

**Town of Rockport Planning Board**  
**Meeting Minutes**  
**Thursday, May 22, 2025**

Meeting held in the Opera House GCPR.

**Board Present:** Jeffrey Leclair, Sam Clark, Rob Dybas, Tom Laurent, Peter Sarno

**Board Absent:** Jan Rosenbaum, Scott Gazelle

**Staff Present:** Orion Thomas, Director of Planning and Development  
Geoff Parker, Audio and Visual Technician

**Staff Absent:** John Viehman, Select Board liaison

Meeting recording link:

<https://www.youtube.com/watch?v=zGLOhDz7pQ0>

## **Agenda**

- 1. Call meeting to order**
- 2. Public comments on non-agenda items**
- 3. Approve minutes**
  - a. 03.27.2025**
- 4. Site Plan Review application** for the parcel located at **242 Commercial St. Rockport, ME 04856**. This parcel is identified as **Tax Map 027 Lot 159**, which is under contract by **Rock Harbor Management**. This application is represented by **Ben Todd of Rock Harbor Management**.
- 5. Findings of Facts and Conclusion of Law for - 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. Land Use Ordinance amendment discussion**
- 7. Adjourn**

**Agenda Item #1: Call Meeting to order at 5:32pm.**

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

No Comments received for non-agenda items.

**Agenda Item #3: Approval of minutes of 03.27.25**

Approval of the minutes from the meeting on March 27, 2025 was tabled till the next meeting, allowing the members additional time to review/edit.

**Agenda Item #4: Site Plan Review application** for the parcel located at **242 Commercial St. Rockport, ME 04856**. This parcel is identified as **Tax Map 027 Lot 159**, which is under contract by **Rock Harbor Management**. This application is being represented by **Ben Todd of Rock Harbor Management**.

Chair Leclair recused himself from the discussions and motions for this agenda item. Vice-Chair Clark to preside.

Mr. Todd, the owner of Rock Harbor Management, and Caileigh McCorry, the property manager, presented to the Planning Board their plans to convert the property located at 242 Commercial Street in Rockport from a motel of 20 rooms and 1 owner suite to an apartment complex with approximately 21 apartments. The plan is to have solar arrays (utilizing “Net Zero”), and put heat pumps in all the units. The exterior would be repainted, parking lot paved and minimal landscaping. The property would also be renamed to “The Birches at Rockport”.

The Planning Board had a few clarification questions for the presenter about ownership after the work was completed, occupancy of the apartments and parking. Mr. Todd answered that Rock Harbor Management would maintain ownership of the property, the occupancy of the apartments is for 1-2 tenants and per code, they will have 2 spaces per apartment, though they would like to reduce that number.

Mr. Todd proposed for the board to review the reduction in parking to be one (1) parking space per studio and two (2) for the owner suite reducing the parking to 22 spaces.

The board discussed the request and asked if the spaces were reduced per apartment, where would visitors park, as well as accessibility for emergency services. The thought of parking on Route 1 was not a safe option.

Vice-Chair Clark opened the floor to public comment, of which there were none in person nor online.

Director Thomas advised the board that abutter notices went out and to date, there were no responses to the project that is proposed there.

Vice-Chair Clark closed the public comment section and moved to the review of the site plan, starting with parking and the requested waiver.

Director Thomas advised that the board should refer to State Statute Title 30-A, § 4402, exemption 6, which will then go into the site plan review for the planning board to make a

determination or accept the proposal. Then the board can continue the review of the site plan through the revision part.

The Planning Board reviewed Statue Title 30-A, §4402, exemption 6 and identified it to apply to this application, that is the division of an existing structure. The application presented to the board is for modifying the existing structure and changing its use, turning it into a subdivision.

**Motion:** Mr. Sarno moved that state Statue Title 30-A, §4402, exemption 6 applies to this application.

**Seconded:** Mr. Dybas seconded.

**Discussion:** Mr. Laurent asked to review the statute and Vice-Chair Clark with the group for review. It was discussed that the exemption applies through a sale. No further discussion.

**Vote:** 4 – 0 – 1

Abstention: Chair Leclair recused himself at the beginning of the discussion.

The Planning Board reviewed the application against the applicable sections of the Land Use Ordinance:

#### **Chapter 1300, §1304 – Site Plan Content**

Director Thomas did confirm that the application was complete.

**Motion:** Mr. Sarno moved to accept that the application is complete.

**Seconded:** Mr. Dybas seconded.

**Discussion:** No further discussion.

**Vote:** 4 – 0 – 1

Abstention: Chair Leclair had recused himself at the beginning of the discussion.

#### **Chapter 900 – Zoning Districts**

The property was identified to be in Zone 906 – Residential. Zone 906 is commercial/residential.

**Motion:** Mr. Dybas moved that this is a permitted use for this zone and lot.

**Seconded:** Mr. Sarno seconded.

**Discussion:** No further discussion.

**Vote:** 4 – 0 – 1

Abstention: Chair Leclair had recused himself at the beginning of the discussion.

### **Chapter 900, §918 – Dimensional Tables**

The board reviewed the table and noted that the lot size is sufficient enough for the number of units for a multifamily development with public sewer maintaining the current setbacks from when the property was approved as a commercial unit. By adding parking, the amount of lot coverage will increase, but compared to the dimensional table they can cover up to 60%, which is more than what they are asking for.

