

**Town of Rockport Planning Board  
Meeting Minutes  
Thursday, March 27, 2025**

Meeting held in the Opera House GCPR.

**Board Present:** Chair Jeffrey Leclair, Sam Clark, Tom Laurent, Jan Rosenbaum, and Peter Sarno.

**Board Absent:** Scott Gazelle, and Rob Dybas

**Staff Present:** Orion Thomas, Director of Planning and Development  
John Viehman, Select Board liaison  
Geoff Parker, Audio and Visual Technician

Meeting recording link: <https://www.youtube.com/watch?v=EUjZnuIpOEk&list=PLa-oEsFzrKX067d8mGnbz583-9AhMW8a&index=1>

**Agenda**

1. Call meeting to order
2. Public comments on non-agenda items
3. Approve minutes
  - a. 2.27.2025
4. **Subdivision Pre-Application for a Major Subdivision** on a parcel located at **615 Rockland St. Rockport, ME 04856**. This parcel is identified as **Map 017 Lot 107**, which is owned by **Craig and Cassandra Mitchell**. This application is being represented by **Gregory Finch and Jonathan Biddle** who have interest in this parcel.
5. **Site Plan Review** application for the parcel(s) located at **535 West St. Rockport, ME 04856**. This parcel is identified as **Tax Map 025 Lot 101 & 101-100**, which is owned by **Mid-Coast Recreation Center, Inc. (MRC)**. This application is being represented by **Andrew Hedrich, of Gartley & Dorsky Engineering & Surveying**.
6. Other Business
  - a. Letter to the Select Board to focus on issues
  - b. Impact Fee ordinance in works.
7. Adjourn

**Agenda Item #1: Call Meeting to order:**

**Start time: 5:31 pm**

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

No Comments received for non-agenda items.

**Agenda Item #3: Approval of minutes 2.27.2025**

**Motion:** Mr. Laurent moved to approve the 2.27.2025 minutes.

**Seconded:** Mr. Clark seconded.

**Discussion:** No further discussion.

**Vote:** 4-0-1

Abstention: Mr. Rosenbaum was not present at the 2.27.2025 meeting.

**Agenda Item #4: Subdivision Pre-Application for a Major Subdivision** on a parcel located at **615 Rockland St. Rockport, ME 04856**. This parcel is identified as **Map 017 Lot 107**, which is owned by **Craig and Cassandra Mitchell**. This application is being represented by **Gregory Finch and Jonathan Biddle** who have interest in this parcel.

Gregory Finch provided overview of project, and indicated early on that the site plan is just a simple design for now for he and his partner are doing their due-diligence on the site before investing a lot of money into the design of the site. Mr. Finch indicated that this site plan design is not set in stone and is changeable at this time.

Chair Leclair opened for clarifying questions from the Planning Board.

Mr. Clark indicated that Traffic and Water are going to be top concerns for this project. Several members of the Planning Board indicated that trees will be of concern as well. Jonathan Biddle indicated that this project would not clear cut trees away. Instead, they would try to keep as many trees on site as possible.

The Planning Board asked a clarifying question about a Planned Unit Development (PUD), because the site plan indicated this project as such on the Site Plan. Director Thomas indicated that this application was not submitted as a PUD per our ordinance. The applicants agreed.

**Agenda Item #5: Site Plan Review** application for the parcel(s) located at **535 West St. Rockport, ME 04856**. This parcel is identified as **Tax Map 025 Lot 101 & 101-100**, which is owned by **Mid-Coast Recreation Center, Inc. (MRC)**. This application is being represented by **Andrew Hedrich, of Gartley & Dorsky Engineering & Surveying**.

Chair Leclair mentioned that this is an application for revision on previously approved site plans that were reviewed by a previous board long ago.

Andrew Hedrich, Civil Engineer at Gartley & Dorsky Engineering & Surveying , along with Rick Bresnahan (Chairman of the Building Committee), Karen Higgins (MRC Board Member) and Jesse Simko (Arena & Operations Director) are here for a site plan amendment. Application has been submitted for a full site plan review and wanted to make sure it was inclusive.

