

**- PUBLIC MEETING -**  
**Rockport Select Board**  
Monday, July 27, 2020 – 5:30 p.m.  
Streamed at <https://livestream.com/Rockportmaine>

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**Please note: Due to the pandemic, the Select Board has been authorized by the state to meet remotely. At this meeting, the Board will be using a videoconference format. Public comments or questions should be sent to the Town Manager at [wpost@rockportmaine.gov](mailto:wpost@rockportmaine.gov) or can be provided remotely through the livestream of the meeting.**

**AGENDA**

**I. Call Meeting to Order**

**II. Public Hearing**

- a. Receive Public Comments on the Annual Town Meeting Warrant Articles

**III. Town Manager’s Report/Update**

**IV. Public Input on Non-agenda Items**

Public comment should be directed at issues not under discussion on this evening’s agenda. Comment from the public will be welcome prior to each agenda item. Further comment will be granted only by permission from the Board. All public comment should be brief and to the point.

**V. Amendments to the Agenda**

**VI. Consent Agenda**

- a. Meeting Minutes:
  - June 26, 2020 Select Board Executive Session Meeting Minutes
  - June 30, 2020 Select Board Executive Session Meeting Minutes
- b. Harbor Committee Bylaws

**VII. Action Items**

- a. Act on Planning, Use and Development Fee Schedule for Building/Land Use Permits
- b. Act on RES Redevelopment Committee Recommendation
- c. Act on Peddlers Permit at Harbor Park - Barefoot in Denim, LLC, Jannel Johnson Pendleton
- d. Act on Ballot for MMA’s Legislative Policy Committee

**VIII. Discussion Items**

- a. Discuss Keep Maine Healthy Grant
- b. Discuss Short-Term Rental Options

**IX. Announce Future Meetings, Office Closures, Etc.**

- August 10, 2020 – Regular Select Board Meeting - ROHA
- August 18, 2020 – Elections – Town Office Closed

- August 19, 2020 – Select Board and Organizational Meeting – ROHA
- September 7, 2020 – Town Offices Closed Labor Day
- September 14, 2020 – Regular Select Board Meeting - ROHA

**X. Select Board Liaison Reports**

**XI. Executive Session**

- a. Convene in Executive Session pursuant to 1 M.R.S. Section 405(6)(A) to discuss a Personnel Matter

**XII. Adjournment**

## **Public Hearing**

- a. Receive Public Comments on the Annual Town Meeting Warrant Articles

### **Manager's Comments:**

This public hearing is to receive any public comments on the annual town meeting warrant articles, including the citizen petitioned articles, land use ordinance articles, municipal budget, and business articles. This public hearing is required by state statute to be held at least 10 days prior to the vote which is August 18<sup>th</sup>.

Included in your materials is the town meeting warrant for your reference and the public hearing notice that was published. The notice asked anyone wishing to comment to email Diane Hamilton in order to receive an electronic invitation to the meeting or to email written comments to me or mail them to the Town Office.

# **PUBLIC HEARING NOTICE**

The Town of Rockport Board Select Board will hold a Public Hearing on Monday, July 27, 2020 at 5:30 p.m. via the videoconferencing application Zoom to receive public comments on the Annual Town Meeting Warrant Articles that will be voted upon by referendum vote on August 18, 2020.

To provide comments, please contact Diane Hamilton, Executive Assistant at [dhamilton@rockportmaine.gov](mailto:dhamilton@rockportmaine.gov) or 236-0806 to receive an electronic invitation to the public hearing.

Written comments may be sent to the Town of Rockport, 101 Main Street, Rockport, Maine 04856 or to [wpost@rockportmaine.gov](mailto:wpost@rockportmaine.gov).

A copy of the proposed Annual Town Meeting Warrant may be viewed at the Rockport Town Office during normal business hours and can be viewed on the Town of Rockport website.

**TOWN OF ROCKPORT**  
**ANNUAL TOWN MEETING WARRANT**  
**Tuesday, August 18, 2020**

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To: Randy Gagne, Constable of the Town of Rockport, in the County of Knox, State of Maine

*Greetings:*

In the name of the State of Maine, you are hereby required to notify and warn the voters of the Town of Rockport in said County, qualified by law to vote in Town affairs, to meet at the Rockport Town Office, of the said Town of Rockport, on Tuesday, the 18th day of August, 2020 at 8:00 o'clock in the forenoon to 8:00 o'clock in the evening to vote on Articles 1 through 37 at which time the meeting will adjourn. Articles 2 through 36 to be voted upon by referendum.

**Article 1.** To elect a moderator to preside at said meeting

**Article 2.** To elect:

- a. Two 3-year terms for Select Board and Overseer of the Poor
- b. Three 3-year terms for the Budget Committee
- c. One 1-year term for the Budget Committee
- d. One 3 -year term for the Library Committee
- e. One 3-year term for Director of SAD #28 and to also serve concurrently on the Five Town CSD School Board.

**CITIZENS' PETITIONED ARTICLES**

**Article 3.** Shall the following amendment to the Town of Rockport Land Use Ordinance, Section 803.1(3) be enacted:

Location of Off-Street Parking: Required off-street parking in all districts shall be located on the same lot as the principal building or use, except that where off-street parking cannot be provided on the same lot, the Planning Board ~~Board of Appeals~~ may permit such off-street parking to be located a reasonable distance from the principal building or use, measured along the line of public access. If serving a business or industrial use, such parking area shall be in a business or industrial district. Such parking areas shall be held under the same ownership or lease. The Planning Board ~~Board of Appeals~~ may approve the joint use of a parking facility by 2 or more principal buildings or uses where it is clearly demonstrated that the parking facility will substantially meet the intent of the requirements by reason of variation in the time of use by patrons or employees among such establishments. No off-site or shared parking, or waiver of parking requirements, shall be approved unless it is supported by an independent traffic study prepared by a qualified professional, hired by the reviewing authority and paid for by the applicant which establishes that the parking facility is adequate for the proposed use and any shared use(s), will not cause undue burdens on traffic or parking in the vicinity, and will not cause safety concerns.

Notwithstanding 1 M.R.S. § 302, this amendment shall apply to all land uses and

**2020 Annual Town Meeting Warrant – continued**

all off-site parking facilities that have not received final approval as of 45 days prior to the enactment of this amendment.

*Note: This article was submitted by a citizens' petition.*

Planning Board Vote: 0 For, 6 Against, 0 Abstain DO NOT RECOMMEND

**Article 4.** Shall the following amendment to the Town of Rockport Land Use Ordinance, Section 9717(G) be enacted:

9. No more than 40 (forty) rooms, in aggregate, shall be permitted at Inns/Hotels in the 913 zoning district. No single inn or hotel, nor any combination of such uses located on the same lot, shall have more than 20 guest rooms.

Notwithstanding 1 M.R.S. § 302, this amendment shall apply to all hotels and inns that have not received Planning Board approval and all required building permits as of March 1, 2020.

*Note: This article was submitted by a citizens' petition.*

Planning Board Vote: 0 For, 6 Against, 0 Abstain DO NOT RECOMMEND

**ORDINANCE ARTICLES**

**Article 5.** Shall an Ordinance amending the Town of Rockport Land Use Ordinance in Chapter 300 to revise Definitions be enacted?

Planning Board Vote: 6 For, 0 Against, 0 Abstain RECOMMEND

**Article 6.** Shall an Ordinance entitled, “Ordinance amending the Town of Rockport Land Use Ordinance in Section 800 to revise the following: Requirements for Parking, Traffic Circulation, Access and Street Design standards to revise the following subsections 803.1, 803.2, 803.3, and 803.4” be enacted?

Planning Board Vote: 6 For, 0 Against, 0 Abstain RECOMMEND

**Article 7.** Shall an Ordinance entitled, “Ordinance amending the Town of Rockport Land Use Ordinance in Section 800 to revise the following: Subsection 801.7 Lighting to clarify that freestanding light fixtures cannot exceed a height of 25 feet, and Subsection 811 Home Occupations to allow day care centers with 12 children or fewer to be considered a home occupation” be enacted?

Planning Board Vote: 6 For, 0 Against, 0 Abstain RECOMMEND

**Article 8.** Shall an Ordinance amending the Town of Rockport Land Use Ordinance in Section 900 Zoning Districts Performance Standards to revise subsection 908 B General Dimensional Requirements and to revise subsection 910 Traditional Village District, parking standards for offices and retail uses, and to revise Section

**2020 Annual Town Meeting Warrant – continued**

907.3 Special District Standards to revise the setback requirements for private sport facilities be enacted?

Planning Board Vote: 6 For, 0 Against, 0 Abstain RECOMMEND

**Article 9.** Shall an Ordinance amending the Town of Rockport Land Use Ordinance in Section 1000 Performance Standards to revise the following subsection 1001 Applicability and Purpose and subsection 1004 Parking Lot Design and landscaping be enacted?

Planning Board Vote: 6 For, 0 Against, 0 Abstain RECOMMEND

**Article 10.** Shall an Ordinance amending the Town of Rockport Land Use Ordinance in Section 1302 to revise the requirements for a site review pre-application and to allow the Planning Board to require an applicant to perform additional studies be enacted?

Planning Board Vote: 6 For, 0 Against, 0 Abstain RECOMMEND

**Article 11.** Shall an Ordinance amending the Town of Rockport Land Use Ordinance in Chapter 1400 Shoreland Zoning Overlay District to conform to the current State of Maine Model Shoreland Zoning Ordinance and to repeal the existing Chapter 1400 Shoreland Zoning Overlay District be enacted?

Planning Board Vote: 6 For, 0 Against, 0 Abstain RECOMMEND

**Article 12.** Shall an Ordinance to adopt a revised Town of Rockport Zoning Map dated 2020 to replace the existing 2013 Zoning Map be enacted?

Planning Board Vote: 6 For, 0 Against, 0 Abstain RECOMMEND

**Article 13.** Shall an Ordinance amending the Town of Rockport Land Use Ordinance, making minor corrections and clarifications throughout be enacted?

Planning Board Vote: 6 For, 0 Against, 0 Abstain RECOMMEND

**Article 14.** Shall an Ordinance amending the Town of Rockport Floodplain Management Ordinance in Section P 2.b. (3) to revise the requirements for a breakaway wall be enacted?

Planning Board Vote: 6 For, 0 Against, 0 Abstain RECOMMEND

**NON-BINDING REFERENDUM ARTICLE**

**Article 15. Non-binding referendum.** Do you support a ban on the use of Consumer Fireworks in the Town of Rockport?

Explanation: This is a non-binding question from the Select Board seeking your opinion only. If supported, the Town will draft an ordinance banning the use of Consumer Fireworks for the next election. If not supported, the Town will remain under current state laws that allow the use of Consumer Fireworks.

