Town of Rockport Planning Board
Meeting Minutes
Thursday, August 21, 2025

Meeting held in the Opera House GCPR.

Board Present:	Jeffrey Leclair, Sam Clark, Tom Laurent, Jan Rosenbaum, Peter Sarno
Board Absent:	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://youtube.com/live/dd8ZuXw8pvM?feature=share

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Agenda

1. **[00:00:00]** Call meeting to order
2. **[00:00:47]** Public comments on non-agenda items
3. **[00:00:52]** Approve minutes
    a. 07.24.2025
4. **[00:04:24]** **Subdivision Review – Major – application** for the parcel located at **Commercial St. Rockport, ME 04856**. This parcel is identified as **Tax Map 027 Block 163 Lot 001,** which is owned by Mid-Coast Habitat for Humanity and is represented by Michael Sabatini of Landmark Corporation Surveyors & Engineers.
5. **[01:33:30]** Other Business
    a. Review Planning Board Bylaws
    b. Comprehensive Plan
6. **[01:52:02]** Adjourn

Agenda Item #1: Call Meeting to order at 5:34 pm.

[00:00:00]

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

[00:00:47]

No Comments received for non-agenda items.

Agenda Item #3: Approval of minutes for July 24, 2025

[00:00:52]

Motion: Mr. Rosenbaum moved to approve July 24, 2025, minutes as edited.

Seconded: Mr. Laurent seconded.

Discussion: No further discussion.

Vote: 4-0-1

Abstention: Mr. Sarno was not present at the 7.24.2025 meeting.

Agenda Item #4: Subdivision Review – Major – application for the parcel located at **Commercial St. Rockport, ME 04856**. This parcel is identified as **Tax Map 027 Block 163 Lot 001,** which is owned by Mid-Coast Habitat for Humanity and is represented by Michael Sabatini of Landmark Corporation Surveyors & Engineers.

[00:04:24]

CONFLICT OF INTEREST: none

Chair Leclair began the final review of the application for the subdivision. He requested that the applicants share with the board any changes since their last presentation.

PRESENTATION:

Mr. Sabatini shared with the board four (4) things that have been addressed since the last meeting.

1. Fire hydrant location
2. Clearing limits
3. Sightlines at the entrance onto Route 1
4. Vegetation and trees near the abutters

Mr. Sabatini also shared that they received their storm water permit and outlined the construction costs in their letter to be around $1.1 million. They are aware that the approval is conditional based on finalizing the sewer design on Route 1 for the subdivision to tie into. They have also submitted a request regarding the Performance Guarantee.

CLARIFICATION QUESTIONS FROM THE BOARD:

DRAFT

Mr. Rosenbaum asked if the state regulates where fill comes from and is the fill PFAs free? Mr. Sabatini was not exactly sure but mentioned that there are three types of materials that get imported.

Mr. Sarno asked about the tree plan behind unit 1. Is the plan reflecting all the existing trees that will remain, or is it reflecting any new proposed vegetation? Mr. Sabatini responded that there is no new vegetation being added. The existing trees and those in the cross-hatched area are not being removed. No additional buffers will be added and trees in areas where grading occurs will be removed.

PUBLIC COMMENT: **[00:15:21]**

Chair Leclair opened the floor to public comment at 5:49 pm. There were no comments in person or online, and no written comments were received. Public comment was closed at 5:50 pm.

DELIBERATION: **[00:15:46]**

Chair Leclair began the deliberation on the final plan review following the Subdivision Ordinance. He thanked Mr. Sabatini for listing out responses for each section.

[00:15:51] Article 8 – Final Plan for Major Subdivision

The board reviewed Article 8 within the applicant's final application, noting that Article 8.1.H. needs to be extended because the next meeting is after the 30-day time period. After a discussion on the financial support and waiver of performance guarantee, the board voted as follows:

Motion: Mr. Clark moved to approve Article 8 except for 8.1.H. having the time limit moved to 40 days instead of 30 to accommodate the extra time needed for our next meeting, as agreed by the applicant.

Seconded: Mr. Rosenbaum seconded.

Discussion: No further discussion.

Vote: 5-0-0

[01:12:57] Article 11 – Performance Standards

The board reviewed the sections of Article 11 within the applicant's final application. They found that there needs to be a condition for approval on Article 11.6.A., for the sewer to be installed and capacity to receive wastewater.

The board voted as follows:

Motion: Mr. Clark moved that the application meets the standards in Article 11, with conditional approval for public sewer under section 11.6.A.

Seconded: Mr. Sarno seconded.

