Town of Rockport Planning Board
Meeting Minutes
Thursday, July 24, 2025

Meeting held in the Opera House GCPR.

Board Present:	Jeffrey Leclair, Sam Clark, Tom Laurent, Jan Rosembaum, Rob Dybas
Board Absent:	Peter Sarno
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/69iXu66HEU8?feature=share

Agenda

1. **[00:00:36] Call meeting to order**
2. **[00:01:26] Election of Chair and Vice-Chair**
3. **[00:02:30] Public comments on non-agenda items**
4. **[00:02:35] Approve minutes**
   a. **03.27.25**
   b. **05.22.25**
   c. **06.26.25**
5. **[00:06:54] Site Plan Review Application for the parcel located at 14 Business Cir, Rockport, ME 04856. This parcel is identified as Tax Map 016-107-002 for Atlantic Academy Pre-School. This application is being represented by Jed Schwalm of Schwalm, LLC.**
6. **[00:36:00] Findings of Facts and Conclusions of Law for Minor Subdivision Review application of 1113 Commercial St. Rockport, ME 04856. This parcel is identified as Tax Map 002 Block 157, which is owned by Chelsea Market Realty LLC, and named Chelsea Market Subdivision.**
7. **[00:44:16] Land Use Ordinance Amendments**
8. **[03:12:04] Subdivision Ordinance Amendments**
9. **[03:22:43] Other Business**
10. **[03:25:49] Adjourn**

DRAFT

Agenda Item #1: Called Meeting to order at 5:32pm

[00:00:36]

Agenda Item #2: Election of Chair and Vice-Chair

[00:01:26]

Nominations were accepted for Chair and Vice-Chair of the Town of Rockport Planning Board. Their term will start at the end of the meeting.

- Chair - Mr. Rosembaum nominated Jeff Leclair. There were no other nominations. All voted in favor. 5-0-0
- Vice-Chair - Mr. Laurent nominated Sam Clark. There were no other nominations. All voted in favor. 5-0-0

Agenda Item #3: Public Comment on Non-Agenda Items

[00:02:30]

No Comments received for non-agenda items.

Agenda Item #4: Approval of minutes

[00:02:35]

Motion: Mr. Clark moved to approve the March 27, 2025 minutes as amended.

Seconded: Mr. Laurent seconded.

Discussion: No further discussion.

Vote: 4-0-1

Abstention: Mr. Dymas was not present at the March 27, 2025 meeting.

Motion: Mr. Clark moved to approve the May 22, 2025 minutes as amended.

Seconded: Mr. Dymas seconded.

Discussion: No further discussion.

Vote: 4-0-1

Abstention: Mr. Rosenbaum was not present at the May 22, 2025 meeting.

Motion: Mr. Rosembaum moved to approve the June 26, 2025 minutes as amended.

Seconded: Mr. Clark seconded.

Discussion: No further discussion.

Vote: 4-0-1

Abstention: Mr. Dymas was not present at the June 26, 2025 meeting.

DRAFT

Agenda Item #5: Site Plan Review Application for the parcel located at 14 Business Cir, Rockport, ME 04856. This parcel is identified as Tax Map 016-107-002 for Atlantic Academy Pre-School. This application is being represented by Jed Schwalm of Schwalm, LLC.

[00:06:54]

CONFLICT OF INTEREST: none

PRESENTATION:

Mr. Schwalm is representing the Academic Academy as the executive director. They currently have a site in Camden, and they have been around since 2017 as a special purpose private school, licensed and certified by the State of Maine DOE. They provide programming for at-risk youth from kindergarten through 8th grade for students with emotional behavioral disorders from the public-school districts in Mid-Coast Maine. By 2029 special needs pre-k students will be the responsibility of public schools. After having discussions with the special ed directors in the region, it was confirmed that a specialized program was needed for pre-k. In looking for a building, they identified that 14 Business Circle would fit their needs as it was already a preschool building for several years. No construction is needed. They would use the building for a preschool that would provide specialized treatment for kids with special needs.

CLARIFICATION QUESTIONS FROM THE BOARD:

Mr. Laurent asked Mr. Schwalm if he was associated with the group. Mr. Schwalm replied that he was the executive director of Atlantic Academy.

Mr. Rosembaum asked who would own the building. Mr. Schwalm stated that Schwalm LLC would own the building and lease the building to Atlantic Academy as a non-profit with board approval. Taxes will be paid to Rockport under Schwalm LLC and not the non-profit.

Mr. Dybas, Mr. Rosenbaum and Mr. Clark had a question regarding the change of use request. Mr. Schwalm responded that the building was previously used as a daycare (Little Learners Daycare), and it has been vacant for over a year.