**MUNICIPAL BUDGET ARTICLES**

**Article 16.** Shall the Town raise and appropriate the sum of \$1,458,194 for General Government for the 2020/2021 fiscal year as detailed below?

A.	Administration.....	\$51,005
B.	Town Manager.....	\$358,100
C.	Town Clerk.....	\$251,040
D.	Planning & Community Development.....	\$180,396
E.	Finance.....	\$204,215
F.	Assessing.....	\$201,501
G.	Town Office Building.....	\$139,233
H.	Insurance.....	\$72,704
	Total.....	\$1,458,194

Budget Committee Vote: 6 For, 0 Against, 0 Abstain RECOMMEND  
 Select Board Vote: 5 For, 0 Against, 0 Abstain RECOMMEND

**Article 17.** Shall the Town raise and appropriate the sum of \$26,990 for Public Assistance for the 2020/2021 fiscal year as detailed below?

A.	General Assistance.....	\$26,990
	Total.....	\$26,990

Budget Committee Votes: 6 For, 0 Against, 0 Abstain RECOMMEND  
 Select Board Votes: 5 For, 0 Against, 0 Abstain RECOMMEND

**Article 18.** Shall the Town raise and appropriate the sum of \$1,743,259 for Public Safety for the 2020/2021 fiscal year as detailed below?

A.	Police Department.....	\$627,770
B.	Fire Department.....	\$560,200
C.	West Rockport Fire Station.....	\$14,729
D.	Other Public Safety Services.....	\$323,870
E.	Animal Control.....	\$7,090
F.	Harbormaster.....	\$176,270
G.	Public Safety Building.....	\$29,950
H.	Emergency Management.....	\$3,380



**2020 Annual Town Meeting Warrant – continued**

Total.....\$1,743,259

Budget Committee Vote: 6 For, 0 Against, 0 Abstain RECOMMEND

Select Board Vote: 5 For, 0 Against, 0 Abstain RECOMMEND

**Article 19.** Shall the Town raise and appropriate the sum of \$1,802,003 for Public Works for the 2020/2021 fiscal year as detailed below?

A. Public Works .....\$1,625,019

B. Sanitation.....\$176,984

Total.....\$1,802,003

Budget Committee Vote: 5 For, 1 Against, 0 Abstain RECOMMEND

Select Board Vote: 5 For, 0 Against, 0 Abstain RECOMMEND

**Article 20.** Shall the Town raise and appropriate the sum of \$746,152 for Culture and Recreation for the 2020/2021 fiscal year as detailed below?

A. Library .....\$444,807

B. Conservation Commission.....\$10,625

C. Parks .....\$93,390

D. Opera House .....\$133,170

E. Recreation.....\$64,160

Total.....\$746,152

Budget Committee Vote: 6 For, 0 Against, 0 Abstain RECOMMEND

Select Board Vote: 5 For, 0 Against, 0 Abstain RECOMMEND

**Article 21.** Shall the Town raise and appropriate the sum of \$284,606 for Long Term Debt (Debt Payments) for the 2020/2021 fiscal year as detailed below?

A. Debt .....\$284,606

Total.....\$284,606

Budget Committee Vote: 6 For, 0 Against, 0 Abstain RECOMMEND

Select Board Vote: 5 For, 0 Against, 0 Abstain RECOMMEND

**Article 22.** Shall the Town raise and appropriate the sum of \$110,018 for County Fees for the 2020/2021 fiscal year as detailed below?

A. County Service, E-911.....\$73,703

B. County Service, Dispatch .....\$36,315

Total.....\$110,018

**2020 Annual Town Meeting Warrant – continued**

Budget Committee Vote: 6 For, 0 Against, 0 Abstain RECOMMEND  
Select Board Vote: 5 For, 0 Against, 0 Abstain RECOMMEND

**Article 23.** Shall the Town raise and appropriate the sum of \$70,325 for Cemeteries and Special Assessments for the 2020/2021 fiscal year as detailed below?

A. Cemeteries .....\$63,525  
B. Special Assessments.....\$6,800  
  
Total.....\$70,325

Budget Committee Vote: 6 For, 0 Against, 0 Abstain RECOMMEND  
Select Board Vote: 5 For, 0 Against, 0 Abstain RECOMMEND

**Article 24.** Shall the Town appropriate the sum of \$2,078,047 as Revenue to be used in reducing the property tax assessment for the 2020/2021 fiscal year as detailed below?

A. General Government .....\$1,143,949  
B. Public Assistance.....\$13,055  
C. Public Safety.....\$299,130  
D. Public Works .....\$164,935  
E. Culture and Recreation .....\$201,678  
F. All Other – Cemeteries .....\$14,300  
G. Unassigned Fund Balance .....\$15,000  
H. Special Assessments.....\$226,000  
  
Total.....\$2,078,047

Budget Committee Vote: 6 For, 0 Against, 0 Abstain RECOMMEND  
Select Board Vote: 5 For, 0 Against, 0 Abstain RECOMMEND

**BUSINESS ARTICLES**

**Article 25.** Should any municipal budget question fail to pass, shall the Town authorize the Select Board and Treasurer to expend an amount not to exceed 3/12 of the previous year’s appropriation?

**Article 26.** Shall the Town vote to authorize the transfer of all unexpended balances to fund balance and to authorize the overdrafts that may occur in the Town operations in the 2020/2021 budget to be taken from fund balance?

**Article 27.** Shall the Town vote to authorize the payment of tax abatements and applicable interest from the property tax overlay account?


**2020 Annual Town Meeting Warrant – continued**

- Article 28.** Shall the Town vote to authorize the Select Board, on behalf of the Town to sell and dispose of any real estate acquired by the Town for non-payment of taxes thereon, on such terms as they deem advisable, and to execute quit claim deeds for the property? The sale or disposal shall be made only after consultation with the Planning Board and the Conservation Commission, except for the purpose of clearing title or of reconveyance of real estate to the original owner or in the case of time-share units, reconveyance back to the original owner or the time-share estates association of unit owners; property to be disposed of by written policy and on terms the Select Board deem advisable.
- Article 29.** Shall the Town vote to authorize the Select Board, on behalf of the Town to sell and dispose of any real estate acquired by the Town for non-payment of wastewater thereon, on such terms as they deem advisable, and to execute quit claim deeds for the property? The sale or disposal shall be made only after consultation with the Planning Board and the Conservation Commission, except for the purpose of clearing title or of reconveyance of real estate to the original owner. Property to be disposed of by written policy and on terms the Select Board deem advisable.
- Article 30.** Shall the Town vote to set October 15, 2020 and April 15, 2021 as the tax installment due dates and to instruct the Tax Collector to charge interest at 8.00% per annum on all taxes unpaid after said date(s)?
- Article 31.** Shall the Town vote to authorize the Wastewater Commissioners to charge interest at 8.00% per annum on delinquent wastewater charges?
- Article 32.** Shall the Town vote to authorize the Select Board and Treasurer, on behalf of the Town, to accept gifts, real estate, and certain funds, including trust funds, that may be given or left to the Town?
- Article 33.** Shall the Town vote to authorize the Select Board to accept those conservation easements which the Select Board deem appropriate in the name of the Town of Rockport, provided however, said conservation easements are first considered by the Rockport Conservation Commission and Planning Board?
- Article 34.** Shall the Town vote to authorize the Treasurer to waive the foreclosure of tax lien mortgages pursuant to 36 M.R.S.A. sec. 944 upon a finding by the Select Board that ownership of the property subject to the lien would be contrary to the Town's best interest?
- Article 35.** Shall the Town vote to authorize the Select Board to enter into boundary line agreements with abutting property owners to establish the boundary line of any

**Article 35.** Shall the Town vote to authorize the Select Board to enter into boundary line agreements with abutting property owners to establish the boundary line of any property of the Town, including the boundary lines of the rights-of-way of roads?

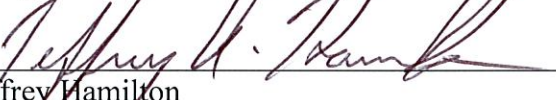
**Article 36.** Shall the Town vote to authorize the Tax Collector to enter into a standard agreement with taxpayers establishing a "tax club" payment plan for commercial and/or residential real estate property taxes who abide by the requirements of said plan; who shall receive from the Town, in return for such payments, full credit for such taxes paid without incurring any charge of interest?

Date: June 15, 2020

  
Debra Hall, Chair

  
Denise Munger, Vice-Chair

  
Douglas Cole

  
Jeffrey Hamilton

  
Mark Kelley

ROCKPORT SELECT BOARD

Attest:

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Linda M. Greenlaw, Town Clerk



## Town of Rockport, Maine

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### Town Manager's Office

Town Office  
101 Main Street  
Rockport, Maine 04856  
Telephone: 207-236-0806 x3  
Fax: 207-230-0112

### William S. Post, Town Manager

Email: [wpost@rockportmaine.gov](mailto:wpost@rockportmaine.gov)

### Diane Hamilton, Executive Assistant and General Assistance Administrator

Email: [dhamilton@rockportmaine.gov](mailto:dhamilton@rockportmaine.gov)

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## Town Manager's Report & Update July 23, 2020

### Annual Town Meeting/Municipal Election

Reminder to everyone that this year's annual town meeting will be held on August 18<sup>th</sup> and will be by referendum (secret ballot) voting only. There will be no open town meeting. This election includes voting for two positions on the Select Board, four positions for the Budget Committee, one position for the Library Committee and one position for MSAD #28/Five Town CSD School Board and all of the municipal budget and business articles that are normally discussed at the open town meeting. Absentee ballots are currently available from the Town Clerk's Office and I encourage everyone to vote absentee.

### Infrastructure Projects Update

A Requests for Proposal (RFP) has been made available for the Vehicle Exhaust Removal Systems at the Public Safety Building and the Public Works Garage. The deadline for me to receive these proposals is August 13<sup>th</sup>.

An RFP for the Public Safety Parking lot repaving has also been made available with a deadline of August 3<sup>rd</sup>.

The Old Rockland Street Reconstruction Project has also been put out to bid with proposals due on August 11<sup>th</sup>. Upon engineer Will Gartley's advice, we are bidding that project with an alternate start date of next spring as we are receiving feedback from many contractors that they are currently having difficulty finding labor and finishing current projects. It is expected that the bid prices may be lower if the project is started in the spring of 2021 because of this.