MRC is an existing facility that was constructed and approved in 2001. It includes a hockey rink, with the capacity to have 300 fans with 123 participants playing hockey. There are four (4) tennis courts and concessions. The entrance road is off Route 90 as it exists today. In 2001 the project received the local and the DEP permitting, including a storm water management permit and there was minimal wetland impact. The entrance also went through the process of getting a permit through the DOT.

Presently, the MRC is doing a building expansion. The driveway and existing building will remain. They are adding an additional building to house pickleball courts and an outdoor tennis court area. The parking lot area on the side of the existing building (and part of the original plans) has usually been grassed over and used for parking during the winter months for hockey games. In this proposal, the plan is to pave it and add 2 additional underdrain soil filter areas to help with drainage (making use of the impervious areas) to make it more permanent for year-round parking.

Regarding outdoor lighting, the proposal continues with the tradition of the existing lights but will add more along the building and tennis courts. They will be installed in accordance with the Town ordinance. Additional information is in the packet.

With the expansion, there is no increase in water/septic demands or peak traffic flow for the facility. The addition of the pickleball courts does not impact the current water/septic uses compared to hockey season because they do not follow the same seasonal schedules.

Also, included within the packet, are the Town ordinances for site plan review with performance standards along with a list of what is in each one of those along with specific responses. The current law requires a Site Location of Development Act Permit from DEP, which was submitted, and a draft permit application is currently under review.

Another permit has also been acquired from the Army Corps of Engineers regarding the 20,000 square feet of wetlands that will be impacted; that has been provided to the Planning and Codes Department with the Town of Rockport. Chair Leclair opened the floor to general questions/comments.

- Mr. Rosenbaum raised the question as to how many days a year are devoted to hockey tournaments and how the usage of water and sewage would be impacted by adding new pickleball courts.

This past year there were 5 weeks of hockey tournaments consisting of 2 days per week averaging about 10 days a year. The hockey and pickleball tournaments would not take place at the same time.

- How many people are on the average pickle ball team?  
Four (4) on the court – two (2) per team

Chair Leclair asked if anyone on the Board had a conflict of interest with this application. There were none.

Chair Leclair opened the floor to public comments.

- David Mattox – Corner of Bonny St. & Route 90 (east of the entrance)  
Over the years, he's noticed vehicles passing on the right of those turning into the facility. This has caused issues with exiting their driveway and checking mail. With the expansion, has there been consideration of the additional traffic? Would a traffic light or other solution be warranted? Does the traffic flow in and out need to be re-evaluated with this expansion?
- Stephanie Maddox [Dave's wife] – Corner of Bonny St. & Route 90 (east of the entrance)  
The expansion of the MRC is a wonderful opportunity for the community, and she is looking forward to playing pickleball, but she feels that the board is underestimating the use of the MRC. The MRC is very busy during the hockey tournaments as well as during the high school hockey games and other events (like roller derby) where parking has overflowed onto Route 90. She feels a traffic study from the state is warranted at this point in time to evaluate the safety on Route 90 near the MRC entrance.
- Director Thomas said that a written comment was received, and it has already been shared with the Planning Board.

6:32p – Chair Leclair closed the open comment period.

There was a check for completeness of the application before going through in more detail.

MRC, a recreational facility, is located in zone 907.

Chair Leclair referenced Chapter 900, table 917 and verified that a recreational facility is an allowed use for both indoor (conditional) and outdoor (permitted) activity.

Chair Leclair realized that he had skipped ahead, and he confirmed that the application was received and already reviewed for completeness by Director Thomas at the Town of Rockport office. He requested a motion for approval.

**Motion:** Mr. Jan Rosenbaum moved to approve the application for completeness.

**Seconded:** Mr. Clark seconded.

**Discussion:** No further discussion

**Vote:** 5-0-0

**Motion:** Mr. Clark moved to accept the proposed use as allowed within zone 907.

**Seconded:** Mr. Rosenbaum seconded.

**Discussion:** No further discussion

**Vote:** 5-0-0

### **Chapter 1300, Section 1305 – Performance Standards**

Chair Leclair suggested following the document provided by Gartley & Dorsky.