Discussion: No further discussion.

DRAFT

Vote: 5-0-0

[01:20:18] Article 12 – Design Guidelines

The board reviewed the sections of Article 12 within the applicant's final application. Further discussion on Article 12.2.A.3.b. regarding sight distances. MDOT has already granted the entrance permit. Mr. Sabatini stated that the additional clearing is to enhance the driveway.

Chair Leclair asked if there was a note on the plan that the road will remain in condo ownership. If not, then that would be put in as a condition.

The board voted as follows:

Motion: Mr. Clark moved that the application meets the standards in Article 12, with conditional approval for a note to be put on the plan regarding road ownership.

Seconded: Mr. Sarno seconded.

Discussion: Mr. Laurent asked about the last part of the motion regarding road ownership and that it would be maintained by the owner of the road.

Vote: 5-0-0

[01:28:52] Article 13 – Performance Guarantees

Chair Leclair started the review of Article 13 and the waivers which that we apply are discussed again in Article 14. Discussion was covered under Article 8 regarding the performance bond issue. Chair Leclair asked if there was any further discussion. There being none, the board voted as follows:

Motion: Mr. Rosenbaum moved to approve the waiver on Article 13 – Performance Guarantee.

Seconded: Mr. Clark seconded.

Discussion: No further discussion.

Vote: 4-1-0

[01:30:23] Article 14 – Waivers

Chair Leclair asked if there were any other waivers being requested. There were none.

Chair Leclair asked Director Thomas if there were any other sections that needed to be reviewed. There were none.

[01:30:48] Final Motion

Motion: Mr. Sarno moved to approve the subdivision plans with the conditions as stated:

DRAFT

- Meet Article 11.6.A for wastewater.
- Add a note to the site plan regarding ownership of the road per Article 12.2.b.d..

Seconded: Mr. Rosenbaum seconded.

Discussion: No further discussion.

Vote: 5-0-0

Director Thomas will email Mr. Sabatini the language to include on the plan for the members of the Planning Board to sign.

Agenda Item #5: Other Business

[01:33:30]

a. Review Planning Board Bylaws

- Mr. Laurent suggested amending Section 6.C.4. of the bylaws regarding when non-agenda items should be presented at meetings. Chair Leclair mentioned that the order of agenda items is at the discretion of the chair, and the order can be modified. After a brief discussion, the board proposed the following change. This will give the public a chance to speak on non-agenda items.
  Amend Section 6.C.4. to read "Persons wishing to address the Board on an item not appearing on the agenda may do so only at the discretion of the chair."
- Chair Leclair suggested an edit to Section 5.B regarding quorum, after he had to recuse himself due to a relationship with an applicant.
  Amend Section 5.B. to read "A quorum of the Board necessary to conduct official business shall consist of four (4) members. No official action of the Board may be taken unless it receives a majority vote of the members present and voting."
  The board discussed the option of members being absent from previous meetings and not being able to vote on review items at the next meeting. Director Thomas mentioned that if that member read through the files, they would be able to participate in future votes on agenda items that take several meetings to pass.

Motion: Mr. Clark moved to recommend approved changes in sections 5 and 6 of the bylaws and submit them to the select board for approval.

Seconded: Mr. Rosenbaum seconded.

Discussion: Mr. Rosenbaum and Mr. Laurent brought up items about board membership and language, respectively. There was discussion and no change was made to the above motion.

Vote: 5-0-0

DRAFT

b. Comprehensive Plan
Chair Leclair reminded the board to read it and stay up to date on the plan.
Director Thomas mentioned that it is a reference for when waivers and amendments are requested to make sure they align with the comprehensive plan.

Mr. Rosenbaum went back to the bylaws to discuss Section 3 – Membership. He thinks it should mention the "residents of voting age," because children are not allowed on the planning board. Mr. Clark commented that all members of all committees are approved by the select board.

Chair Leclair circled back to the eight (8) goals in the comp plan that included the planning board to enact. He suggested that the group review the eight (8) goals, and he will send an email with them listed.

Chair Leclair also mentioned that there is a Comprehensive Plan Task Force.
Mr. Viehman, Director Thomas, Mr. Rosenbaum, and Mr. Leclair are members.

c. Planning Board members
Chair Leclair reminded the board that they are looking for one full member and two alternate members.

Agenda Item #6: Adjournment

[01:52:02]

Motion: Mr. Clark moved to adjourn the meeting.

Seconded: Mr. Sarno seconded.

Vote: 5-0-0

Meeting was adjourned at 7:26 pm.

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