Public Works and contractors continue to prepare roads for paving by replacing cross culverts and ditching. As noted previously, some sections of road have had to be rebuilt because of poor base material. For example, one 325-foot section on Beech Hill, after investigation, only contained about 10 inches of gravel and then clay which explains why the roadbed was collapsing. All-States Asphalt has reviewed all the roads to be paved and is currently scheduled to start paving the week of August 25<sup>th</sup>.

Megan Brackett, Mike Young, and I have developed a tracking system to monitor the materials being purchased and used and the contracted services on the infrastructure bond projects to ensure proper billing and budgeting is completed.

### **Economic Development Specialist**

As I mentioned during the budget discussions, the Midcoast Economic Development District (MCEDD) which we contract with for planning services, has agreed to provide an economic development specialist for one day per week as part of our current contract. I expect Brian Dancause to begin sometime during the first two weeks of August. I suggest that he replace Bill Najpauer as a staff member to the RES Redevelopment Committee. Brian served as the Director of Small Business and Entrepreneurship and manager of the small business assistance program with the Maine Department of Economic and Community Development over an 18 year period and worked for the Town of Brunswick as a development and support specialist before working for MCEDD.

### **State Board of Property Tax Review**

Assessor Kerry Leichtman has been appointed to the State Board of Property Tax Review effective July 28, 2020 by Governor Mills. The Board consists of 15 members for terms of three years. The Board hears appeals from denials of tax abatements by assessors or local boards of assessment review regarding non-residential property with a municipal assessed valuation of \$1 million or greater, tree growth, farmland, open space, mine site and working waterfront classified properties as well as municipalities disputing their annual equalized state valuations. This appointment is a well-deserved recognition of Kerry's knowledge and skills.

### **Wastewater Extension Project**

The final plans for the wastewater extension project along Route 1 are nearing completion. The only remaining item for the engineers is to add the water line designs to the plans as Maine Water has officially joined the project. Other than the water line design work, there are two tasks that remain: finalizing the landowner agreements for the locations of the two pump stations, and obtaining the highway opening permit. It is expected that the project will be ready to go out to bid September 1<sup>st</sup>.

### **Maine Municipal Association Dividend**

The Town received a \$6,465 dividend check from the Maine Municipal Association as a result of its good loss experience and loss prevention programs. Of this amount, \$2,487 was from the workers' compensation fund and \$3,978 from the property and casualty program.

### **Planning Board Secretary**

Fran Hodgkins, a part-time employee at the Library, has been hired as the new Planning Board secretary. She will attend meetings, take notes, and draft minutes of the meetings. This will take the burden off Administrative Assistant Mandy Marriner-Everett as she has been taking on this task along with her regular duties. I appreciate Mandy's help over the last several months.

## **Consent Agenda**

- a. Meeting Minutes
- b. Harbor Committee Bylaws

### ***Suggested Motion:***

**I move the Board approve the consent agenda as presented. (or amended after any discussion/changes).**

**Rockport Select Board  
Meeting Minutes  
Executive Session  
Friday, June 26, 2020 – 9:30 a.m.  
Geoffrey C. Parker Room**

Present: Chair Debra Hall, Vice Chair Denise Munger, Douglas Cole, Mark Kelley, Jeffrey Hamilton and William Post, Town Manager

I. Call Meeting to Order

**Chair Hall called the meeting to order at 9:30 a.m.**

**Chair Hall moved to go into Executive Session pursuant to 1 M.R.S. Section 405 (6) (A) to discuss a personnel matter. Vice-Chair Munger seconded the motion. VOTE: 5 FOR - 0 OPPOSED**

II. Executive Session

- a. Discussion of a Personnel Matter pursuant to 1 M.R.S. Section 405 (6) (A)

**Chair Hall moved to exit the Executive Session and return to a public session at 10:35 a.m. Board Vice-Chair Munger seconded the motion. VOTE: 5 FOR - 0 OPPOSED**

III. Adjournment

**Vice-Chair Munger moved to adjourn the meeting at 10 :36 a.m. Chair Hall seconded the motion. VOTE: 5 FOR - 0 OPPOSED**



**Rockport Select Board  
Meeting Minutes  
Executive Session  
Tuesday, June 30, 2020 – 4:00 p.m.  
Via ZOOM**

Remotely Present: Chair Debra Hall, Vice Chair Denise Munger, Douglas Cole, Mark Kelley, Jeffrey Hamilton and William Post, Town Manager

I. Call Meeting to Order

**Chair Hall called the meeting to order at 4:00 p.m.**

**Board Member Hamilton moved to go into Executive Session pursuant to 1 M.R.S. Section 405 (6) (A) to discuss a personnel matter. Board Member Kelley seconded the motion.**

**VOTE: 5 FOR - 0 OPPOSED (Vote by roll call)**

II. Executive Session

a. Discussion of a Personnel Matter pursuant to 1 M.R.S. Section 405 (6) (A)

**Board Member Kelley moved to exit the Executive Session and return to a public session at 4:55 p.m. Board Member Hamilton seconded the motion. VOTE: 5 FOR - 0 OPPOSED (Vote by roll call)**

III. Adjournment

**Vice-Chair Munger moved to adjourn the meeting at 4 :57 p.m. Board Member Cole seconded the motion. VOTE: 5 FOR - 0 OPPOSED (Vote by roll call)**



## Bylaws of the Harbor Committee of the Town of Rockport, Maine

### Section 1. Purpose and Scope

The ~~purpose of the~~ Harbor Committee of the Town of Rockport is to act in an advisory capacity to the Harbormaster and to make recommendations to the Select Board regarding Harbor related matters. In any and all other duties as ~~The Harbor Committee will act as~~ directed by the Rockport Coastal Waters and Harbor Ordinances. The purpose of these bylaws is to establish reasonable rules of procedures for committee meetings and to promote the fair, orderly and efficient conduct of the committee's proceedings and affairs.

### Section 2. Membership

The Committee shall consist of five members and may add up to 3 auxiliary members. A member of the committee shall serve for a term of three years and may be reappointed by the Select Board. If a member fails, without being excused by the Chair, to attend three consecutive meetings, the Chair will notify the Town Manager of a vacancy on the committee. Three members need to be present ~~in order~~ to form a quorum.

### Section 3. Officers; Duties

Officers of the committee shall consist of a Chair, ~~and~~ Vice-Chair to be chosen at the organizational meeting in July of each year by and from among committee members. The Chair shall preside at all meetings; however, in the absence of the Chair the Vice-Chair shall serve. ~~The~~ A Secretary shall maintain a permanent record of all committee meetings minutes and all correspondence of the committee, ~~which~~ shall be recorded and publicly available. The Harbormaster and Chair shall set the agenda and present ~~the agenda~~ to the committee and town clerk prior to the meeting.

Deleted: a public record

## Section 4. Meetings

Meetings shall be held each month or as otherwise necessary. Meetings may be called at the discretion of the Harbormaster, Town Manager or Chair, or upon the request of a majority of the committee, provided, however, that proper notice thereof shall be given to each member.

## Section 5. Participation, Voting and Decisions

Any action of the Committee shall require the affirmative vote of a majority of its membership. No member may participate or vote in any matter in which the member has a conflict of interest or other disqualification as defined by law. Any question of whether a member has such a conflict of interest or other disqualification shall be decided by majority vote of the remaining members. All final decisions shall be in writing and shall become a part of the committee's permanent record.

## Section 6. Conflict with Laws

Any conflict or inconsistency between these bylaws and any applicable law shall be resolved in favor of the law.

## Section 7. Waivers; Amendments

These bylaws, or any provision thereof, may be waived but only if they remain consistent with applicable law. These bylaws may be amended at any time in writing by majority vote of the Committee after notice on the proposed amendment but shall not be effective until approved by the Select Board.

Deleted: on any occasion by majority vote of the Committee.

Deleted: .

Reviewed and Approved by the Harbor Committee on May 29, 2001  
Approved by the Select Board on June 11, 2001  
Reviewed and Approved by the Harbor Committee on August 23, 2018  
Approved by the Select Board on October 23, 2018  
Reviewed and Approved by the Harbor Committee on July 15, 2020  
Approved by the Select Board on July 27, 2020

## **Action Items**

- a. Act on Planning, Use and Development Fee Schedule for Building/Land Use Permits

### **Manager's Comments: Action item**

The Planning, Use and Development Fee Schedule was last reviewed and approved by the Select Board in April 2016. The Planning & Development Department reviewed the schedule and are suggesting some minor changes.

### ***Suggested Motion:***

**I move the Board approve the Planning, Use and Development Fee Schedule as presented.**

# Town of Rockport

## Planning, Use and Development Fee Schedule for Building/Land Use Permits

### **BUILDING FEES – by square foot**

Minimum fee \$30 (Thirty Dollars) for items charged by square foot

**Additional service fee of \$30 for each repeat/unnecessary return trip for the same inspection.**

Finished living space (6' headroom or greater)	.40/sq.
ft. Unfinished living space (6' headroom or greater)	.25/sq.
ft. Accessory structures (attached or detached)	.25/sq.
ft.	
Covered porches	.25/sq. ft.
Renovations	.25/sq. ft.
Mobile homes	20/sq. ft.
Cellars – full or half -unfinished	<del>.23</del> 0/sq. ft.
Cellars – full finished	.40/sq. ft.
Commercial and industrial structures – new construction	.50/sq. ft.
Commercial and industrial structures – renovations	.30/sq. ft.
Commercial and industrial accessory structures	.30/sq. ft.

### **BUILDING FEES – flat fees**

Blasting	\$50
Deck	\$30
Demolition of Structure	\$50
E/911 Entrance Permit	\$50
Fabric canvas like shelters	\$30
Flood Hazard Permit – Minor	\$50
Flood Hazard Permit – Major	\$150
Filling and Excavating	\$50
Greenhouse plastic poly type	\$20
Home Occupation.	\$50
Moving Mobile Home	\$50
Moving Structure	\$50
Peddlers Permit	\$30 + \$2.00 per day (after 15 consecutive days)
Private Way Plan	\$50
Road Cut	\$50
Signs	\$50
Swimming Pools	\$50
Timber Harvesting	\$75
Vegetative Clearing	\$75
Use Permit	\$50
<u>Copier/Printer Copy – Black and White 8 ½ x 11</u>	<u>.25 per sheet</u>
<u>Copier/Printer Copy – Colored 8 ½ x 14</u>	<u>.35 per sheet</u>
<u>Copier/Printer Copy – Colored 8 ½ x 11</u>	<u>\$1.00 per sheet</u>
<u>Copier/Printer Copy – Colored 8 ½ x 14</u>	<u>\$2.00 per sheet</u>

### **PLANNING BOARD FEES**

Private Way Plans	\$200 flat fee
<b>Subdivision Review</b>	
Pre-Application Meeting	\$100 flat fee
Preliminary Plan Review	\$200 per lot or unit
Final Plan Review	\$150 per lot or unit
Revision to Approved Plan	\$200 flat fee
<b>Site Plan Review</b>	
Pre-Application Meeting	\$50 flat fee
Full Site Plan Review	\$200 flat fee

### **ZONING BOARD OF APPEALS FEES**

Administrative Appeals of CEO or PB decisions	\$400
All other ZBA matters	\$250

**Town of Rockport**  
**Planning, Use and Development Fee Schedule for Plumbing, Septic/Sewer**

There ~~may will~~ be an extra \$30 service fee for each return inspection trip beyond the requirements in State law and rules.

