Town of Rockport Planning Board
Meeting Minutes
Thursday, August 27, 2026

Meeting held in the Opera House GCPR.

Board Present:	Jeffrey Leclair, Jan Rosenbaum, Tom Laurent, Rob Dybas, Carter Skemp, Peter Sarno
Board Absent:	--
Staff Present:	Orion Thomas, Director of Planning and Development *(remotely)* John Viehman, Select Board Liaison Geoff Parker, Audio and Visual Technician

Meeting recording link: https://youtube.com/live/esuuzyUq3-c?feature=share

Agenda

1. **[00:00:00]** Call meeting to order
2. **[00:00:28]** Public comments on non-agenda items
3. **[00:03:44]** Approve minutes
    a. July 23, 2026
4. **[00:04:38] Site Plan Review application** for the parcel located at **555 *West St.*** This parcel is identified as **Tax Map 025 Lot 113,** which is owned by ***COGA 555, LLC***. This application is being represented by ***St.Germain*.**
5. **[02:12:20] Site Plan Pre-Application** for the parcel located at ***the corner of West St & Cross St***. This parcel is identified as **Tax Map 027 Lot 005-001,** which is owned by **MidCoast Regional Housing Trust, Inc. - Homestead**. This application is being represented by **Gartley & Dorsky.**
6. **[02:46:50] Findings of Facts and Conclusion of Law for - Site Plan Review** application for the parcel(s) located at **3 Cross Street.** This parcel is identified as **Tax Map 027 Lot 023,** which is owned by **Lake City Holdings, LLC**. This application is being represented by **Gartley & Dorsky**.

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7. **[02:52:38] Findings of Facts and Conclusion of Law for – Subdivision Review** application for the parcel(s) located at **6 Madelyn Ln.** This parcel is identified as **Tax Map 010 Lot 075-001,** which is owned by **6 Madelyn Ln.** This application is being represented by **Ed Libby and Gartley & Dorsky**.

8. **[02:54:09]** CONTINUANCE – Land Use Ordinance and Subdivision Ordinance amendments.

9. **[03:50:43]** Other Business
    a. Follow-up to CompPlan workplan - Planning Board Workplan.docx
    b. Holiday Meeting Dates
        i. November 26 (Thanksgiving) - meeting moved to December 3
        ii. December 24 (Christmas Eve)

10. **[03:53:23]** Adjourn

Agenda Item #1: Call Meeting to order

[00:00:00]

Meeting was called to order at 5:31pm and a quorum was established.

Agenda Item #2: Public Comment on Non-Agenda Items

[00:00:28]

Sarah Price of Union Street addressed the Planning Board regarding draft Land Use Ordinance [LUO] amendments. Because the subject related to an agenda item concerning LUO changes, the Planning Board agreed to take up the matter under that agenda item. Ms. Price offered to provide an updated digital copy to Director Thomas.

No other Comments were received for non-agenda items.

Agenda Item #3: Approval of minutes July 23, 2026

[00:03:44]

Motion: To approve the July 23, 2026 minutes.
Moved by: Mr. Rosenbaum
Seconded by: Mr. Sarno
Discussion: None
Vote: 5-0-1
Abstention: Mr. Dybas was not present at the July 23, 2026 meeting.

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Agenda Item #4: Site Plan Review application for the parcel located at **555 *West St.*** This parcel is identified as **Tax Map 025 Lot 113,** which is owned by ***COGA 555, LLC***. This application is being represented by ***St.Germain*.**

[00:04:38]

CONFLICT OF INTEREST: none

PRESENTATION:

Josh Hogan presented as a civil engineer with St.Germain and Rob Wilkes participated on behalf of Colby & Gale (the applicant).

Colby & Gale would like to construct a bulk liquid propane storage facility with the intent of serving the customers in the Rockport area and to reduce travel from the Damariscotta facility. The site is located in the 906 mixed business/residential district and the wholesale facility is an allowed use. The proposal includes two 30,000-gallon propane tanks, a 40x60-foot building for office and maintenance garage space, paved circulation around the tanks, parking, driveway widening, guardrails, fencing, site lighting, an on-site septic system, and public water connection. The ability to serve letter has already been obtained from Maine Water, and they are coordinating with CMP regarding necessary upgrades to existing overhead lines.