- **Landscape** – there will be tree removal, but no changes along the driveway. The goal is to not clear the land where the building will be seen.
- **Soils & Erosion Control** – confirmed that there was nothing else to be addressed that is not addressed in the DEP permitting process. Approval of the project is conditional on the approval of the DEP permit.
- **Vehicular Access** – No increase in peak vehicular traffic is anticipated because of the proposed building and exterior tennis courts; however, this project includes expanding the parking area by converting the grass overflow parking area into a permanent lot.

Mr. Rosenbaum requested clarification as to the increase in use/demand. Pickleball teams are small in number, around 32 people playing on eight (8) courts arriving in approximately 30 cars. Another of his concerns is the prevention of possible soil erosion caused by converting green space for parking. Mr. Hedrich responded that to have soil erosion control, the proposal is to pave the lot with a curb line with catch basins and put the water into a proper treatment cell to clean and disburse the water back into the environment.

Chair Leclair asked if the temporary lot was currently being used. Mr. Bresnahan commented that it is used 50% of the time due to it either being frozen or full of mud. Unfortunately, parking on Route 90 occurs when the lot is not available.

Chair Leclair clarified that they are not increasing the demand for parking but addressing the current demand for parking. Expanding the parking lot should alleviate the parking on Route 90 (which is best avoided). For the record, Chair Leclair feels the same way about parking at the Marge Jones field overflowing to Route 90 which also creates an unsafe situation.

Mr. Hedrich reminded the board that the original plans were approved for 130

spaces. With the additional spaces being added, there will be 162 spaces available for parking during peak demand (i.e., hockey tournaments, etc.).

Jesse Simko, MRC Arena and Facility Operations Director, commented that when large events are scheduled, meetings are held to confirm that there are not conflicting things that could cause problems and to manage events accordingly. Overflow problems do occur, and when they do, it is because they do not have the extra parking spaces available which the current project will provide.

- **Parking and Circulation**

Peter Sarno asked ***if this was an original site plan and not a revision, would this trigger a traffic study?*** Through discussion it was realized that there is uncertainty as to whether it is required, but one can be requested. Mr. Hedrich mentioned that the road entrances are controlled by DOT. They are the ones that review and approve them. Generally, the first step is a traffic movement study when you have 100 vehicle trips per peak hour. The next review would happen when 200 vehicle trips per peak hour is reached. Mr. Sarno is discussing this issue because this question came up earlier and last time. Mr. Clark advised that it only becomes mandatory when you hit the 100 trips in or out during the peak hour. Mr. Sarno commented that the original study was done over 20 years ago vs today. Mr. Hedrich continued to explain the process of how the movement traffic permit works:

1. Generate a number of estimated trips per peak hour for the proposed facility by reviewing the published rules in the ITE (Institute of Traffic Engineers) manual;
2. Then the movement is analyzed by reviewing all the intersections in close proximity to the project to make sure intersections are not congested with the proposed peak traffic times.

The original traffic movement survey from 2001 was reviewed and approved by DOT, and it was deemed that road expansion was not necessary. The movement counts do not need to be updated at this time because the existing 136 per peak hour is not being increased by 70 to get over the 200 trips per peak hour threshold to trigger another reassessment.

Tom Laurent expressed concern over the increased traffic flow on Route 90, even with the entrance/exit to MRC remaining unchanged. Mr. Hedrich responded that the DOT would have to internally address that issue. Once a permit is issued, it does not need to be reissued unless there are significant modifications or changes such as an increase in peak trips or a change in the use of the entrance/exit. If there were to be a new project, then a study would be required for the new permit to address congestion issues for that applicant.

Peter Sarno inquired about the 162 parking spaces – are the requirements dictated by square footage? Mr. Hedrich responded that it varies. The ordinance has a parking indicator and identifies how many spaces are needed for each use in the building. Hockey is 1 per 4 spaces and the tennis courts are 4 per court.

- **Surface Water Drainage**

The narrative addresses the DEP permitting aspect, but the ordinance addresses the effect of neighboring properties. Would anything within the amendment to the application affect neighboring properties?

Mr. Hedrich responded that storm water management requirements in a site law project contain both quality and quantity assessments. The storm management system needs to be developed so it does not increase post developments by determining the exit points for water leaving the site and then quantify how much that is before the development is in place, then you go back and redo those number again after the development is in place and change grass and wood surfaces into impervious area and then you quantify it again. Mr. Hedrich continued to explain the process of how the drainage is done. With the updated drainage, they are able to reduce the storm water discharge after the development compared to the pre-development conditions.