**Note:** Starting plumbing, building or new land use without the appropriate permit or approval *shall* result in a double fee as provided in the plumbing rules table 3-A and Section 607 of the LUO.

**INTERNAL PLUMBING FEES**

A minimum permit fee of \$40 plus \$1 for each additional fixture after 4 fixtures.

**PUBLIC SEWER CONNECTION FEES**

Sewer Hook-Up (physical connection)	\$40
Sewer Buy-In Fee	\$1,000 – Per equivalent user if residential

**SUBSURFACE WASTEWATER DISPOSAL SYSTEM (SSWD) FEES**

Engineered system	\$200 plus \$15 for the D.E.P.
Non-engineered systems	\$250 plus \$15 for the D.E.P.
Primitive system (includes one alternative toilet) -	\$100
Separate grey water disposal field	\$35
Seasonal conversion permit	\$50
First time system variance	\$20

**FEES FOR SEPARATE PARTS OF SSWD SYSTEM**

Alternative toilet (only)	\$50
Disposal field only (engineered-system)	\$150
Disposal field only (non-engineered)	\$150
Treatment tank only (engineered)	\$80
Treatment tank only (non-engineered)	\$150
Holding tank	\$100
Other components (complete pump station, piping, etc)	\$30

## **Action Items**

- b. Act on RES Redevelopment Committee Recommendation

### **Manager's Comments: Action item**

The RES Redevelopment Committee held that first meeting since the pandemic on July 9<sup>th</sup>. At that meeting, the Committee voted to recommend that the Select Board invite a Land Use Consultant/Planner, Terry Dewan, to hold an educational session for the committee and Select Board, at no charge to the town, to help envision various pathways to achieve the towns "principles of development" for the site. Board member Cole can provide more detail to the Board on this discussion.

### ***Suggested Motion:***

**None needed. Board can decide by consensus as there is no funding involved.**

## **Action Items**

- c. Act on Peddlers Permit at Harbor Park – Barefoot in Denim, LLC, Jannel Johnson Pendleton

### **Manager's Comments: Action item**

Jannel Johnson Pendleton, owner of Barefoot in Denim, LLC has submitted a Peddler's Permit Application to locate a 6'x10' trailer at the Marine Park on Thursdays. The application is included in the materials and a map detailing where she is proposing to locate the trailer. The trailer would be removed when not open. She has been in contact with Harbormaster Abbie Leonard concerning the location and activity. Ms. Pendleton will be virtually attending the meeting to answer the Board's questions.

### ***Suggested Motion:***

**I move the Board approve the Peddler's Permit for Jannel Johnson Pendleton as presented.**



Tel: 236-0989  
Fax: 230-0112

**TOWN OF ROCKPORT**  
101 Main Street Rockport, ME 04856

e-mail: aapanning@town.rockport.me.us

*please print* - **PEDDLERS PERMIT APPLICATION** - *please print*

Applicant: Jennel Johnson Pendleton Tel. Number: (h) \_\_\_\_\_ (w) 2074667779 (c) same  
DBA: Barefoot in Denim, LLC

Applicant's Mailing Address: 8 Cobb Hill Rd., Camden ME 04843

Applicant's Email Address: barefootindenim@icloud.com

**INFORMATION REQUIRED FROM APPLICANT:**

Proposed Date of Operation: m/d/y to m/d/y: 07/09/2020 to 08/27/2020 (Thursdays Only)

Proposed Location of Operation: Rockport Marine Park

Proposed Hours of Operation: 12 pm to 4 pm (setup trailer 11:30; take down 4:30)  
(trailer will not stay on property)

Description of Product to be Sold: womens tops, bottoms, dresses, jewelry & bags

Type and Size of Signage: boutique name on 6x10 enclosed trailer; no additional signage

State Licenses if Required: Resale certificate & Retailer certificate

**PLEASE ATTACH THE FOLLOWING:**

Police Chief Review and notes if any: \_\_\_\_\_

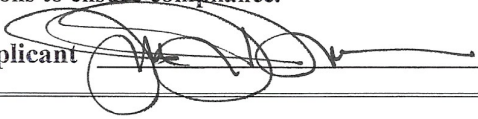
Permission Letter if applicable: \_\_\_\_\_

Copy of Vehicle Registration: attached

Copy of Driver's License: attached

Sketch Location Plan on back of this form (if operating from a specific location): attached

To the best of my knowledge, all information submitted on this application is correct. I agree to comply with the Town of Rockport's Ordinances and applicable State laws. I hereby grant permission to the Rockport Planning Office to make necessary inspections to ensure compliance.

Signature of Applicant  Date Received by Planning Office \_\_\_\_\_

**CODE OFFICER REVIEW PROCESS**

1.) Approved \_\_\_\_\_ Reason \_\_\_\_\_

2.) Denied \_\_\_\_\_ Reason \_\_\_\_\_

Code Officer Signature: \_\_\_\_\_ Date: \_\_\_\_\_ File # \_\_\_\_\_ Fee \$ \_\_\_\_\_ Paid \_\_\_\_\_



Pascal Ave

Pascal Ave

Rockport

Andre The S

Rockport Marine Park

Schooner Yacht Heron



## Town of Rockport, Maine

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### Police Department

Public Safety Building  
101 Main Street  
Rockport, Maine 04856

**Randy M. Gagne, Chief of Police**

rgagne@rockportmaine.gov

Telephone: 207.236.2026

Fax: 207.236.4141

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July 15<sup>th</sup>, 2020

Jennel,

We see no safety issues from a Law Enforcement Officer's perspective with your application for a proposed peddler's permit at Rockport Harbor Park.

Please be in touch if you have any questions. Best of luck with your project!

Regards,

Chief Randy Gagne

## **Action Items**

- d. Act on Ballot for MMA's Legislative Policy Committee

### **Manager's Comments: Action item**

You may recall that the Select Board nominated me for one of two positions representing Senate District 12 on the Maine Municipal Association's Legislative Policy Committee. Each town now can cast its ballot for the two candidates. The ballot is included in your material.


### ***Suggested Motion:***

**I move the Board vote for Jay Felyer and William Post for MMA's Legislative Policy Committee.**

**OFFICIAL BALLOT – District 12**

**Maine Municipal Association’s Legislative Policy Committee**  
July 1, 2020 – June 30, 2022

**VOTE FOR TWO:**

- Jay Feyler, Manager, Town of Union
- William Post, Manager, Town of Rockport
- \_\_\_\_\_ (name) \_\_\_\_\_ (position) \_\_\_\_\_ (municipality)  write in

**Candidate Profiles Are On Reverse Side**

MUNICIPALITY: \_\_\_\_\_ DATE: \_\_\_\_\_

 BY SELECTMEN/COUNCILORS:

_____	_____
signature	print name
_____	_____
signature	print name
_____	_____
signature	print name
_____	_____
signature	print name
_____	_____
signature	print name

**Return by 5:00 p.m., August 27, 2020 to:**

Laura Ellis, Maine Municipal Association  
lellis@memun.org  
Fax: 624-0129

## **LPC Senate District 12**

Appleton  
Camden  
Cushing  
Friendship  
Hope  
Isle Au Haut

Matinicus Isle Pt.  
North Haven  
Owls Head  
Rockland  
Rockport  
Saint George

South Thomaston  
Thomaston  
Union  
Vinalhaven  
Warren

### **Candidate Profile:**

Jay Feyler has served as the Town Manager in Union for the past eleven years. He has also served on the School Board, Budget Committee, Appeals Board, Select Board and as a Pullen Trustee. Jay has served as President of the Maine Welfare Directors Association, is 2<sup>nd</sup> VP on the Executive Board of the Maine Town, City and County Managers Association, is Vice President of the Mid Coast Managers Association and has also served on the MMA Nominating Committee. Jay has served on the LPC since 2014 and would like to continue his service because with the recent pandemic taking a massive toll on state and local finances, it is important for the LPC to watch closely for raiding of revenue sharing and other mandated state funding; as it has been the pattern of the state over the years to reduce funding to municipalities when times get tough at the state level. As he has done over the past couple of terms on the LPC, he wants to advocate for funding protection, to push back on further unfunded mandates and protect local control.

William Post has served as the Town Manager in the Town of Rockport for the past year after serving in the same capacity in Bowdoinham for the previous 8 years. Prior to that he served as Manager in Waldoboro, Damariscotta, and Bradley and County administrator in Knox County. He received a Master of Public Administration degree from the University of Maine and his Bachelor of Arts – Political Science degree from the University of Southern Maine. Bill served on the LPC from 2008 until 2011 and from 2013 to present. Bill would like to continue to serve on the LPC to continue working to restore lost municipal funding from the state, including revenue sharing and education funding. While there have been increases recently, the state needs to return to the full 5% funding for revenue sharing. He also wants additional funding for broadband expansion (with fiber), increased funding for transportation infrastructure and an increase in the current limits on KWH for solar farms.

## **Discussion Items**

- a. Discuss Keep Maine Healthy Grant

### **Manager's Comments: Discussion item**

Gov. Janet Mills' Administration has begun a second round of funding for Maine municipalities and Tribal governments under the Keep Maine Healthy 2020 Municipal COVID-19 Awareness Campaign. Roughly \$4 million is available this round. This program provides financial assistance for municipalities to conduct public health activities aimed at preventing the spread of COVID-19 during the summer and fall tourist season. The funding period for Round 2 will be Aug. 1 - Oct. 31, 2020. Applications must be submitted to Maine CDC by Friday July 31, 2020. Municipalities must submit a completed application along with a one-page narrative and proposed budget to be considered. One caveat for this grant is that it can not duplicate any reimbursements that we will receive through FEMA and MEMA as it relates to COVID-19. I am working with staff to develop a possible list of expenses for which the Town could incur in order to apply for this grant. I will have more information at your meeting.