The proposed liquid propane distribution facility is expected to have minimal traffic impacts. Operations will employ approximately three to four full-time staff and generate an estimated two to three fuel delivery trucks per week, along with one bobtail truck per day serving local customers.

They are seeking out the required state permits and related approvals, including stormwater and wetland permit-by-rule submissions, review of tanks by the Maine Fuel Board, compliance with NFPA 58, preparation of a fire safety analysis for Fire Department review, and a MaineDOT driveway entrance permit. There will also be a fire hydrant installed along West Street after the current paving moratorium expires in spring 2027.

Subject to project approval, construction is expected to begin in fall 2026 with initial site work and preloading of the building footprint. The applicant plans to install and place one propane storage tank into operation before the heating season, with the required fire hydrant to be installed in spring 2027 following the expiration of the paving moratorium.

PUBLIC COMMENT: **[00:11:57]**

Chair Leclair opened the floor to public comment at 5:42pm.

<u>Erik Laustsen, Danica Candleworks at 569 West St (resides at 222 Cedar St, Rockland)</u>

Danica Candleworks is the neighbor to 555 West St. Mr. Laustsen raised concerns regarding the zoning classification, safety of propane storage, visual character, and compatibility with the surrounding Route 90 area.

Chair Leclair noted that at least one written comment had also been received and entered into the record. No further public comment was offered, and the public comment period was closed at 5:48 pm.

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CLARIFICATION QUESTIONS FROM THE BOARD & DELIBERATION:

The Planning Board asked for clarification as to the zone for 555 West St.
Director Thomas stated that it was in zone 906.

The Planning Board discussed the proposed propane facility's visibility, compatibility with the Route 90 corridor, screening, architectural appearance, traffic impacts, lighting, safety, and zoning compliance. Several members expressed concern about the visual impact of the propane tanks, fencing, lighting, and industrial character of the facility within the 906 Mixed Residential-Business District. Members also questioned whether the proposed use qualifies as a permitted wholesale facility under the ordinance and how it aligns with the district's intent.

The applicant stated the facility would be located within an existing cleared area approximately 150 yards from the road and screened by at least 75 feet of existing forest. A four- to five-bay garage with office space is proposed, though final building materials have not been selected. The facility would be fully fenced with controlled gate access.

The applicant emphasized that Crown Energy, a contractor with over 30 years of experience constructing propane facilities throughout Maine and New England, would design and build the project to meet all state and federal safety standards. A Fire Safety Analysis will be required and reviewed by the Fire Chief.

Operations and Traffic: The facility is expected to employ three to four people. Operations would include propane delivery, fleet storage, service inventory, and future service technician support. The applicant estimated two to three propane truck deliveries per week during the heating season, with one local delivery truck operating from the site during normal business hours. Planning Board members generally concluded that projected traffic volumes would not warrant a traffic impact study.

Utilities and Lighting: Planning Board members discussed the need for a fire hydrant and requested further coordination with Maine Water. Lighting plans were reviewed, with the applicant stating that fixtures would be shielded, dark-sky compliant, and designed to prevent light trespass beyond the developed area. Lighting would remain on overnight for security and operational purposes.

Screening and Site Visit: Planning Board members expressed concern that existing vegetation may not provide adequate year-round screening, particularly during winter months. It was noted that evaluating the effectiveness of existing buffers and visibility from public ways was important to their review.

Board Consensus: Planning Board members expressed support for conducting a site visit before continuing deliberations. Discussion indicated that the site visit would help evaluate visibility, buffering, aesthetics, and the proposal's compatibility with the surrounding area and zoning district. The Planning Board agreed to continue the application review pending a site visit.

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Chapter 1300 – Site Plan Review and Table 917 (Land Use Table)

The Planning Board found the application complete under Chapter 1300. They discussed whether the proposed propane facility was an allowed use in the 906 district, including whether it should be treated as a wholesale facility, wholesale business, essential service, outdoor storage, or other use. Director Thomas explained that the department and Code Officer had reviewed it as a wholesale facility/wholesale business, while recognizing ambiguity in the ordinance. After discussion, the Planning Board voted to find that the proposed use met Table 917 for the zoning district.

