

**ROCKPORT SELECT BOARD
MEETING MINUTES
TUESDAY APRIL 21, 2015
6:00 P.M.
ROCKPORT OPERA HOUSE**

Present: Chair William (Bill) Chapman, Kenneth McKinley, Tracy Lee Murphy, and Geoffrey Parker. Vice-Chair Charlton Ames was absent. Also present: Richard C. Bates, Town Manager; Jamie Francomano, Director of Planning and Community Development; Stacey Parra, Executive Secretary and members of the public

- I. EXECUTIVE SESSION – See separate minutes
 - a. Poverty Tax Abatements pursuant to 36 M.R.S.A. §841(2)(E)

- II. CALL MEETING TO ORDER – Bill Chapman, Chair called the meeting to order at 6:10 P.M.
 - a. Next Meeting – Monday, May 11, 2015, 7:00 p.m.
 - b. Nominating Papers
 - c. Agenda Changes – None
 - d. Public Comment - None

- II. TOWN MANAGER’S REPORT – None tis evening

- III. UNFINISHED BUSINESS
 - a. None this evening

- IV. PUBLIC HEARING
 - a. Public Hearing on the proposed Ordinance Articles Three through Six of the June 2015 Annual Town Meeting Warrant

Article 3. To see if the Town will vote to adopt amendments to the “Nuisances” provisions of the General Standards at Section 801.6 of the Land Use Ordinance for the purpose of extending the evening hours of certain outdoor events to 11:00 p.m. with prior approval by the Select Board.

**Public Hearing opened at 6:11 p.m. and closed at 6:12 p.m.
Anyone for – None - Any opposition –None- Anyone neither for or against –
None**

Article 4. To see if the Town will vote to adopt amendments to the “Sign Standards” at Section 1103.4 of the Land Use Ordinance for the purpose of increasing the maximum area of signs in the Hospital and Resort zoning district to thirty (30) square feet or fifty (50) square feet if the sign includes the universal hospital symbol (white “H” on blue background).

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Public Hearing opened at 6:12 p.m. and closed at 6:13 p.m.
Anyone for – None - Any opposition –None- Anyone neither for or against – None

Article 5. To see if the Town will vote to adopt amendments to Sections 1303 and 1304 of the Land Use Ordinance for the purpose of requiring additional information to be included in applications for “Site Plan” approvals and clarifying the types of land use proposals that do not require such approvals.

Public Hearing opened at 6:13 p.m. and closed at 6:14 p.m.
Anyone for – None - Any opposition –None- Anyone neither for or against – None

Article 6. To see if the Town will vote to adopt amendments throughout Section 913 of the Land Use Ordinance for the purpose of clarifying “Additional Uses and Alternative Standards” adopted by the Town in 2013 and 2014 increasing the development potential of certain properties in the core of the Downtown zoning district on the Harbor side of Central Street.

Public Hearing opened at 6:14 p.m. and closed at 6:14 p.m.
Anyone for – None - Any opposition –None- Anyone neither for or against – None

- b. Public Hearing on the proposed Excise Tax Exemption Ordinance (proposed Article) requested by CPT Eric Pendleton pursuant to Title 36, Part 2, Chapter III, §1483-A exemption for residents serving on active duty from being required to pay excise taxes on their vehicles

Public Hearing opened at 6:14 p.m. and closed at 6:15 p.m.
Anyone for – None - Any opposition –None- Anyone neither for or against – None

VI. NEW BUSINESS

- a. Recommendation Vote by the Board on Ordinance Articles Three through Six of the June 2015 Annual Town Meeting Warrant:

Jamie – reported that the Planning Board voted as follows on each article: Article 3, 7 FOR – 0 OPPOSED; Article 4, 4 FOR – 3 OPPOSED; Article 5, 7 FOR – 0 OPPOSED; and Article 6, 7 FOR – 0 OPPOSED

There are a couple of changes to the wording on 1b Hospital is misspelled and that it should reflect that the town should not regulate the size of the signs on the hospital campus.

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Tracy – this should also apply for resort and not only the hospital. This is a step in the right direction.

Rick – pulling that information out would not make it better; it would make it more confusing.

Jamie – we should leave it but consider a change next year for others such as MRC and the YMCA, etc.

Ken – the ORC worked very hard on this. The 30 square foot area is the same as others. Regarding the hospital it is a public safety issue. The signage helps the public at stressful times when they are looking for the hospital.

Article 3. To see if the Town will vote to adopt amendments to the “Nuisances” provisions of the General Standards at Section 801.6 of the Land Use Ordinance for the purpose of extending the evening hours of certain outdoor events to 11:00 p.m. with prior approval by the Select Board.

Planning Board Votes: 7 For, 0 Against, 0 Abstain RECOMMEND
Select Board Votes: 0 For, 0 Against, 0 Abstain RECOMMEND

Kenneth McKinley moved to approve placing Article 3 on the warrant. Geoffrey Parker seconded the motion. VOTE: 4 FOR – 0 OPPOSED

Kenneth McKinley moved to recommend Article 3 as presented. Tracy Murphy seconded the motion. VOTE: 4 FOR – 0 OPPOSED

Stacey – recommended that the wording of the article be changed to “Shall the Town vote”. This would be consistent with past policy with ordinance articles and make it the same as the proposed article 7, which was drafted by the town attorney.