### ***Suggested Motion:***

If the Board wishes to pursue this grant: **I move the Board authorize the Manager to apply for the Keep Maine Healthy grant with details to be determined by staff.**

**Keep Maine Healthy**  
**2020 Municipal COVID-19 Awareness Campaign – Round 2**  
**Financial Assistance Available for Maine Municipalities and Tribal Governments to Help Keep Maine Residents and Visitors Safe This Summer and Fall**

**Funding Period: August 1 – October 31, 2020**

**Applications must be Submitted to Maine CDC by Friday, July 31, 2020**

Municipalities and Tribal governments are best positioned to create local education and prevention plans to encourage Maine businesses, residents and summer visitors to follow best practices to prevent the spread of the Coronavirus and COVID-19 infections during the reopening of the State's economy and as we resume many summer and early fall recreational activities quintessential to the Maine experience.

As part of the Keep Maine Healthy initiative, the Department of Health and Human Services (DHHS) has created the 2020 Municipal COVID-19 Awareness Campaign to encourage municipalities and Tribes to implement their own COVID-19 prevention, education and protection plans in partnership with DHHS. Municipalities and Tribes that submit plans approved by DHHS will be reimbursed for costs associated with approved public health education and prevention activities during the funding period from August 1 through October 31, 2020.

Maine's public health agency within DHHS, the Maine Center for Disease Control & Prevention (CDC) will oversee this initiative. Applications must be submitted to CDC by **Friday, July 31, 2020**. You can email the completed Application to [michael.abbott@maine.gov](mailto:michael.abbott@maine.gov). Or, if you wish to send a paper version of this Application, please mail to:

Michael Abbott P.E., C.G., Interim Associate Director  
Division of Environmental & Community Health  
Maine CDC  
286 Water Street  
Augusta, ME 04333

***Who is eligible to apply for funding?*** All municipal and Tribal governments in Maine are eligible to apply for available funding using this Application. Municipalities or Tribal governments who wish to partner with community organizations, including visitor centers, public health groups, or chambers of commerce, to implement approved prevention and education activities will be allowed to subcontract. Note: Municipalities and Tribes already participating in the Keep ME Healthy program are eligible to apply for additional funding under Round 2.

***How much funding is available for each municipality or Tribe?*** The amount of funding available for reimbursement to each municipality or Tribe will be based on the plans and budgets they request, subject to limits. Such limits will be based on whether proposed expenditures are consistent with this initiative as well as factors such as the year-round population combined with an estimate of the increase in population during the peak of the summer tourist season, as this number will influence the amount of work needed to complete the tasks involved in COVID-19 prevention activities.

***What kinds of prevention activities should be included in the plan?*** Local prevention and education plans should include a point of contact for the municipality or Tribal government and one or more of the following:



- **Public education activities:** This could include printing and posting of existing State or national COVID-19 prevention information and/or developing local educational activities that are consistent with CDC guidelines. Costs eligible for reimbursement would include staff time for planning and education activities and costs for signage, materials, website development, brochures and mailing.
- **Physical distancing and public health support:** This could include fences, tape, and signage for physical distancing in public spaces and closed streets; providing staff to limit crowds in front of restaurants, bars, beaches and other sites; new traffic pattern signage and education; purchases of personal protective equipment and hand sanitizer to be made available for staff, visitors, and for use at public locations; and extra cleaning supplies and additional staff time required for enhanced cleaning and management of public spaces and restroom facilities.
- **Local business assistance:** This includes staff time for a Code Enforcement Officer, Local Health Officer, local law enforcement, or other person designated by the municipality or Tribe to be the local contact for educating of local businesses on best practices. This may include following up on public complaints and, for certain cases, providing information to State officials when there is a potential public health violation that cannot be quickly resolved through educating the business or individual.

***What project expenses are not eligible for reimbursement?*** Work performed outside of the funding period (August 1 – October 31, 2020) is not eligible for reimbursement. However, salaries for staff already hired or redeployed and working on eligible activities can be paid with these funds for the duration of the state contract. Costs to cover work associated with upcoming election activities are not eligible. Capital costs will be reviewed on a case-by-case basis.

***How will the CDC determine which municipalities and Tribes will be approved?*** Each Application will be reviewed for completeness and a determination that the proposed activities and budgets are consistent with the goals of this program as outlined above.

***When will the approved applications be announced?*** Funding recipients will be informed on or before August 7, 2020. Cost settled contracts will be awarded to all approved municipalities and Tribal governments. Upon award, the Department will begin working with the awarded entity to establish contracts and to finalize budgets based upon the award amount. Contracts will include reporting requirements and the mechanism for reimbursement of expenses. Contract budgets, which will include subcontractors, will be reviewed for allowable expenses.

***Are there specific requirements in place for the administration of these grants?*** This grant is being issued under the Corona Virus Relief Fund (CRF), CFDA # 21.019; therefore, the Federal Uniform Guidance 2 CFR 200 applies to the administration of these grant funds. Specifically, award recipients (municipal and Tribal governments) and sub-recipients (your community partners) must adhere to all applicable federal requirements, including Office of Management Budget (OMB) guidance: Title 2 C.F.R. subtitle A, Chapter II, Part 200-Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (2 C.F.R. §200). Due to the nature of these grants, it is almost certain that you will be considered a sub-recipient of the State. Additionally, if you enlist the aid of your local partners, you may be creating additional subrecipient

relationships. Please be especially mindful of the “sub-recipient” requirements set forth in 2 CFR 200.330 and 2 CFR 200.331.

Thank you for your interest in 2020 Municipal COVID-19 Awareness Campaign to protect public health. Actions taken by municipal and tribal representatives will greatly aid the State in our efforts to prevent the spread of the Coronavirus and COVID-19 infections in Maine. Please complete the Application below, including a project narrative and a budget detailing anticipated expenses for the activities indicated, as well as anticipated subcontracts and related expenses. If you need additional information or have questions about this Application, please contact Michael Abbott at 207-287-5684 or 207-592-2174 (mobile). Or, send your questions via email to [michael.abbott@maine.gov](mailto:michael.abbott@maine.gov).

## 2020 Municipal COVID-19 Awareness Campaign APPLICATION

Please complete this form and return to the CDC no later than **July 31, 2020**. Applications received after this date will not be eligible for funding.

### Contact Information for Municipality or Tribe

Name of Municipality or Tribe:

County:

Population (Year-round):

Estimated Summer Peak Population:

Municipal or Tribal Representative, Name:

Title:

Mailing Address (Street or Box #):

City:

State:

Zip Code:

Phone:

Email:

**Municipality or Tribe public health protection plan will include the following activities (check all boxes that apply):**

#### Public Education

- Print and post COVID-19 Educational Signs
- Create and distribute COVID-19 Informational Brochures
- Provide educational campaign on local social media platforms
- Develop training events for local businesses (online or in person)
- Develop educational pages on Municipality or Tribe website
- Other similar items (please describe in one sentence or less):

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**Public health protection plan (continued):**

**Physical Distancing and Public Health Support**

- Post signs and install physical barriers to limit congregation, encourage social distancing
- Close streets to expand outdoor dining and pedestrian opportunities
- Provide staff to control congregations in front of restaurants, bars, at beaches and parks
- Provide personal protective equipment (PPE) and hand sanitizer for staff and public use
- Increase sanitization of public spaces, including benches, picnic tables, public restrooms
- Other similar items (please describe in one sentence or less):

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**Local Business Assistance**

- Provide Local Health Officer, Code Enforcement Officer and/or other designee of Municipality or Tribe to act as contact for educating local businesses and individuals on best practices. Duties to include one or more of the following:
  - Provide proactive education and training to areas businesses on compliance with best public health practices and DECD check-list guidance
  - Follow up on complaints received by Municipality, Tribe or State licensing agency. This will include contacting or visiting the business or individual and educating them on COVID-19 guidance
  - Report public health violations to appropriate State licensing agency
  - Refer criminal activity to local law enforcement.

**Resource Name and Contact Information (include phone number and email address):**

- 
- Other similar items (please describe in one sentence or less):
-

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## One Page Narrative

**Provide a brief 1-page narrative describing additional public health activities unique to the Municipality or Tribe (e.g., name specific parks, beaches, recreational areas or other public spaces that will be included in plan).**

**Also include, within the narrative, an explanation for each item selected that describes how the costs were determined and will be tracked.**

## Budget

**Complete the attached budget detailing anticipated expenses for the activities indicated in the plan. This should include anticipated subcontracts and related expenses.**

**Municipalities are responsible for promptly submitting revised budgets for approval should there be any deviation of planned activities or identified subcontracts. Reimbursement of expenses will not be approved unless they correspond to the submitted, approved budget.**

**NOTE: If a municipality intends to subcontract with an organization, then the organization needs to be identified and the contracting vehicle must be submitted to the Department. If a subcontract is for \$25,000 or more of the requested funding, then the organization receiving the subcontract must also submit a budget for the Department's approval.**

## **Discussion Items**

- b. Discuss Short-Term Rental Options

### **Manager's Comments: Discussion item**

Please see your materials for more information on this topic. Included are a compilation of comments that we have received on topic after the July 9<sup>th</sup> workshop and two editorials that appeared in the *Village Soup*.

**SHORT TERM RENTAL OPTIONS  
FOR SELECT BOARD CONSIDERATION  
July 23, 2020**

**Assumptions**

1. Short term rentals (STRs) are defined as less than 30 nights.
2. Short term rentals can be either owner-occupied or non-owner occupied.
3. Short term rentals, whether owner-occupied or non-owner occupied constitute a business.
4. The majority of STRs, and the majority of the demand for them in Rockport, is east of the Route 1 corridor. Should regulation apply only to property east of Rt. 1? If extended, how should the extension be identified and defined?

**Owner-Occupied**

1. The Select Board believes there is more widespread support in Rockport for owner-occupied STRs because: (a) the owner is present to supervise the behavior of guests; (b) because the owner still resides on the premises, there is less change in the character of the neighborhood (less loss of “community”); and (c) by definition, the rental is carried out by a full-time or part-time resident as opposed to a STR investor.
2. Registration – While it is not the intent of the Select Board to suggest any intrusive or expensive regulation of owner-occupied STRs, the Town has a legitimate interest in knowing what STRs exist so that they can ensure that basic requirements, such as those below, are being met. For this reason owners offering STRs should be required to register with the Town. (Note – registration simply informs the Town that the owner is engaged in the owner-occupied STR business. This should be differentiated from an application or permit in which the Town has to accept or deny the practice.)
3. Parking -- Concern has been expressed about parking for all STRs, including those that are owner-occupied. Consequently, STRs should be held as closely as possible to the same standards as businesses. Essentially this would mean that they need to have designated off-street parking.
4. Safety – Because the owner-occupied STR is occupied by the owner it is presumably safe for habitation. However, because the owner is, in fact, renting to a third person for income and is conducting a business in the Town of Rockport, the Town has the authority to inspect the property, or in lieu thereof, to require that the STR owner execute an affidavit that they have provided / met minimal basic safety requirements.
5. Non-compliance – No property owner should be permitted to evade properly passed ordinances. Should a STR ordinance be passed by the voters, there should be a monetary penalty for non-compliance with the ordinance and / or a suspension or prohibition from engaging in the owner-occupied STR business for a certain period of time.