Mr. Clark's only question was initially whether the flow of the drainage was heading back down towards Robinson Drive. He appreciated the clarification that if peak wasn't changing, then it wouldn't change.

Chair Leclair asked if there were any other comments on Surface Drainage, and there were none.

- **Existing Utilities**

No proposed changes

- **Special Features of Development**

Exposed storage areas, machinery installation, service areas, truck loading utility building or similar structures – the Board does not think this applies

- **Exterior Lighting**

Chair Leclair confirmed that the lights would be dark sky compliant, and another member appreciated the detail of explanation within the document.

Chair Leclair asked if there were any other comments on lighting. Mr. Clark confirmed that the outdoor tennis courts were going to be lit. Mr. Hedrich mentioned that there was an electrical plan that showed where the lights were to be placed, and that the fixtures were focused on lighting the courts and not the sky nor neighbors. The lights will be similar to the ones currently in the parking lot, but will directed on the tennis courts and not seen from the parking lot when illuminated. Chair Leclair also confirmed that the lights would be off at night.

- **Emergency Vehicular Access**

Chair Leclair mentioned that feedback has been received from the Fire and Police Departments as well as Municipal Services, and there were no issues.

- **Water Quality**  
Per Chair Leclair, this has already been addressed.
- **Air Quality**  
There is no impact on air quality.
- **Water Supply**  
Water demands will not increase based on peak demand.

Mr. Hedrich included a table in the document that compared the actual metered usage vs the water usage the facility was designed to use, and there are approximately 1000 gallons of water that are not being used daily. Most of the water is used for the hockey rink. When those numbers were removed, the water the facility actually uses that ends up in the septic field was about 1000 gallons less than the almost 3000 gallons it was designed to handle. This is why the additional use would not affect the peak.

Chair Leclair inquired if the reasoning is due to the rink's usage of water being less than anticipated. Mr. Hedrich does not think so. He feels it is because the design standards are higher than the actual use. The facility was designed to accommodate 300 fans and 122 hockey players every day but there are only 10 events held annually. Chair Leclair inquired if the attendance of 300 fans and 100 plus hockey players has ever occurred. Mr. Bresnahan responded that attendance is close to capacity during high school tournaments in the evenings, on weeknights, and on Saturday night.

Chair Leclair asked if there were any further issues with Chapter 1300, Section 1305.

**Motion:** Mr. Rosenbaum moved to approve that the proposed project meets the requirements of 1305.

**Seconded:** Mr. Laurent seconded.

**Discussion:** No further discussion.

**Vote:** 5 – 0 – 0

### **Section 800 – General Standards of Performance**

Chair Leclair went over the items that applied for this application.

The Planning Board reviewed section 801, Environmental, and found the application to meet these requirements.

The Planning Board reviewed section 803, Parking, Loading and Driveway Standards, including the required parking space table in that section, and found that the application would meet these requirements during peak use. The computation for parking space

requirements was: for the ice arena -- 1 space for every 4 seats; for the tennis courts -- 4 for each court; 1 for each employee.

Chair Leclair addressed Director Thomas that this brings up a recurring issue with projects on Route 90 or Route 1 where the amount of parking the ordinance would require a turnoff lane on the same side of the road as the development. Our ordinance requires it, but Maine DOT does not. Director Thomas commented that that is covered by Section 808, Access Management. Mr. Hedrich also stated that DOT makes the determination for those roads and will approve for safety. Chair Leclair mentioned that in the past, the Board has had to provide an exception to that requirement. Is there a thought that we can clear up the ordinance to be in line with the state? Director Thomas commented that the ordinance is the ordinance and upon review we could get Maine DOT's opinion on that section for input.

Mr. Laurent reminded the board that the issue with traffic mostly lies with the traffic coming from the west, turning left into the facility. Route 90 has had more traffic flow since the original application was approved, causing those turning left to wait for oncoming traffic while the traffic behind the waiting vehicle proceed to pass on the shoulder on the right. Mr. Clark reminded the board that in the State of Maine, it is illegal to pass a vehicle on the right, which makes it an enforcement issue not a planning issue.