Ken and Tracy withdrew their motion and second to recommend the article as presented and to change the wording.

Geoffrey Parker moved to change the wording to “Shall the Town vote” as we vote on each article and as is past practice and if the town attorney does not agree we will go back to the current wording. Tracy Murphy seconded the motion. VOTE: 3 FOR – 1 OPPOSED (MCKINLEY)

Article 4. To see if the Town will vote to adopt amendments to the “Sign Standards” at Section 1103.4 of the Land Use Ordinance for the purpose of increasing the maximum area of signs in the Hospital and Resort zoning district to thirty (30) square feet or fifty (50) square feet if the sign includes the universal hospital symbol (white “H” on blue background).

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Planning Board Votes: 4 For, 3 Against, 0 Abstain RECOMMEND
Select Board Votes: 0 For, 0 Against, 0 Abstain RECOMMEND

Kenneth McKinley moved to approve placing Article 4 as read on the warrant. Geoffrey Parker seconded the motion. VOTE: 4 FOR – 0 OPPOSED

Tracy Murphy moved to recommend Article 4 as read. Kenneth McKinley seconded the motion. VOTE: 4 FOR – 0 OPPOSED

Article 5. To see if the Town will vote to adopt amendments to Sections 1303 and 1304 of the Land Use Ordinance for the purpose of requiring additional information to be included in applications for “Site Plan” approvals and clarifying the types of land use proposals that do not require such approvals.

Planning Board Votes: 7 For, 0 Against, 0 Abstain RECOMMEND
Select Board Votes: 0 For, 0 Against, 0 Abstain RECOMMEND

Kenneth McKinley moved to approve placing Article 5 as read on the warrant. Tracy Murphy seconded the motion. VOTE: 4 FOR – 0 OPPOSED

Tracy Murphy moved to recommend Article 5 as read. Geoffrey Parker seconded the motion. VOTE: 4 FOR – 0 OPPOSED

Article 6. To see if the Town will vote to adopt amendments throughout Section 913 of the Land Use Ordinance for the purpose of clarifying “Additional Uses and Alternative Standards” adopted by the Town in 2013 and 2014 increasing the development potential of certain properties in the core of the Downtown zoning district on the Harbor side of Central Street.

Planning Board Votes: 7 For, 0 Against, 0 Abstain RECOMMEND
Select Board Votes: 0 For, 0 Against, 0 Abstain RECOMMEND

Tracy Murphy moved to approve placing Article 6 as read on the warrant. Kenneth McKinley seconded the motion. VOTE: 4 FOR – 0 OPPOSED

Kenneth McKinley moved to amend the article by adding “s” to “section” and to add the words “and 1400” after “913”. Tracy Murphy seconded the motion. VOTE: 4 FOR – 0 OPPOSED

Tracy Murphy moved to recommend Article 6 as amended. Geoffrey Parker seconded the motion. VOTE: 4 FOR – 0 OPPOSED

- b. Final Discussion and Recommendation Vote on request by CPT Eric Pendleton for the town to enact an ordinance exemption (proposed Article7)

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for residents serving on active duty from being required to pay excise taxes on their vehicles (Title 36, Part 2, Chapter 111, §1483-A)

There was discussion on the impact of this item on excise tax collection. How many families are involved and how many vehicles?

Geoff – I will not vote on the one (placing on the ballot) or to recommend this article.

Tracy – supports the idea, but doesn't feel comfortable with what is being presented as she feels there is not enough information. We have not done our research. As a concept it is not a bad thing.

Geoff – it is our responsibility to fully understand what is presented and we don't.

Tracy- would like to see this again with more effort to research the outcome on the effect of lost revenue. She supports the concept.

Ken – we don't know what the results will be.

Bill – plans to support this article.

Kenneth McKinley moved to place Article 7 as read on the warrant. Tracy Murphy seconded the motion. VOTE: 3 FOR – 1 OPPOSED (MURPHY)

Kenneth McKinley moved to recommend Article 7 as read. Tracy Murphy seconded the motion. VOTE: 2 FOR (MCKINLEY & CHAPMAN) – 2 OPPOSED (MURPHY & PARKER)

c. Vote to sign the Budget Validation Referendum – MSAD #28 and Five Town CSD Warrant and Notice of Election Tuesday, June 9, 2015

Kenneth McKinley moved to sign the Budget Validation Referendum Warrant and Notice of Election for the MSAD #28 and Five Town CSD to be held on Tuesday, June 9, 2015. Geoffrey Parker seconded the motion. VOTE: 4 FOR – 0 OPPOSED

- VII. WASTEWATER COMMISSIONERS – None this evening
- VIII. LIAISON REPORT
- IX. EXECUTIVE SESSION – None this evening
- X. ADJOURNMENT

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Tracy Murphy moved to adjourn the meeting at 7:10 P.M. Kenneth McKinley seconded the motion. VOTE: 4 FOR – 0 OPPOSED

Respectfully submitted,

LINDA M. GREENLAW
TOWN CLERK as RECORDING SECRETARY