### **Non-Owner Occupied Options**

The following are possible options for Select Board consideration for non-owner occupied STRs. This list is not intended to be exhaustive and other options may be proposed and considered. The order of listing is not intended to reflect any suggested preference of one option over another. The options are not mutually exclusive – more than one option might be combined with another.

#### *Prohibit of Non-Owner Occupied*

1. Prohibit all non-owner occupied STRs.

#### *Density*

2. Ratio -- Permit existing STRs as long as they comply with the ordinance requirements, and require that before a new one is permitted an existing one must first go out of the STRs business. This option would be aimed at capping the existing number of STRs. Other municipalities that prefer to reduce their current STR stock apply a 2:1 ratio, whereby prior to permitting one non-owner occupied STR, two must first go out of the STR business. This would address the overall number of non-owner occupied STRs in Rockport but not the concentration of them in particular areas.
3. Density Cap(s) – Another option aimed at controlling the density of STRs is to include in an ordinance the ratio of non-owner occupied STRs that can exist in relation to the number of residential dwellings by a defined area or district. This would avoid a concentration of STRs in, for example, the downtown district or the Village, or a particular residential area.
4. Distance Restrictions – Another density option identified by Town staff is the ability to permit STRs only if they are not within a certain distance of another non-owner occupied STR. This would avoid a concentration of STRs in a given neighborhood.

#### *Duration of Stay*

5. Duration – The Select Board has already indicated its preference to disallow non-owner occupied STRs of less than 7 nights.

#### *Frequency of STR Rentals*

6. Cap # of Rental Nights –Cap the number of nights that an owner can rent a non-owner occupied STR in a calendar year (e.g., 30 or 60 nights). While no STR beyond the cap would be permitted, traditional rental of 30 or more nights would not be affected.
7. Cap + Lodging Categorization – An alternative to be used with capping the number of nights is to not prohibit rental as a STR in excess of the capped nights but to require that any STRs in excess of the cap be permitted as a traditional lodging businesses, subject to all applicable requirements of one (e.g., business tax on personal property, inspections, proper zoning, Planning Board approval, etc.)



Additional Considerations:

- Nothing would prevent an owner from renting on a 30 night or more basis.
- Any of the above non-owner occupied options would necessitate a permitting process.
- Parking restrictions as applied to own-occupied STRs would presumably apply to non-owner occupied STRs.
- While the owner-occupied STRs are presumably fit for habitation because the owner is residing there, that is not the case with non-owner occupied STRs. These STRs could be subject to inspection for health and welfare by the Town like any other lodging business to reasonably assure the safety of the renters.
- Penalties for non-compliance would apply as with owner-occupied STRs.

July 9, 2020  
Vince Bermis  
107 Cross Street

*Hi Diane,*

*I believe short-term rentals are a bad idea for tourist destination towns like Rockport. In addition to hurting the established lodging businesses in the area, they can leave residents with new "neighbors" who have no regard to the character of the neighborhood, and may flout parking and noise restrictions. I am citing letters to the editor from the local papers regarding the behavior of Air B&B tenants in Rockland during the Blues Festival. The lack of accountability to full-time residents, for the benefit to a few who can buy empty houses, rent them to whomever for the summer months and turn a profit despite having no connection to our community seems short-sighted to me. Regulating this new "industry" is something Rockport Town Government should be looking long and hard at, with special attention to parking restrictions, noise control, and occupancy limits, as well as local landlord requirements.*

*Best Regards,  
Vince and Val Bemis  
107 Cross St*

---

July 10, 2020  
Joan Welsh

*Hi Debra. I'm sorry I didn't get this to you sooner and may already be on the record from last fall, but I'd like to be sure you have a few of my comments.*

*My neighbor to the side of me resides in California. My neighbor behind me resides in Australia. Both rent short term. Both of these houses historically have had year round occupants (over the last 26 years I've lived here). In the last few years, I have often had to go over at 10 or so at night to ask weekend guests to be quiet. I cannot open my window to the side property at night anymore due to the noise if tenants are there. The owners are wonderful when here, but their short term guests seem to want to party.*

*I think whatever ordinance you draft should say owners must be present during short term rentals. I have a short term rental in the summer in the apartment attached to my home and I've never had a problem, but I make it very clear this is a residential and very quiet neighborhood. I worry that the character of Rockport is being changed by short term rentals and that we are more and more becoming a tourist destination rather than a lovely village of involved and engaged citizens in the life of the community.*

*Thanks so much for your good leadership on the SB. I know this is a complicated situation and not easy to navigate. I trust you will arrive at a fair and good decision for our town.*

*Thank you.  
Joan Welsh*

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July 10, 2020  
Justin Ford

Bill,

*Unfortunately, I wasn't able to make the meeting as planned last night. Can you please ensure that my offer, as a 15 year veteran of the Rockport Fire Department, that I sent you back in February is presented to the select board? Here it is again...*

*I have prepared a short-term rental safety certification program for Rockport that is **ready to go now**. I'll share more on that lower in this email. Currently, I am working with several cities, states and counties around the US to implement safety certification programs, including Rockland. Nashville is just one of the larger ones that I am closely working with now. Short-Term Rentals are currently the most dangerous segment of the travel/hospitality industry. More people were killed in short-term rentals from preventable accidents in 2019 than in all the mass shootings in the US alone. My work shows that they can be prevented.*

*Many questions surround the liability cities and towns take on by not enacting good safety regulations for short-term rentals when so many others do. In Maine, Bar Harbor has the best safety regulations for short-term rentals, which begs the question, why don't other Maine towns have them? I have browsed through a lot of the listings for rent in Rockport on AirBnb and other platforms. Many appear to be quite safe. Some have safety issues that should be addressed right away, such as this rental on Rockport Harbor that has a 2nd story deck with deck railings that are not even close to meeting international building code requirements - <https://www.airbnb.com/rooms/1334084>. A child could easily fall over the railing. I would say that is the greatest opportunity I see for Rockport - handrails and guardrails. 83% of all accidents at vacation rentals come from slips and falls. I just supported an insurance company with a claim at a vacation rental in Montana where a renter fell down a stairway with no handrails. The claim was \$375,000, but it could have been prevented with a \$200 handrail. Other properties, such as this one in Rockport, <https://www.airbnb.com/rooms/34975336> has a barbecue grill on the 2nd floor deck that is too close to the building and presents a fire hazard.*

*For a town like Rockport, we would normally charge \$5,000 a year to manage a short-term rental safety program. That ensures that you and your town staff don't have to lift a finger to manage safety in rentals in town, although it's nice to have the Fire Chief involved to check safety issues that we identify as concerning. As a native to Rockport, and because I developed a lot of what I do with short-term rental safety from my time as a Rockport Firefighter, I would like to offer a certification program for **free** to the town for the **first year (2021)**, if it goes well, we could extend that another year. The way it would work is that we would identify, report and certify all the short-term rentals in Rockport based on safety criteria that you and Chief Peasley think are important - with my recommendations. Each short-term rental property owner would be required to pay an annual \$30 certification fee to my company to certify the safety in their rental properties annually. Normally, this would cost \$100 per property. It's all done through self-inspections using our App and a Smart Device like an iPhone or Android phone. To get*

*started right away, we could offer the program for **free to residents on a voluntary basis for the 2020 vacation rental year.** **Safety incidents don't wait for regulations to go into place***

*I'd love to connect with you and present more information. My children both attend schools in Rockport, so I go up there every week or two. In the meantime, you can review the certification program and supporting information I put together for Rockport here...*

*<https://www.flipsnack.com/breezewaysafety/rockport-maine-str-safety-certification-pre-checklist/full-view.html>*

*If you'd like to complete a safety inspection through our App to see how it works, I can send you a link to do that as well.*

---

July 10, 2020

Felicia Giordano

*(here, reacting to Justin Ford, a former Rockport firefighter, offering his unsolicited services for a short-term rental certification program to the Town)*

*It would appear that this has progressed alot further than we have been lead to believe. Why was this not mentioned by the Town Manager last night ? Also, where is RFQ and competitive bid process from at least 3 vendors. Additionally, I find it interesting that it was not important enough for Mr. Ford to have a presence at last night's "workshop (ha)", yet he wants to ensure that the owners get the opportunity to pay. STR Hosts WE ARE BEING RAILROADED AND DENIED DUE PROCESS !!!*

*THIS IS NOT TRANSPARENT AT ALL !!!*

---

July 10, 2020

Rockport Select Board

*(here, speaking on Rockport residents' reaction to Justin Ford, a former Rockport firefighter, offering his unsolicited services for a short-term rental certification program to the Town)*

*Dear Residents*

*I would sincerely appreciate it if people would cease with the conspiracy theories. As the Chair of the Select Board, I can assure you that the materials below did not come from the Select Board and I have personally never seen them. It is obviously someone who has offered services to the Town Manager — offers the Town receives on a regular basis. These materials have never been shared with the Select Board nor should they have been shared as any such services are way too premature.*

*As stated last night, the Select Board has NOTHING that they have reviewed in writing other than the comments from residents and research that was provided by staff about what other*

*municipalities are doing. We have not had any discussion at the Select Board on this topic other than at the Fall workshop which was public and Livestreamed and any other brief commentary made at public Livestreamed meetings mostly regarding timetables to address the topic.*

*As Chair of the Select Board I heard last night for the first time, like the rest of you, the views of my Select Board colleague Jeff Hamilton. Whatever list he read from is something he apparently has created as his own notes from which to speak, not something that has been shared with the Select Board.*

*No one is being railroaded. No ulterior motives exist here. No large commercial interests stand behind this inquiry. We as Select Board members and municipal officials are doing our job by reviewing this topic. Sure, we all have our own interests on point, as you heard from Jeff Hamilton and John Viehman last night. We don't give up our rights and interests as residents merely because we have volunteered and been elected to manage the Town's business.*

*The Select Board will be reviewing comments, expressing their own views and providing guidance for the next steps at the meeting on Monday which Bill informed you about and which will be Livestreamed as always. Thank you for taking the time to express your views on point but please know there are many competing views throughout the Town. As Bill assured you, we are in the beginning of this process. Bill used this email list from last night in order to provide you additional notice of activities of interest on this topic. Please do not use it to communicate with the Select Board or the Town Manager. That's what public forums are intended to do.*