Motion: To find the site plan review application for 555 West St. complete under Chapter 1300.
Moved by: Mr. Rosenbaum
Seconded by: Mr. Sarno
Discussion: None
Vote: 6-0-0

Motion: To find that the proposed use met the applicable zoning use requirements under Table 917.
Moved by: Mr. Rosenbaum
Seconded by: Mr. Sarno
Discussion: None
Vote: 4-2-0

Chapter 900 – Zoning Districts

The Planning Board reviewed the remaining Chapter 900 dimensional standards, including lot size, lot coverage, building height, frontage, setbacks, parking and driveway setbacks, and front yard setback requirements. They found that the proposal met the remaining Chapter 900 standards.

Motion: To find that the application met the remaining requirements of Chapter 900.
Moved by: Mr. Rosenbaum
Seconded by: Mr. Sarno
Discussion: None
Vote: 6-0-0

Chapter 800 – Performance Standards

The Planning Board reviewed Chapter 800 performance standards and related Chapter 1300 standards. Discussion included erosion and sedimentation control, stormwater drainage, wastewater disposal, water quality, lighting, odor, nuisance concerns, air quality, driveway access, parking and circulation, emergency access, municipal services, water supply, and other applicable standards. The applicant stated that stormwater review showed no increase in peak off-site flows, no blasting was expected, that propane odor would not be expected to affect neighboring properties, that lighting would be shielded and designed to prevent light trespass, and the site would comply with applicable state and federal propane safety requirements.

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The Planning Board discussed emergency response and fire safety, including emergency shutoff valves, tank setbacks, guardrails, hydrant installation, and potential fire department training. The applicant stated that the facility would be heavily regulated, that a fire safety analysis would be reviewed, and that the company would be willing to coordinate propane-related training for the Rockport Fire Department.

The Planning Board noted several conditions to be addressed, including installation of a hydrant as recommended by the Fire Chief, an updated Maine Water ability-to-serve letter addressing the hydrant, a MaineDOT driveway entrance permit, and applicable Maine DEP permit-by-rule approvals for stormwater/erosion control and wetland impacts.

Motion: To find that the project meets the standards of Chapter 800, conditioned on the addition of the hydrant, an updated Maine Water ability-to-serve letter addressing the hydrant, a MaineDOT driveway entrance permit approval, and applicable Maine DEP approvals.
Moved by: Mr. Rosenbaum
Seconded by: Mr. Sarno
Discussion: None
Vote: 6-0-0

Chapter 1000 – Performance Standards

The Planning Board reviewed Chapter 1000 - area landscaping, architectural review, and parking lot design standards. Members agreed that the adequacy of existing vegetative screening, visibility from West Street and neighboring properties, and potential need for additional screening could not be determined without a site walk. The Planning Board continued final review of Chapter 1000 pending a site visit and further public meeting.

Motion: To continue the 555 West Street application for a site walk and further review of Chapter 1000 standards.
Moved by: Mr. Sarno
Seconded by: Mr. Dybas
Discussion: None
Vote: 6-0-0

The Planning Board took a break from 7:38 pm to 7:43 pm.

Agenda Item #5: Site Plan Pre-Application for the parcel located at ***the corner of West St & Cross St***. This parcel is identified as **Tax Map 027 Lot 005-001,** which is owned by **MidCoast Regional Housing Trust, Inc. - Homestead**. This application is being represented by **Gartley & Dorsky.**
[02:12:20]

CONFLICT OF INTEREST: none

PRESENTATION:

Staci-Ann Gordon-Barber and Will Gartley, with Gartley & Dorsky Engineering and Surveying, are presenting the pre-application on behalf of MidCoast Regional Housing Trust (representatives John Goss and Peter Goss were in the audience).

The applicant presented a pre-application for redevelopment of 161 West Street, proposing two four-unit residential buildings (eight units total), a storage shed, and 16 parking spaces. The proposal would utilize existing public utilities and remain below the maximum lot coverage allowed in the zone. The applicant requested Planning Board confirmation that the project qualifies for Site Plan Review rather than Subdivision Review and sought preliminary feedback on the proposal.

PUBLIC COMMENT:

Chair Leclair opened the floor to public comment at 7:47 pm. Hearing none, the public comment was closed.

DISCUSSION:

Planning Board members questioned the applicant regarding site access, building configuration, addressing, mail delivery, and pedestrian circulation. The applicant stated that the former barn and shed had been removed, the farmhouse renovation was complete, and the proposed apartment units would be connected by a common entrance area. The Planning Board members recommended that future submissions further clarify site orientation, vehicular access, addressing, and wayfinding.

