time.

Two appointed to serve terms of two years.

The remaining members shall be appointed to serve a term of one year.

All appointments hereafter shall be for terms of three years except in those instances where the appointment is made to fill a vacancy for an unexpired term, in which case the appointment shall be made for the remainder of the unexpired term. The Select Board shall act within 60 days to fill a vacancy including expired terms. Appointments will be made in accordance with the Town Charter as it exists from time to time.

Alternate members shall serve until replaced or appointed as a regular member. They shall participate in all hearings and discussions. They vote only if the Chairman appoints an alternate to act in place of a regular member who is absent or has been disqualified from participation because of conflict of interest or otherwise disqualified. Once appointed, the alternate shall act as a voting member until the application has been approved or denied.

In addition to regular and alternate members the Select Board may appoint other persons, not necessarily residents of the Town of Ogunquit, who serve in an advisory or consultant basis to assist members of the OHPC in performance of their duties.

Any regular or alternate member may be removed for cause by the Select Board upon written charges and after a public hearing, all in accordance with the Town Charter.

The OHPC shall annually elect a chairman, vice-chairman and secretary from among its membership who will each serve for a year and shall be eligible to serve an unlimited number of terms. The Chairman shall preside at all meetings and hearings and have authority to appoint committees, call work sessions, and preside over executive sessions.

The Vice-Chairman shall act for the Chairman in his or her absence.

The Secretary shall keep complete and accurate minutes and records of OHPC meetings, prepare agendas for meetings with the Chairman, provide notice of meetings to members, arrange proper and legal notice of hearings, attend to all correspondence of the OHPC and to other duties normally carried out by a Secretary.

All members of the OHPC shall be responsible for:

1. Reading and signing the Code of Ethics for the Town of Ogunquit.:
2. Being familiar with the origin and responsibilities of the Commission and their participation in the Design Review Process as outlined in the Ogunquit Zoning Ordinance Article 225-11. Understand the Municipal Code, Chapter 97, Historic Preservation. (Duties further outlined in this code)

3. Knowledge of the historic assets in the Town of Ogunquit.
4. Attend special training sessions, review materials available on architectural styles, Sanborn maps, historic preservation files, research York County Registry of Deeds as needed, understand information available on the Town GIS system in order to complete necessary reports relating to applications before the Commission.
5. Regular attendance at meetings and workshops

VI. MEETINGS

Regular meetings of the OHPC shall be held on the second and fourth Wednesday of the month at 11:00 a.m. at the location listed on the agenda. Each meeting agenda shall be publicly posted. If a regularly scheduled meeting falls on a holiday the Chairman will reschedule the meeting on another day

Special meetings/workshops may be called at any time by the Chair and will be publicized

Cancellation of meetings can occur if there is no business to be conducted. The Chair must notify all members prior to the set time of the meeting.

Should business before the OHPC not be completed within a specific time frame of a scheduled meeting, the Chair may adjourn the meeting and continue it at the next scheduled meeting

A quorum consists of 3 voting members.

All meetings of OHPC are open to the public except for executive sessions held under the Maine Freedom of Access Act, Title 1 M.R.S.A Section 405, as the same may be amended and replaced.

The agenda for each meeting shall be prepared by the Chair. The normal order of business shall be:

1. Call to Order and Roll Call
2. Approval of Minutes of previous meeting (s)
3. New Business
4. Old Business
5. Public Comment
6. Other
7. Adjournment

Decisions of the OHPC shall be by a majority of those members present and voting, a quorum being present. Decisions may be made by a voice vote or a roll call vote.

Design Review...Certificates of Appropriateness /Certificates of Demolition shall be made to the Planning Board within one week of the Commission's decision at a publicly scheduled meeting. The report should include historical background information on the property, significance and recommendations.

Conduct of Meetings

The following protocol will apply at any public hearing for Design Review, Certificate of Appropriateness, or for Demolition.

1. Chair will introduce the matter, property location, identity of owner or applicant and nature of the application.
2. The OHPC will review the application and consider whether the pre-review checklist is complete.
3. The hearing will be called to order.
4. The applicant will present their matter and any graphics to assist them.
5. OHPC members will ask questions and make any comments.
6. The applicant may respond.
7. Chair will announce that the applicant's presentation is closed.
8. OHPC may engage in dialogue between themselves.
9. Members of the public will be offered the opportunity to make comments or ask questions to the OHPC regarding the application.
10. OHPC will respond or put questions to the applicant for responses.
11. The Chair will close the hearing and members may vote on the matter, continue deliberations to a later date or request additional information.
12. Thereafter, the OHPC members will proceed to other business and conduct discussions thereof. Upon the close of any other business, members of the Public may comment on any such other business but not upon application where public comment had been allowed.

VII CONFLICT OF INTEREST

No member of the OHPC shall participate in the hearing or disposition of any matter in which he or she has a direct or indirect pecuniary interest, or any interest that would create the appearance of a conflict of interest.

VIII AMENDMENTS

These bylaws may be amended by affirmative vote of a majority of the members of the OHPC.

The invalidity of any section or provision of these bylaws shall not be held to invalidate any other section or provision of these bylaws.

**Approved by the OHPC
April 13, 2022**

**Historic Preservation Commission - Remote Participation Policy adopted on this day by a majority of the Select Board:
Dated: April 19, 2022**

Heath R. Ouellette, Chair

Carole J. Aaron

Carole J. Aaron

Scott A. Vogel

[Signature]

Robert M. Whitelaw, Vice Chair

Richard A. Dolliver

Richard A. Dolliver