*Thank you and best regards,*

*Debra Hall  
Chair, Rockport Select Board*

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July 11, 2020  
Carol Douglas  
394 Commercial Street

*Dear Select Board,*

*I do not rent my house out but my next-door neighbor and other friends do. I want them to be able to continue. Some of my older friends are only able to stay in their homes because they can offset their taxes and utilities with rental income. Plus, they should be free to use their homes as they want, as long as that doesn't substantially impinge on their neighbors.*

*I don't think having strange cars on the street is any kind of burden. If the problem is on-street parking, then enforce a ban on that. If the problem is excess noise, then enforce a ban on that. Don't strike at taxpayers' economic liberty.*

*Those of us in tourism-related jobs are really struggling this year. Is this the time to place additional limitations on visitors?*

*While I appreciate the character of Rockport, sometimes I think it's in danger of becoming moribund. That's why I support the hotel, and why I think visitors are GOOD for us.*

*Yours,  
Carol L. Douglas*

---

July 14, 2020  
Gretchen Leone  
33 Spear Street

*To all,*

*After live streaming last night's Board Meeting, I came away with the feeling you are hearing more from STR spokespersons than those opposed to STRentals.*

*Having lived next door to a STR (one week at a time or less) over the course of several summers, I found it to be very disrupting with late night socializing on the deck, cars parked in the street, and the owner not on the premises. The owner even offered a discounted rental fee if the renter would clean the house after their stay. This allowed the homeowner to be away for most of the summer with little or no supervision. Not a good policy.*

*I do not feel a STR of one week or less is appropriate for the Village as the houses are extremely close, parking is not always adequate, and these rentals change the ambiance of the neighborhood. Village homes were built before there was any zoning, many homes are built on lot lines and parcels are small. In some cases less than 10,000 sq. feet. Many Village homes have been expanded over the years and it is possible to have your neighbor's deck literally in your back yard.*

*Short term renters are here for a good time, can't blame them but there needs to be some amount of supervision. There is less supervision with STR's than staying in a hotel.*

*Please, while making your decisions on the above, think about restrictions that apply to that area of Rockport with homes much closer together i.e. the Village, while allowing areas further out less restrictive policies.*

*I also, in a perfect world, would like to see all STR's have a resident on the premises and feel that requirement is not asking too much to be part of your deliberations.*

*Thank you for your courtesy and cooperation.*

*Gretchen Leone*

---

July 14, 2020  
Marci Casas

*Hi Bill and Deb,*

*I hope this email finds you well. I had the opportunity to watch last night's select board meeting and wanted to report to you and the board my appreciation for their thoughtful and thorough discussion around short term rentals. This is indeed a local, state, and national issue, as Doug remarked, that deserves our attention.*

*The use of the decision tool, public input in the forms of hearings and workshops, other towns model ordinances, the ORC, and more proves that this issue is being examined to the fullest extent with community input and involvement.*

*I would like to add that my hosted short term rental was booked nearly all winter with guests looking to ski, snowshoe, attend conferences and workshops, among other things. This absolutely adds value to the local and state economy.*

*I encourage the select board to form a committee to start to draft an ordinance based loosely on the Freeport model to be vetted by them with members from all sides of the issue. I would be happy to serve if it would please the board. Registration, permitting, and a database are all issues that will need to be discussed and ironed out. The select board does not need to get mired in the minutiae as they have many other important issues to tackle.*

*Stay well,*

*Marci Annis Casas*

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July 16, 2020  
Felicia Giordano

*Dear Mr. Post,*

*The following comments are submitted in response to the intent of the Select Board to utilize the Freeport Short Term Rental model as a template on which to model a ballot item for Rockport for the November 2020 election.*

*Regretfully, I was unaware of the intention of the town to regulate this issue until a few weeks ago. That being said, I would've begun a campaign to organize long before this.*

*I offer the following concerns in response to the intent to utilize the Freeport model as follows:*

*The model skews against and is discriminatory to non-residents. Specifically, Item 3F. Is a distinction needed between non-resident and part time resident? My first reaction is that in either case, non or part time residents, pay the same full tax rate as FT residents and as such, must be treated in the same manner therein, regardless of being considered in a different light, with decreased rights for property use, because they are "from away." Might I add that part time*

*residents, pay full time taxes, yet by virtue of their seasonality, receive only partial return on their tax investment in terms of town services and facilities use. As such the town is economically blessed, to have a preponderance of seasonal residents paying full taxes yet not using facilities, schools, municipal services. Yet, the town has plans in play to restrict the ability of part time residents to utilize their properties in the way that they see fit. I speak specifically about restricting the number of STRs allowable by a part time resident, in lesser amounts than to a full time resident.*

*The second half of 6B is also a property right infringement.*

*10B is also an infringement of property rights. Those who utilize private trash haulers, who prevalently perform trash removal weekly, may not necessarily coincide with the same schedule as a guest check out. Owners are constricted by the trash hauler schedule.*

*Once again I feel compelled to reiterate that the response to areas who are experiencing negative impacts due to STRs, would be better served by a re-issuance/change of zoning regulations specifically directed towards those areas. Additionally, much mention has been made regarding "dark neighborhoods" in the off season due to STRs. Dark neighborhoods are not specifically caused by this sector.*

*Please present these comments at the next SElect Board meeting at an appropriate time.*

*Thank you.  
Felicia Giordano*

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July 16, 2020  
Debra Hall, Rockport Select Board Chair

*Felicia  
Thank you for your comments. As you know, the Select Board held a STR workshop last September and has on numerous occasions noted its intent to look at the STR issue. An article was published in the local papers thereafter. The Town has solicited the input of residents on this issue for months via its website and Facebook page. I know residents often don't pay attention to Board meetings or follow the town's website or Facebook page, but these are the only vehicles the town can use to keep residents apprised of what is being considered. The residents need to be aware of these vehicles and take advantage of them.*

*While the Select Board decided to use the Freeport ordinance as a starting point, from a skeletal perspective it is easy to understand and brief compared to some of the other ordinances, we made it clear that we are not embracing it from a policy perspective. That includes the distinction between full-time residents and part-time residents. I am not saying that we are not going to make that distinction but don't assume that because it is in the Freeport ordinance it means that we are. It is to be decided.*



*I doubt you will find much agreement from the Select Board that part-time residents do not fully utilize the town's services. Fire and police stand ready to assist year round regarding fires, vandalism or whatever might arise. Those residences are hooked up to water and sewer systems that the town provides and maintains. There are many ways to slice and dice the perceived inequity of taxes. For example, we all pay for schools even though many of us do not have school children or children at all. Additionally and very importantly, part-time residents do not contribute to Maine's economy through payment of income tax.*

*Thank you for your comments regarding trash hauling, this is helpful to know as we go through this process.*

*I agree with you that the dark neighborhoods are not caused by STRs alone. The fact that many property owners have and can afford two houses and that Maine has a cold climate are all contributors to this situation. Certainly STRs play their part as well, particularly in those cases where investors are purchasing homes for STR purposes.*

*I don't have any special insight on the Freeport ordinance but it seems to me that it might have been designed to discourage investors from buying up homes for STR purposes. It does not seem to limit STR practices other than the 7 day requirement.*

*Regards  
Debra Hall*

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July 16, 2020  
Olivia Berez

*Hello all,*

*I missed the Zoom meeting, but I had some input that I wanted to provide as a young adult. It's quite different from what has been discussed so far, and I understand it may not have been the purpose of this particular meeting and thus might be disregarded. That aside, I'm not sure that preceding generations of Camden and Rockport residents are even aware of this issue, so I wanted to put it out there.*

*This time last year, I was looking for an apartment to rent. During my search, which took about four months, I noticed a few things: apartment rental listings were few and far between; most were at least a thousand dollars a month, even for a one-bedroom (the scarcity of rentals allows for higher prices); and those that were affordable to a young adult (even one like me, with middle-class parents who were willing to help me out a bit) were very run down. But, most notably, if I searched "rentals in Midcoast Maine", rentals on sites such as AirBnB were a dime a dozen.*

*I understand that it might be more lucrative to rent short-term to non-locals. If I had extra space to rent out, I'd probably want to do the same. Maybe over time, it costs less to furnish an*

*apartment and rent it short-term than to rent an unfurnished place for the long-term. But it's also worth pointing out that this area is not super welcoming to young people, considering the abundance of short-term rentals and the lack of long-term. Of course, part of the inhospitality is certainly due to career opportunities, so I'd be wrong to blame it solely on AirBnB and similar companies.*

*I'm not sure if the issue with short-term rentals (and the cause for the meeting) is related to the amount of them, but if that's even part of the problem— maybe something like an annual or biannual lottery could help.*

*I'm brainstorming here, but to give you an idea of what it could look like in relation to my experience: only about 5% of Rockport's population is between 18 and 24, so maybe a lottery awards permission to 90% of applying renters to rent via AirBnB & Co, and the other 10% have to look for a long-term renter first. The lottery could take place in March or April, and those who haven't found a long-term renter by June could then get permission to rent short-term.*

*There'd be a ton of logistics to work out, obviously, but frankly that is above my area of expertise. I just wanted to share the experience and thoughts of a young person in Midcoast Maine. Our area is gorgeous, but my peers choose to leave because there are better opportunities for young people elsewhere. Maybe that could change, starting with housing.*

*If you got this far, thanks for reading.  
Olivia*

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July 21, 2020  
Alex Armentrout

*Debra, et. al:  
The Select Board has very good reason to take up the matter of short term rentals in Rockport.*

*At the moment this property use is totally unregulated. That means, in contrast to hotels, motels, Inns, etc., there is absolutely no control over this use. There are no inspection requirements and no safety regulations.*

*Heaven forbid that at some point there is a fire or other catastrophe in a residence being used for short term rentals and lives are lost because there were no safety requirements.*

*Of particular concern here in Rockport, as in other Towns in Maine, are short term rentals in non-owner occupied residences. In most places where short term rentals are permitted, they are only permitted in owner occupied dwellings. Even when short term rentals are restricted to owner occupied residences, there is a level of neighborhood degradation that can occur with the constant to-ing and fro-ing of short term rental guests. That is not a positive for neighbors and may adversely affect property values.*

*This matter has been under discussion by various bodies in Town for some time.  
It is vitally important that the subject be addressed head-on and sensible controls put in place.*

*Thank you for addressing this matter.*

*Alexander Armentrout  
Rockport, Maine*

# Case study in property rights

By Doc Wallace | Jul 17, 2020

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I have been asked by several Rockport citizens to respond to John Viehman's opinion piece decrying short term rentals. This is not a difficult task inasmuch as Mr. Viehman's opinion ignores well-founded property rights and is largely based upon the hurt feelings that have descended upon him and a tiny handful of fellow complainants.

