

**ROCKPORT SELECT BOARD  
MEETING MINUTES  
TUESDAY, APRIL 21, 2009  
7:00 P.M.  
ROCKPORT TOWN OFFICE**

Present: Chair, Robert Duke, Vice-Chair Thomas Murphy, Alexandra (Sani) Fogel and William (Bill) Chapman. Absent: Thomas Farley. Also present: Robert Peabody, Jr., Town Manager, Departments Head (Tom Ford, Director of Planning & Community Development), and members of the public

I. CALL MEETING TO ORDER – Robert Duke, Chair called the meeting to order at 7: 04 P.M.

II. UNFINISHED BUSINESS -

a. No Unfinished Business

III. PUBLIC HEARING

a. Public Hearing on the proposed Articles Three through Nine of the June 2009 Annual Town Meeting Warrant

IV. NEW BUSINESS

a. Vote by the Select Board on Articles Three through Nine of the June 2009 Annual Town Meeting Warrant

**Article 3.** Shall an Ordinance entitled “Ordinance amending the Rockport Land Use Ordinance Section 300 – Definitions, Section 700 – Board of Appeals, Section 808 – Access Management, Section 1000 – Landscaping – Performance Standards, and Section 1100 – Signs” be enacted?

**Thomas Murphy moved to place Article 3 on the Town Meeting Warrant. Sani Fogel seconded the motion. VOTE: 4 FOR – 0 OPPOSED**

Select Board Votes: 4 For, 0 Against, 0 Abstain                      **RECOMMEND**

**Article 4.** Shall an Ordinance entitled “Ordinance amending the Rockport Land Use Ordinance Section 812 - Small Wind Energy Systems, Section 901.5 Harbor Village - Side Yard Setbacks in Clustered Residential Subdivisions and Section 913.4 - Rockport Downtown – Dimensional Standards” be enacted?

**Thomas Murphy moved to place Article 4 on the Town Meeting Warrant. Bill Chapman seconded the motion. VOTE: 4 FOR – 0 OPPOSED**

Select Board Votes: 4 For, 0 Against, 0 Abstain                      RECOMMEND

**Article 5.** Shall an Ordinance entitled “Ordinance amending the Rockport Land Use Ordinance Section 914- Chickawaukie Lake Watershed Overlay District - Best Management Practices, Section 915- Grassy Pond and Mirror Lake Watershed Overlay District - Best Management Practices, and Section 1415.16 Shoreland Zoning -Clearing of Vegetation” be enacted?

**Thomas Murphy moved to place Article 5 on the Town Meeting Warrant. Sani Fogel seconded the motion. VOTE: 4 FOR – 0 OPPOSED**

Select Board Votes: 4 For, 0 Against, 0 Abstain                      RECOMMEND

**Article 6.** Shall an Ordinance entitled “Ordinance adding Section 814 – Peddlers, to the Rockport Land Use Ordinance” be enacted?

**Thomas Murphy moved to place Article 6 on the Town Meeting Warrant. Bill Chapman seconded the motion. VOTE: 4 FOR – 0 OPPOSED**

Select Board Votes: 4 For, 0 Against, 0 Abstain                      RECOMMEND

**Article 7.** Shall an Ordinance entitled “Ordinance adding Section 911 – Historic Overlay District to the Rockport Land Use Ordinance and Zoning Map” be enacted?

**Sani Fogel moved to place Article 7 on the Town Meeting Warrant. Bill Chapman seconded the motion. VOTE: 2 FOR – 2 OPPOSED (MURPHY & DUKE) MOTION FAILED**

**Article 8.** Shall an Ordinance entitled “Ordinance amending the Rockport Zoning Map to revise District 907 Modified” be enacted?

**Thomas Murphy moved to place Article 8 on the Town Meeting Warrant. Bill Chapman seconded the motion. VOTE: 4 FOR – 0 OPPOSED**

Select Board Votes: 4 For, 0 Against, 0 Abstain                      RECOMMEND

**Article 9.** Shall an Ordinance entitled “Ordinance amending the Rockport Zoning Map to revise the Shoreland Overlay District” be enacted?

**Thomas Murphy moved to place Article 8 on the Town Meeting Warrant. Bill Chapman seconded the motion. VOTE: 4 FOR – 0 OPPOSED**

Select Board Votes: 4 For, 0 Against, 0 Abstain                      RECOMMEND

Minutes of April 21, 2009

b. Vote by the Select Board on Article 31 of the June 2009 Annual Town Meeting Warrant

Shall the Town of Rockport vote to approve Community Development Block Grant application(s) for the following program(s) and dollar amounts:

Program: Economic Development: Yachting Solutions      Amount \$1,000.00

Program: Community Planning: Legacy Rockport Fund      Amount \$1,000.00

And to submit same to the Department of Economic and Community Development and if said program is approved, to authorize the municipal officers to accept said grant funds, to make such assurances, assume such responsibilities, and exercise such authority as are necessary and reasonable to implement such programs. Furthermore, the Town of Rockport is cognizant of the requirement that should the intended National Objective of the CDBG program not met all CDBG funds must be repaid to the State of Maine CDBG program.

**Thomas Murphy moved to add Article 31 to the Town Meeting Warrant. Sani Fogel seconded the motion. VOTE: 4 FOR – 0 OPPOSED**

Select Board Votes: 4 For, 0 Against, 0 Abstain      RECOMMEND

c. Vote by the Select Board to allow the Town Manager to renumber Article 30 and Article 31 in order to allow better flow of the warrant

**Sani Fogel moved to allow the Town Manager to arrange Warrant Articles on the Town Meeting Warrant. Thomas Murphy seconded the motion. VOTE: 4 FOR – 0 OPPOSED**

d. Vote to set the Town Meeting times as stated in the first paragraph of the June 2009 Annual Town Meeting Warrant:

In the name of the State of Maine, you are hereby required to notify and warn the voters of the Town of Rockport in said County, qualified by law to vote in Town affairs, to meet at the Rockport Town Office, of the said Town of Rockport, on Tuesday, the 9th day of June, 2009 at 8:00 o'clock in the forenoon to 8:00 o'clock in the evening to vote on Articles 1 through 9 at which time the meeting will adjourn. The adjourned meeting will be reopened on Wednesday, the 10th day of June, 2009 at the Rockport Opera House, at 7:00 o'clock in the evening, then and there to act on the remaining articles in the warrant.

**Thomas Murphy moved to set the Town Meeting date as Tuesday June 9<sup>th</sup> at 8:00 A.M. through 8:00 P.M. at the Rockport Town Office to vote on Articles 1 through 8 at which time the meeting will adjourn. The adjourned meeting will be reopened Wednesday June 10<sup>th</sup> at 7:00 P.M. at the Rockport Opera House to act on the**

**remaining articles in the warrant. Bill Chapman seconded the motion. VOTE 4 FOR 0 OPPOSED**

e. Vote to sign School Referendum – MSAD #28 & Five Town CSD Warrant and Notice of Election for Tuesday, June 9, 2009.

**Thomas Murphy moved to sign the MSAD #28 and Five Town CSD Warrant and Notice of Election for the June 9<sup>th</sup> Referendum as presented. Bill Chapman seconded the motion. VOTE: 4 FOR – 0 OPPOSED**

V ADJOURNMENT

**Thomas Murphy moved to adjourn the meeting at 8:00 p.m. Sani Fogel seconded the motion. VOTE: 4 FOR – 0 OPPOSED**

Respectfully submitted,

LINDA M. GREENLAW  
TOWN CLERK as RECORDING SECRETARY