**Motion:** Mr. Laurent moved that project meets the table for §918.

**Seconded:** Mr. Sarno seconded.

**Discussion:** No further discussion.

**Vote:** 4 – 0 – 1

Abstention: Chair Leclair had recused himself at the beginning of the discussion.

### **Parking Waiver**

Review: The request is to reduce the number of parking spaces down to 20, which is fewer than is required.

Mr. Todd clarified that the request is for 1 parking space per studio and 2 parking spaces for the owner unit, which is for 22 spaces total.

Vice-Chair Clark restated that the concern raised by the members of the board was the lack of extra parking spaces for visitors. At the time of the meeting, the emergency departments had no concerns, but the feedback had not been received regarding the reduction of parking spaces.

The board understood that design plans would need to be approved, but the concern was the feedback regarding the reduction of spaces, not as to if the lot was fully paved.

Vice-Chair Clark commented that they were going to leave parking as proposed by the ordinance with 42 spaces. How they are prepared is up to Rock Harbor Management. At the point when a decision is to be made as to which parking spaces to remove, a request for a waiver in parking spaces can be made at that time.

Vice-Chair Clark continued that since the group agrees with the above, they are going to deny the original request for a change in the parking requirements.

**Motion:** Mr. Laurent moved to deny the waiver for the number of parking spaces.

**Seconded:** Mr. Dybas seconded.

**Discussion:** No further discussion.

**Vote:** 4 – 0 – 1

Abstention: Chair Leclair had recused himself at the beginning of the discussion.

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

Vice-Chair Clark proceeded to review with the board.

Vice-Chair Clark asked for any further discussion with this section or other sections of Chapter 1300. There being none, he asked for a motion.

**Motion:** Mr. Laurent moved that the applicant has met §1305.

**Seconded:** Mr. Dybas seconded.

**Discussion:** No further discussion.

**Vote:** 4 – 0 – 1

Abstention: Chair Leclair had recused himself at the beginning of the discussion.

### **Chapter 800**

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

The Planning Board reviewed §802 Industrial Standards and found the application to meet these requirements.

The Planning Board reviewed §803 Parking, Loading and Driveway Standards and found the application to meet these requirements.

The Planning Board reviewed §808 Access Management and found the application to meet these requirements.

The Planning Board determined sections 804, 805, 806, 807, 809, 810, 811, 812, 813, 814, 815, 816, & 817, to be not applicable for review.

**Motion:** Mr. Sarno moved that the applicant has met Chapter 800, particularly sections 801, 803 & 808.

**Seconded:** Mr. Dybas seconded.

**Discussion:** No further discussion.

**Vote:** 4 – 0 – 1

Abstention: Chair Leclair had recused himself at the beginning of the discussion.

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

Vice-Chair Clark mentioned that this is a revision to commercial development, and it is not necessary to review this chapter considering the recent discussions. The board discussed the various sections and determined that they were either met or not applicable.

**Motion:** Mr. Laurent moved that the project satisfies the requirements of Chapter 1000.

**Seconded:** Mr. Dybas seconded.

**Discussion:** No further discussion.

**Vote:** 4 – 0 – 1

Abstention: Chair Leclair had recused himself at the beginning of the discussion.

### **Final Approval**

**Motion:** Mr. Laurent moved to approve this project since it satisfies all of the applicable requirements of the Rockport Land Use Ordinance.

**Seconded:** Mr. Sarno seconded.

**Discussion:** No further discussion.

**Vote:** 4 – 0 – 1

Abstention: Chair Leclair had recused himself at the beginning of the discussion.

Mr. Todd thanked the board for approving.

Chair Leclair returned to officiate over the meeting.

Discussion on the minutes and Findings of Facts. Director Thomas and his office are trying a new process, having Renetta the new Planning and Codes Clerk type up the minutes for Director Thomas to review and pull the Findings of Facts. This will be a process they are testing out for the next few meetings. It was noted that the Findings of Facts is an important and binding document compared to the minutes.

### **Agenda Item #5: Findings of Facts and Conclusion of Law for - 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.**

**Motion:** Mr. Sarno moved to approve the Findings of Fact and Conclusions of Law.

**Seconded:** Mr. Clark seconded.

**Discussion:** No further discussion.

**Vote:** 4-0-1

**Abstention:** Mr. Dybas was not present at that meeting.

**Agenda Item #6: Other Business**

**a. Land Use Ordinance amendment discussion**

Changes to the Land Use Ordinance need to be on the ballot for a November vote and will be on the agenda next month. Some changes have already been recommended within Table 918.

Chair Leclair asked for all the planning board members to review the Land Use Ordinance for any other changes that might need to be addressed at the next meeting for discussion so they can be presented to the select board and then to the voters in November.

This item will be listed as Land Ordinance Review on the agenda for the June meeting.

**b. Time frame for November**

Recommendations need to be provided to the select board by the second Tuesday of August, which means our recommendation needs to be completed by the July meeting or there would need to be a meeting continuance to complete in time.

**c. Date for next meeting**

June 26 will be the next meeting. Please accept or decline when the invitation is sent.

**Agenda Item #7: Adjournment**

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

**Seconded:** Mr. Sarno seconded.

**Vote:** 5-0-0

Meeting was adjourned at 7:24 pm.