Director Thomas provided an overview of why this is before the Planning Board. The change is within the two-year timeframe; however, the code enforcement officer felt that because it was a dance studio (categorized as a school in 2007) and then a daycare, it should go before the planning board before issuing permits. The change of use from a dance studio to a daycare was less of a use and was permitted through code enforcement officer and did not go through the planning board. Now the change is going from daycare to prek-8th grade school.

Mr. Schwalm clarified that the building will be used initially for a pre-k program for 3-5 year-olds and they are considering having kindergarten and 1st grade overtime. He does not know the difference between daycare, pre-k and preschool.

Mr. Laurent inquired about the number of employees and anticipated students. Mr. Schwalm responded that they plan to have 4 employees on-site and 12 students. If they are over 12 students, the building would need a sprinkler system, which is very expensive. There will be no overnight stay, and no meals will be served.

DRAFT

Mr. Dymas asked if anything structurally needed to be done in the building. Mr. Schwalm responded that nothing would need to be done. He just had an inspection done on the building. It was built in 2007 on a slab. The interior is already built as a preschool.

Mr. Laurent asked about the parking area. Mr. Schwalm responded that there are 12 parking spaces. Chair Leclair and Mr. Clark noticed that on the 2007 site plan there were 16 parking spaces and 1 ADA (double) space.

PUBLIC COMMENT: **[00:17:36]**

Chair Leclair opened the floor to public comment at 5:48pm, of which there were none in person nor online and no written comments were received. Public comment was closed at 5:49pm.

DELIBERATION: **[00:17:57]**

This application consists of a letter and the site plan from 2007, which was approved in 2007 under the 2007 Town of Rockport land use ordinance.

[00:20:17] Chapter 1300, §1304 – Site Plan Content

Motion: Mr. Clark moved to approve the application meets the requirements of Chapter 1300, §1304 for completeness.

Seconded: Mr. Rosenbaum seconded.

Discussion: No further discussion.

Vote: 5-0-0

[00:20:49] Chapter 1300, §1303 – Applicability

The Planning Board discussed whether the application should be reviewed under the site plan review or if it is permitted use for it to be reviewed by the code enforcement officer.

Motion: Mr. Rosembaum moved that the change of use is not substantially different than the original use, thus it is not applicable for site plan review.

Seconded: Mr. Dybas seconded.

Discussion: Mr. Clark asked if this satisfies section 1303. Director Thomas said it did.

Vote: 5-0-0

Agenda Item #6: Findings of Facts and Conclusions of Law for Minor Subdivision Review application of 1113 Commercial St. Rockport, ME 04856. This parcel is identified as Tax Map 002 Block 157, which is owned by Chelsea Market Realty LLC, and named Chelsea Market Subdivision.

[00:36:00]

The Planning Board discussed, reviewed and approved the findings of facts.

Motion: Mr. Clark moved to approve the Findings of Facts and Conclusions of Law for Minor Subdivision Review Application of 1113 Commercial St, Rockport, ME 04856 as edited and discussed.

DRAFT

Seconded: Mr. Laurent seconded.

Discussion: No further discussion.

Vote: 4-0-1

Abstention: Mr. Dybas was not present at the meeting.

Motion: Mr. Clark moved to for Chair Leclair to be authorized to sign the document on behalf of the planning board.

Seconded: Mr. Rosenbaum seconded.

Discussion: No further discussion.

Vote: 4-0-1

Abstention: Mr. Dybas was not present at the meeting.

Agenda Item #7: Land Use Ordinance Amendments

[00:44:16]

The Planning Board discussed, reviewed and accepted recommendations for the Land Use Ordinance (LUO) sections 300, 800, 900, and 1300.

Motion: Mr. Clark moved to approve the recommended changes be presented to the select board to be put on the town ballot.

Seconded: Mr. Rosenbaum seconded.

Discussion: No further discussion.

Vote: 5-0-0

Agenda Item #8: Subdivision Ordinance Amendments

[03:12:04]

The Planning Board discussed, reviewed and accepted recommendations for the Subdivision Ordinance.

Motion: Mr. Clark moved to recommend the changes to the Subdivision Ordinance be presented to the select board to be reviewed.

Seconded: Mr. Rosenbaum seconded.

Discussion: No further discussion.

Vote: 5-0-0

Agenda Item #9: Other Business

[03:22:43]

a. Scott Gazelle stepped down from the Planning Board.
b. The Planning Board is looking for another member and two (2) alternates.

DRAFT

c. Next meeting will be moved to August 21.
d. Comprehensive Plan Implementation Committee

Agenda Item #10: Adjournment

[03:25:49]

Motion: Mr. Rosenbaum moved to adjourn the meeting.

Seconded: Mr. Clark seconded.

Discussion: No further discussion.

Vote: 5-0-0

Meeting was adjourned at 8:57 pm.

DRAFT