Pedestrian Connectivity and Traffic: The Planning Board discussed existing and anticipated traffic conditions on Cross Street, potential sidewalk improvements, and opportunities to coordinate pedestrian connections with adjacent developments. The applicant expressed a willingness to coordinate future pedestrian access as planning progresses.

Review Process: The Planning Board discussed the applicant's request to proceed under Site Plan Review rather than Subdivision Review. The consensus of the Planning Board was that the proposal is appropriately reviewed under the Site Plan Review Ordinance, consistent with state law and prior Planning Board practice.

Housing Affordability: The applicant stated that the project is intended to provide workforce housing for households earning approximately 80% to 150% of Area Median Income (AMI). The applicant further stated that affordability would be maintained through long-term ownership and restrictions administered by the MidCoast Regional Housing Trust.

Site Walk: Planning Board members expressed interest in conducting a site walk in conjunction with the formal Site Plan Review application in order to better evaluate site conditions, topography, access, and the relationship of the development to surrounding properties.

The applicant indicated that a formal Site Plan Review application is anticipated later in the fall.

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Agenda Item #6: Findings of Facts and Conclusion of Law for - Site Plan Review application for the parcel(s) located at **3 Cross Street.** This parcel is identified as **Tax Map 027 Lot 023,** which is owned by **Lake City Holdings, LLC**. This application is being represented by **Gartley & Dorsky**.
[02:46:50]

The Planning Board reviewed Findings of Fact for 3 Cross Street and noted that corrections were grammatical and not substantive. They discussed terminology preferences, including use of "Planning Board" versus "Board," and noted that comments would be incorporated where appropriate.

Motion: To approve the Findings of Facts as edited and presented.
Moved by: Mr. Sarno
Seconded by: Mr. Laurent
Discussion: None
Vote: 4-0-2

Agenda Item #7: Findings of Facts and Conclusion of Law for – Subdivision Review application for the parcel(s) located at **6 Madelyn Ln.** This parcel is identified as **Tax Map 010 Lot 075-001,** which is owned by **6 Madelyn Ln.** This application is being represented by **Ed Libby and Gartley & Dorsky**.
[02:52:38]

The Planning Board reviewed the Findings of Facts for 6 Madelyn Lane. They noted no substantive changes and suggested that remaining edits were typographical or grammatical.

Motion: To approve the Findings of Facts for 6 Madelyn Lane as edited.
Moved by: Mr. Sarno
Seconded by: Mr. Rosenbaum
Discussion: None
Vote: 4-0-2

Agenda Item #8: CONTINUANCE – Land Use Ordinance and Subdivision Ordinance Amendments

[02:54:09]

Ms. Sarah Price presented proposed Land Use Ordinance [LUO] amendments and requested clarification regarding the timeline and process for placing amendments on the November ballot. Director Thomas explained that ordinance amendments typically proceed through workshops, Planning Board recommendation, Select Board review, public meetings, and ultimately a ballot vote. It was clarified that August 27 was the final opportunity for the Planning Board to recommend amendments for potential inclusion on the November ballot.

Ms. Price stated that the purpose of her proposed amendments was to address administrative loopholes, support staff neutrality, improve transparency and fairness, protect historic and environmental assets, reduce Town liability, and strengthen due process for abutters. She outlined several proposed revisions, including changes to ordinance definitions to better align with state statute.

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In her letter, the LUO language is bold type. Her suggestions, in the revised version passed to the Planning Board members at the beginning of the meeting, are italicized, red and highlighted.

The Planning Board expressed appreciation for the work submitted but agreed that the amendments were too extensive to review, workshop, and recommend in one meeting before the November ballot deadline. They discussed the need for a clearer statement of the problems to be solved, a framework connecting the proposed amendments to those problems, and sufficient time to compare the proposed language against the full ordinance to avoid unintended conflicts, particularly those related to abutter notification and procedural requirements. They agreed that further review was warranted and emphasized the importance of developing recommendations that are likely to gain both Select Board and voter approval. It was discussed to place this matter on the September meeting agenda for workshop discussion, with any revised materials requested in advance.

Ms. Price expressed frustration with the timeline and process, noting that she had submitted the amendments consistent with guidance she received. The Planning Board acknowledged the misunderstanding regarding the anticipated timeline and clarified that the proposals were not being rejected. Rather, consideration was deferred to allow sufficient time for review, discussion, and evaluation of the proposed amendments.