To the matter at hand: the Rockport Select Board has, in their wisdom, decided to focus on restricting STRs and forging ahead with putting extensive-use regulations up for a vote on the November ballot. This has been done with minimal opportunity for public comment – especially in the current COVID-19 environment. Nevertheless, let's take a look at the input that the board has received. During a Zoom workshop on July 9, 12 respondents argued for no regulations on STRs, while two argued in favor. The two were Mr. Viehman and Select Board member, Jeff Hamilton. Curiously, Mr. Viehman denigrates the validity of those who argued against regulations because they host STRs. Isn't this like dishonoring advocates for increased education taxes when it is discovered they are parents of schoolchildren? Or advocates for increased homestead exemptions when it is discovered – horrors, they are seniors?

Another input that argues for no regulations needed on the November ballot was Police Chief Randy Gagne's two-year report on STR complaints. Verbatim from the Chief's report: "2018 – 0 complaints; 2019 – 1 complaint nothing to do with rental properties."

Mr. Viehman and the board particularly focus on a common target of Maine hostility in this matter – those suspicious non-resident owners from away. Not only do they not want these interlopers to be renting their properties, they complain about their "dark houses" in the winter and make the absurd argument that this reduces rental stock for those who desire long-term housing. Well, here's an idea for the board. Let's put the taking of large, unused houses by eminent domain on the November ballot and using them for affordable housing. And how about all those lightly-used boats in Rockport Harbor? Maybe we need an ordinance requiring infrequent boat users to share their crafts with would-be sailors (only residents of course). Joking aside, Mr. Viehman and the Select Board have the smug comfort that, in a town with a significant progressive-liberal voting bloc which loves government regulation, STR restrictions will easily pass.

Sound absurd? Well, listen to Mr. Viehman's argument regarding "selling the community" to renters. He states that "through hard work and dedication" we wonderful full-time residents have created a "lovely, quaint, cozy" way of life that these people "from away" come here to enjoy. My goodness, what a crime! I think Mr. Viehman has just impugned the *raison d'être* of tourism. I wonder if the Greeks would have a similar complaint about people "from away" having the temerity to enjoy their architecture and cozy-village island life?

Absurdity continues. I discovered in the board packet for the July 13 meeting that Mr. Viehman had entered the STR regulations for New Orleans as a model for Rockport. It gets better – incredulously STR regulations for Los Angeles and New York City were also put in the packet as models. Wow! This takes the "Camdennization" of Rockport to new heights!

provided here to make the case for property rights on the STR matter. A couple gets divorced but one parent wants to remain in the house with the kids on less income, so they rent it out in the summer when the kids aren't in school and can stay with grandparents. A family has to move out of state due to a job loss, but wants to keep the house so they can return to "cozy" Rockport. A family member becomes seriously ill or injured and needs summer rental income to pay unanticipated bills. Elderly parents want to leave their house to their adult children, but there's no way the kids can afford to pay Rockport's high taxes without doing summer rentals. The list goes on.

Full disclosure. My wife and I are members of the "sainted" group of permanent on-site resident owners who will likely not be harmed by these unnecessary proposed regulations. However, we feel it is our moral duty to speak out against this unfair targeting of these good people from away who will become regulatory victims of taxation without representation.

In closing, while STR will likely suffer at the ballot box in November, it could be appealed to the courts. In other jurisdictions in the country lawsuits have already been filed. I would love to see the information given above presented to an impartial judge here in Maine to determine if property rights are infringed upon by selective, punishing STR regulations.

With all due respect, Mr. Viehman, respect for property rights IS the "way life should be here."

Doc Wallace

Rockport

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## Comments (2)

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POSTED BY: PETER PENO | Jul 18, 2020 06:48

A voice of (rational) reason!  
Thanks Doc.

POSTED BY: MARSHA STEINGLASS | Jul 17, 2020 17:12

Thank you Doc, for telling it like it is!

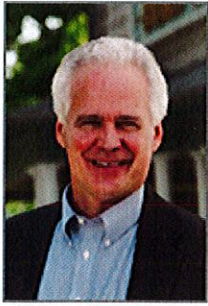
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**21 Walmart Shoppers Dressed To Kill. Try Not To Gasp When Yo...**

# The real cost of short-term rentals In Rockport

By John Viehman | Jul 16, 2020

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John Viehman

A wide range of perspectives were shared at a recent Zoom-based public workshop designed to hear public input on short-term rentals within Rockport. Not surprising, there was a strong showing from property owners who currently operate short-term rentals and they were adamantly opposed to any form of regulation. They argued quite appropriately that they should have a right to generate income from their property, and I don't disagree. After all, generating an income is essential to our livelihoods. But let's call this what is, short-term rental operators are in the "business" of renting rooms.

My concerns revolve around the growing trend of these businesses being operated by property owners who do not reside on the premise and, in fact, don't reside in the town of Rockport or state of Maine. There's nothing inherently wrong with that, but again, let's be clear, they're providing lodging for moneymaking purposes. That's operating a business, the same way a hotel, motel, or B&B operates a business. Customers book their reservations, provide their credit cards, spend a night or two in Rockport, enjoying all the ambiance, natural resources and amenities of our community, and then they leave. House cleaning services take over at that point and prepare the room(s) for the next guest, and the cycle renews itself.

I repeat that there's nothing intrinsically wrong about operating a business, and I wholeheartedly support free enterprise. But there are some important distinctions that were not being discussed in the public workshop, most likely because they're not so easily expressed in dollars and cents.

The proprietors rightly contend that their customers support local retail and dining establishments and thus add revenue to the local economy. But let's back up and ask ourselves, What's the product that's being sold? The answer is they're selling the community we've collectively created through hard work and dedication over many generations here in Midcoast Maine. They are in fact selling "us." You need look no further than the comments posted alongside the AirBNB listings in Rockport to see the glowing comments. We are a loving and often tender mix of themes, such as "lovely, quaint, friendly, cozy, safe..." the list goes on and on.

While we should be flattered, we should also ask ourselves about the impact this growing influx of visitors salt-and-peppered within our residential neighborhoods is having on our sense of who we are as a "community" and our ability to sustain our way of life with dwindling full-time residents to do the legwork.

Yes, yes, it's nice that all these visitors appreciate our town and spend their discretionary income here. But with the already scarce long-term rental opportunities for people who want to live here year-round, we're making it harder to find affordable housing. It's becoming far more lucrative to rent out a home at rates ranging from \$150-\$250 per night than it is to rent the same space longer-term to, say, a young family for \$1200-2000 per month. In fact, depending on occupancy, it can easily be four times greater!

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actual community for the rest of us. Instead, it's building a town-wide motel industry and an economic development model that is based on supporting short-term visitors (tourism) as opposed to long-term residents. Remember, the residents constitute the product, and without them, there is no product because we've diminished our viable community. Some of the collateral damage includes a reduced workforce for local businesses, a shrinking pool of volunteers and civic leaders (think local charities, community organizations, school boards, town committees, etc.), and a less tangible but real loss of authenticity as we become a community of transients and passersby... "sorry, just visiting." There are fewer and fewer familiar faces at the supermarkets, banks, and restaurants.

I feel this sense of vanishing community when I gaze out my living room window any given morning. I look at the properties next door and across the street and see cars I don't recognize from the day before crammed into the driveways. The license plates are from out of state. The occupants come and go, rarely engaging. They're not unfriendly, impolite or unruly, but they certainly didn't come here to meet the neighbors and invest their hearts and souls. They could care less... but they do enjoy our gardens at least. The story is repeated up and down the two-block street inside this residential neighborhood. And I wonder, when I need a neighbor, whose door will I knock on when no one actually lives there? When years from now I step away from all the nonprofit boards and town committees on which I serve, who will be there to replace me? And for those short-term rental owners who say they want to retire here someday, what "here" will be left for them?

My wife and I bought this home to live in a town on the coast of Maine and enjoy its unique embrace. Instead we're finding ourselves living inside a drive-up motel that runs a block in either direction, spawned by technology and online booking services. This is NOT the way life is supposed to be here.

*John Viehman is a resident of Rockport and employee of Courier Publications.*

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**Rockport Homes**



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## Comments (4)

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POSTED BY: VALLI GENEVIEVE GEIGER | Jul 16, 2020 14:44

Great, thoughtful post John. You have hit on the heart of the issue. If I live in my house and rent out an apartment or guest house, I benefit from the income, but continue to live in my community year round and participate fully in my community. If someone from out of town or out of state buys a house in a neighborhood and rents it out by the night or the week, how is that not a business? Our residential neighborhoods have very specific requirements

Placing limits on the destruction of our residential neighborhoods is critical to the vibrant life of our cities and towns in the future..

Thanks for articulating that so well, John.

Valli Geiger

POSTED BY: VALLI GENEVIEVE GEIGER | Jul 16, 2020 14:39

Great, thoughtful post John. You have hit on the heart of the issue. If I live in my house and rent out an apartment or guest house, I benefit from the income, but continue to live in my community year round and participate fully in my community. If someone from out of town or out of state buys a house in a neighborhood and rents it out by the night or the week, how is that not a business? Our residential neighborhoods have very specific requirements for home businesses. Non-owner occupied weekly rentals do not meet the definition. Placing limits on the destruction of our residential neighborhoods is critical to the vibrant life of our cities and towns in the future..

Thanks for articulating that so well, John.

Valli Geiger

POSTED BY: DEB DODGE | Jul 16, 2020 09:13

Very well said. I remember quite clearly that when Jeff and I were considering moving here, we said to ourselves well, at least Camden isn't like Booth bay or Bar Harbor that goes dark after Columbus Day....oops.

The impact on the cost of housing in our communities makes it harder and harder for young families to buy a home here. (Camden-Rockport). At the very least, our towns should start with a registration requirement to enable us to capture the data to show the loss of year-round housing. We have had a minimum rental period of 7 days in our zoning for over 30 years. But how do you enforce it if you can't even tell where they are (without having town staff spend all their days on the internet searching) It is an issue that many, many towns have struggled with, some more successfully than others. An ad hoc group in Camden spent a lot of time researching other communities' approaches, presented it to the SB, then spent their own money with a consultant to create recommendations for short term rental policies. No action. There has to be political will to get it done.

POSTED BY: GEORGE TERRIEN | Jul 16, 2020 08:56

Your truly sound argument offers excellent recommendation to all communities considering the limitation of short-term rentals, John, with the possible exception only of those which have already sold themselves heart and soul to the passing visitor.

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