

Town of Rockport Planning Board

Meeting Minutes

Thursday, Aug. 26th, 2021 – 5:30 p.m.

Geoffrey A. Parker Conference Room

Rockport Opera House

Meeting Televised on Channel 22

Streamed on Livestream.com

Board Present: Chair Joe Sternowski, John Viehman, Victoria Condon, David Pio, Carter Skemp, Mark Haley.

Board Absent: Thomas Laurent.

Staff Present: Planner and Community Development Director Orion Thomas, Videographer Bruce Hilsmeier.

Chair Sternowski called the meeting to order at 5:35 pm with a quorum. He determined that there was no conflict of interest with any item on this agenda.

Item # 1: Approval of Minutes “05-27-2021” and “07-22-2021”

The board reviewed the minutes and resolved any typos they found. They asked that the secretary go back and look at Item # 3 on the May 27th, 2021 minutes to ensure its clarity.

Motion: David Pio put forward a motion to approve the July 22nd, 2021 meeting minutes with the two recommended changes. Seconded by John Viehman.

No Discussion

Carried 4-0-0

Item # 2: Continuance: Consideration of a Minor Subdivision Final Review for M. Richardson represented by Ingraham Land Consulting for a 4-lot subdivision located at Map 6 lot 65-001, zone district 904. The landowner is proposing to retain the remaining land.

The applicant provided the requirements given by the planning board at the July 22nd, 2021 meeting, including a stormwater plan and hydrogeological report. Rick Persklen from Dirigo engineering gave a brief report about the availability and quality of water on the site. He stated that the area would be suitable for onsite septic and wells.

Multiple board members expressed concern about development done on the land and how it would affect the board's ability to approve this application. The applicants assured the board that they had done very little site work since the site walk in March 2021.

The board heard multiple public comments by Richard Nightingale, David Terrio, Thomas Drewitz, and Nicholas Adolphsen, who are Rockport residents.

Mr. Nightingale stated that the complaints sent by abutters had misrepresented the amount of time construction had been going on. Mr. Terrio of 1 Wellington Dr. affirmed Mr. Nightingale's statement that the amount of construction work was overstated. Mr. Drewitz of Bay Ridge and Mr. Adolphsen of Old County Rd. gave their support for the building of the new subdivision stating that Mr. Nightingale had done a great job with the Bay Ridge subdivision.

The board discussed what, if any, conditions they would like to include in the approval of the subdivision. They also discussed whether the board needed to do a site walk before approval.

Motion: Mr. Haley made a motion to approve the application for M. Richardson LLC. With two conditions, that they abide by the five-year moratorium where the remainder land may not be subdivided for five years from this date, and that the covenants from Terrier Circle be attached to the deeds of the three lots being subdivided. Seconded by Mr. Skemp.

They discussed the parameters of the moratorium to ensure accuracy.

Chair Sternowski recommended adding, 'from this date.'

Carried 6-0-0

Item # 3: Consideration of an application for a change of use for a property located at Map 20 Lot 182 & 183. Property is owned by Doug Clayton and is being represented by Stephanie Turner. The owner is proposing to add a walk-up take-out restaurant to the site. This property is located in Zone District 906.

The board reviewed the applicant's current site plan, which the applicant changed to comply with the Planning Boards' previous recommendations. There was some discussion as to whether the new use would be take-out or restaurant. The applicant stated that they wished to have it designated as a restaurant.

The board determined that their main concerns for this site were traffic and landscaping. The board discussed how the change in use would affect the lot. The board was unsure if they should require the owner to bring the entire lot up to the current code or if they could allow it to continue being a non-conforming lot.

As they were unable to determine the right course of action, the board referred the issue to the town attorney for further interpretation. The board assured the applicants that they could keep working knowing the risk and come back next month for a final decision.

Motion: Mr. Viehman made a motion that the board moves forward with a continuance for this application. Seconded by Mr. Haley

Carried 6-0-0

Item # 4: Consideration of amendments to Land Use Ordinance Chapter 700 and Chapter 405 by the Ordinance Review Committee.

The board reviewed the proposed changes to the Land Use Ordinance chapter 700 and 405. Mr. Skemp stated that he would abstain from the vote as he was not present to discuss the changes.

Motion: Mr. Viehman moved that the Ordinance Review Committee's proposed changes for chapter 700 be approved as stated. Seconded by Ms. Condon.

No discussion

Carried 5-0-1

Motion: Mr. Pio moved that the Ordinance Review Committee's proposed changes for chapter 405 be approved as stated. Seconded by Ms. Condon.

No discussion

Carried 5-0-1

Item # 5: Other Business

The board discussed the ongoing changes from the Ordinance Review Committee. In addition, Mr. Pio gave a brief report on the actions of the Economic Development Committee and how it would affect the Planning Board. Chair Sternowski also mentioned that a gentleman from Rockland wished to have a tour of the Maces Pond solar farm.

Mr. Skemp informed the board that he would be switching to an alternate indefinitely as he has a scheduling conflict on Thursday evenings. He will not be available for any future meetings for the time being.

Item # 6: Adjournment

Motion: Mr. Haley made a motion to adjourn, seconded by Mr. Pio

Carried 6-0-0

Respectfully Submitted,

Regan E. Crowe

Recording Secretary