The Planning Board determined that sections 802, 804, 805, 807, 809, 810, 811, 812, 813, 814, 815, 816, and 817 were not applicable for review.

**Motion:** Mr. Laurent moved that the proposed project meets the general standard performance requirements of Chapter 800.

**Seconded:** Mr. Rosenbaum seconded.

**Discussion:** No further discussion.

**Vote:** 5-0-0

### **Chapter 1000 – Performance Standards**

The Planning Board has already reviewed landscaping plans and confirmed that no trees were to be added and that the natural buffers that exist will be utilized. No screening is required as long as the existing screening is maintained.

Regarding Section 1003, Architectural Review Standards, it was confirmed that the buildings will match the existing buildings and that the roofs will align.

Chair Leclair asked if there were any further issues with Chapter 1000.

Mr. Rosenbaum asked if there were additional signs or advertising, and Mr. Hedrich responded in the negative.

**Motion:** Mr. Rosebaum moved that the proposed project meets the general standard performance requirements of Chapter 1000.

**Seconded:** Mr. Clark seconded.

**Discussion:** No further discussion.

**Vote:** 5-0-0

Chair Leclair continued that the project is approved contingent on the approval from the DEP and Army Corps of Engineers (which has already been obtained).

Mr. Laurent requested clarification regarding the vernal pool on the edge of the new parking area (further out area). Mr. Hedrich explained that when a vernal pool is identified, there is a protected 250 foot habitat around the vernal pool. DEP will issue a permit allowing 25% impact around the area, but not the pool itself. This will meet the standard and requirement. Realistically, the plan has less than a 25% impact when calculating the items, including those that are grandfathered in.

**Motion:** Mr. Clark moved to approve the application on the condition of the DEP permit being approved.

**Seconded:** Mr. Laurent seconded.

**Discussion:** No further discussion.

**Vote:** 5-0-0

Mr. Hedrich wanted to advise the board about the tree removal happening at the MRC. With the Army Corps of Engineers permit in place and the DEP permit approval expected soon, after a few minor revisions, permission has been granted for tree removal prior to obtaining the DEP permit to start the project. The reason is that a bat habitat was identified. Mating season starts April 15, and if the trees are not removed before April 15, they cannot be removed until October 1 in the state of Maine.

Chair Leclair commented that removing trees does not require planning board approval. Mr. Clark mentioned that he should have a copy of the approval available in case there are any inquiries.

## **Agenda Item #6: Other Business**

- a. Letter to the Select Board to focus on issues

New development on Rt 1 and West street – how to handle and voice to SB vs liaison. This is something John could take to SB as a letter vs just John.  
Concerns about traffic

Planning Board discussed roads and subdivisions, and to ensure the roads are built to Town Standards. Reason for this is because the roads will eventually become Town roads. The Planning Board discussed how a road is accepted by the municipality, and understand the Municipal Road Acceptance Ordinance has to be adhered to.

The Planning Board asked if the Town employs a licensed engineer. Director Thomas indicated that the Town does not employ one. The ordinance does allow the Planning Board the authority to request a third-party engineer's opinion on a development.

Chair Leclair would like to have it brought up to the Select Board about the traffic study that was done within the village, the condition of turning on/off Route 1 an Pascal and West Street, he would have appreciated for the Planning Board to have that review or have been presented the information by the engineers as well. Director Thomas said the study is on the website. Chair Leclair asked if the SB or the Planning Office was concerned with the results of that study. Director Thomas said yes and that the Town is working with Maine DOT to obtain federal funding to implement the majority of those changes.

b. Impact Fee ordinance in works.

Currently we do not have such an ordinance. This type of ordinance would apply a fee to help offset incoming fees for certain levels of development.

c. Revision to chapter 900

Mr. Clark is proposing to make lot sizes consistent across those zones looking at growth areas and dimensional tables. Sections 902, 904, 906 deal with growth areas of a minimum lot size without sewer 20,000 square feet across those three zones

## **Agenda Item #7: Adjournment**

**Motion:** Mr. Clark moved to adjourn the meeting.

**Seconded:** Mr. Rosenbaum seconded.

**Discussion:** No further discussion.

**Vote:** 5-0-0

Meeting was adjourned at 8:07 pm