

**Town of Rockport Planning Board
Meeting Minutes
Thursday, March 28, 2024**

Meeting held in the Rockport Library, Lower Level meeting room.

Board Present: Chair Joe Sternowski, Vice Chair Jeffrey Leclair, John Viehman, Rob Dybas, Jan Rosenbaum, Sam Clark, and Scott Gazelle

Board Absent: Tom Laurent

Staff Present: Orion Thomas, Director of Planning, Community and Economic Development.

Geoff Parker, Audio and Visual Technician

Agenda Item #1: Call Meeting to order:

Start time: 5:32pm

Chair Sternowski sat alternate member Scott Gazelle for this meeting.

Chair Sternowski asked for conflicts of interest.

Mr. Leclair identified a conflict of interest for agenda Item #4

Consideration of a proposed amendment to the Land Use Zoning Map in regards to changing the zoning on a parcel located at 330 Commercial Street and known as Map 20 Lot 182. This proposal is to change the current zoning from 906 Mixed Business Residential and 903 Coastal Residential to be solely 906 Mixed Business Residential.

Agenda Item #2: Approval of minutes

Minutes of the 2.15.2024 meeting were reviewed and approved by only the members who were present at this 2.15.2024 meeting, consisting of Chair Sternowski, Mr. Leclair, and Mr. Rosenbaum.

Vote: 3-0-0

Agenda Item #3

Consideration of a Site Plan Review Application for a property located at 1075 Commercial St. Rockport, ME 04856 and is identified as Map 002 Lot 169. This property is under a purchase and sale agreement between VIP Inc. (buyer) and JL Enterprise LLC (current owner) and is being represented by William Lane of Gartley & Dorsky.

Bill Lane of Gartley and Dorsky Engineering provided an overview of the application. Mr. Lane's overview included how the operations at the current operation in Rockland works, which is shared with O'Riley Auto Parts.

Mr. Lane stated that John Quirk, owner of VIP Auto, is in the process of purchasing 1075 Commercial St and has provided a purchase and sale agreement with the application.

Mr. Lane discussed previous uses at this site, from a restaurant to an office space.

Mr. Lane discussed the last meeting's Pre-Application.

Mr. Lane went into greater detail about the application documents provided, and they included abutting property photos showing existing structures, the site plan, with detailed grading plans, the 3-D rendering and updated color scheme.

Chair Sternowski opened public comment.

No public comment was provided.

Director Thomas indicated that no written comments were provided for this application.

Chair Sternowski closed the public comment.

The Board began their review of the application against the Land Use Ordinance and voted on each of the required sections.

Section 1304:

Motion: Mr. Leclair moved to accept the application as compliant with section 1304.

Seconded: Mr. Rosenbaum seconded.

Discussion: No Discussion

Vote: 7-0-0

Chapter 900.

The Board determined that only sections 906, 917, and 918 were applicable for review.

906 was found to be compliant.

917 use table, the Board determined that the Auto Service / Sales for commercial use is permitted in zone 906.

Retail use was discussed and was identified on the floor plan of the building.

918 was found to be compliant with the requirements outlined in relation to zone 906.

Motion: Mr. Leclair moved that the application as presented satisfies the requirements of Chapter 900.

Seconded: Mr. Gazelle seconded.

Discussion: No Discussion

Vote: 7-0-0

Section 1305 – Performance Standards were found to be applicable for review.

The Board discussed parking and traffic circulation, for customers and deliveries. The entrance was discussed in detail and some concerns were raised, however the owner of the building was confident that the plan as submitted would be satisfactory for traffic flow for customers and deliveries.

ADA access was discussed, signage, trash, drainage, water and sewer access, electrical easement, and exterior lighting.

Motion: Mr. Rosenbaum moved that the application as presented satisfies the requirements of Section 1305.

Seconded: Mr. Clark Seconded.

Discussion: No Discussion

Vote: 7-0-0

Chapter 800

The Board determined that only section 801, 803, and 808 were applicable for review.

Section 801 – Environmental

Nuisance was discussed in detail to understand the noise that would be generated.

Motion: Mr. Leclair moved that this application as presented satisfies the requirements of Section 801.

Seconded: Mr. Rosenbaum seconded.

Discussion: No Discussion

Vote: 7-0-0

Section 803 – Parking and Driveway Standards

Parking space calculation was discussed and found compliant with 53 as the total number to use.

Driveway entrance already approved by MDOT under previous use, which was more generated traffic than what VIP Auto is to have.

Motion: Mr. Viehman moved that this application as presented satisfies the requirements of Section 803.

Seconded: Mr. Rosenbaum seconded.

Discussion: No Discussion.

Vote: 7-0-0

Section 808 – Access Management

Existing building's age was determined to be in the mid 1990's.

Motion: Mr. Leclair moved that this application as presents is complete and meets the requirements of section 808.

Seconded: Mr. Rosenbaum seconded.

Discussion: No Discussion.

Vote: 7-0-0

Chapter 1000

The Board determined that only sections 1002, 1003, and 1004 were applicable for review.

Section 1002 – Area Landscape Regulations

The Board was concerned with the lack of plantings indicated on the plan.

The Board did not find the application met the requirements of section 1002.

Section 1003 – Architectural Review Standards

The Board was concerned with the flat roof line of the new building proposed, and with the material chosen.

The Board did not find the application met the requirements of section 1003.

Section 1004 Parking Lot Design

Motion: Mr. Rosenbaum moved that this application as presented meets the requirements of section 1004.

Seconded: Mr. Clark Seconded.

Discussion: No Discussion.

Vote: 7-0-0

Chapter 300

The Board reviewed the definition of “Connector” against the application’s use of a connector between two buildings.

Motion: Mr. Rosenbaum moved that the application as presented meets the requirements of a “Connector” as defined in Chapter 300.

Seconded: Mr. Gazelle Seconded

Discussion: No Discussion.

Vote: 7-0-0

CONTINUANCE

The Board issued a continuance for this application to 25 April 2024 for the sections which did not meet the requirements of section 1002 and 1003 of the Land Use Ordinance.

Motion: Mr. Rosenbaum moved to issue a continuance for this application to the 25th of April 2024.

Seconded: Mr. Leclair Seconded.

Discussion: No Discussion.

Vote: 7-0-0

Agenda Item #4

Consideration of a proposed amendment to the Land Use Zoning Map in regards to changing the zoning on a parcel located at 330 Commercial Street and known as Map 20 Lot 182. This proposal is to change the current zoning from 906 Mixed Business Residential and 903 Coastal Residential to be solely 906 Mixed Business Residential.

Mr. Leclair recused himself from this agenda item due to a conflict of interest.

Jeff Leclair, representative for this zone change request of a parcel located at 330 Commercial St gave an overview of the reason for such a request.

The Board discussed what could be done at this site if the zone were to change, allowing this entire parcel to be within the 906 zone district.

The Board understood that all abutting landowners were notified of this proposed zone change request.

No abutters showed concern or presented notification to the Planning Board.

The Board reviewed the Comprehensive Plan for the desire of locating a school in town.

The Board discussed potential consequences if the school isn't built as planned , after the zone is changed .

Motion: Mr. Rosenbaum moved to recommend the zone change request to the Select Board.

Seconded: Mr. Gazelle Seconded.

Discussion: No Discussion.

Vote: 6-0-0

Agenda # 5

Adjourn

Mr. Leclair returned to the Board.

Motion: Mr. Rosenbaum moved to adjourn the meeting at 8:18pm.

Seconded: Mr. Clark Seconded.

Discussion: No Discussion.

Vote: 7-0-0