Ms. Price asked about the Ordinance Review Committee and the discontinuation of site visits. Director Thomas noted that the Ordinance Review Committee was disbanded several years ago due to inactivity and explained that mandatory site visits were removed from the ordinance; however, the Planning Board retains discretion to require site visits when warranted.

The Planning Board agreed that the proposed ordinance amendments would be scheduled for workshop discussion at the September meeting. It was indicated that review would focus on identifying the objectives of the proposed changes and evaluate each amendment's consistency with the ordinance as a whole. No action was taken on the proposed amendments from Ms. Price during the meeting.

Public comment was also received from Ms. Jenni Lynn Cooper, who thanked Ms. Price for her work, encouraged the Planning Board to review the proposed amendments, asked about public notice and agenda timing, and suggested consideration of an ordinance review committee or similar process to assist with ordinance work.

Ordinance Amendments (Chapters 804, 816, 817, and 1300)
[03:39:47]

Director Thomas presented several proposed amendments to the LUO that reflect policy changes previously discussed during Planning Board workshops but not yet incorporated into the ordinance text.

For **Chapter 804 (Cluster Development)**, the amendment clarifies that applicable road standards refer to the municipal road acceptance standards contained in the Subdivision Ordinance.

For **Chapter 816 (Planned Unit Developments)**, the amendment removes language prohibiting structures from exceeding district height requirements, aligning the ordinance with recently adopted local provisions and state legislation that allow additional building height and stories under certain circumstances. Additional language was proposed to ensure compliance with Floodplain Management Ordinance requirements where applicable.

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Director Thomas also noted a future recommendation to incorporate the Floodplain Management Ordinance into the LUO as a separate chapter to consolidate land use regulations into a single document.

For **Chapter 817 (Affordable Housing)**, it was proposed to remove the existing 50-year affordability requirement and rely on the State's 30-year affordability standard. Director Thomas explained that the 30-year requirement is more consistent with financing requirements cited by affordable housing developers while preserving the Planning Board's ability to consider affordability terms in future applications. There was discussion on how future Planning Boards would interpret affordability requirements and generally agreed that state standards would likely continue to provide default guidance.

For **Chapter 1300**, Director Thomas proposed requiring applicants to submit a statement explaining how a project is consistent with the Town's Comprehensive Plan, ensuring applicants consider and address Comprehensive Plan goals during project review.

Following discussion, the Planning Board expressed unanimous support for the proposed amendments.

Motion: To recommend the proposed amendment edits to **Chapter 804** of the Land Use Ordinance to the Select Board.
Moved by: Mr. Rosenbaum
Seconded by: Mr. Dybas
Vote: 6-0-0

Motion: To recommend the proposed amendment edits to **Chapter 816** of the Land Use Ordinance to the Select Board.
Moved by: Mr. Rosenbaum
Seconded: Mr. Sarno
Vote: 6-0

Motion: To recommend the proposed amendment edits to **Chapter 817** of the Land Use Ordinance to the Select Board.
Moved by: Mr. Rosenbaum
Seconded by: Mr. Sarno
Vote: 6-0

Motion: To recommend the proposed amendment edits to **Chapter 1300** of the Land Use Ordinance to the Select Board.
Moved by: Mr. Rosenbaum
Seconded by: Mr. Skemp
Vote: 6-0

The Board confirmed that these were the only amendments presented that differed from ordinance changes previously recommended and approved.

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Agenda Item #9: Other Business

[03:50:43]

a. Follow-up to CompPlan workplan - Planning Board Workplan.docx

   The Planning Board briefly reviewed their work plan, including items already recommended and future work related to archaeological resources and other longer-term items. Director Thomas noted that the work plan would remain on future agendas.

b. Holiday Meeting Dates
   i. November 26 (Thanksgiving) – meeting moved to December 3
   ii. December 24 (Christmas Eve) – no meeting

Director Thomas stated that they would work on scheduling the 555 West Street site walk and continued meeting within the next couple of weeks and would follow up with the group.

Agenda Item #10: Adjournment

[03:53:23]

Motion: To adjourn.
Moved by: Not specified.
Seconded by: Not specified.
Vote: 6-0-0

Meeting was adjourned at 9:25 pm.

Approved by the Planning Board: [insert date approved]

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