

Approved
Town of Rockport Planning Board
Wednesday, February 10, 2016 – 5:30 P.M.
Rockport Opera House Downstairs Meeting Room
Meeting Televised on Channel 22

Board Present: Chair John Alexander, Warren Erickson, Terri MacKenzie, Thomas Murphy, and James Ostheimer

Board Absent: Howard “Tony” Bates and John Viehman

Staff Present: Planning and Development Director James Francomano, CEO Scott Bickford, and Videographer Tom Goodwin

I. Roll Call

Chair John Alexander called the meeting to order at 5:35 P.M.

II. Old Business

A.Heiwa Soy Beanery d/b/a Tofoodio, LLC – 201 West Street - Final Site Plan Review for Light Manufacturing and Retail Uses – Map 26/Lot 7-1: Applicant Jeff Wolovitz displayed his Site Plan and said there were not many changes to the existing site. He had added landscaping, larger gas tanks on the northeast, a dumpster, an exterior cooler, and plenty of parking spaces. Mr. Wolovitz expected minimal traffic in and out of the site. He hoped a market would come into the other half of the building.

Mr. Erickson asked if there were any concerns, such as setback issues, connected to the removal and replacement of the propane tanks. The Board saw no problems.

Section 1300: Chair Alexander read aloud the submittals from Planner Francomao’s 2/4/16 Submission Checklist.

ACTION: Thomas Murphy made a motion, seconded by Warren Erickson, to waive the requirement for a field survey of the lot lines.

Carried 5-0-0

ACTION: Thomas Murphy made a motion, seconded by Terri MacKenzie, to make a condition of approval that if a dumpster is used, it be screened with landscaping plantings or an enclosed fence.

Carried 5-0-0

ACTION: Thomas Murphy made a motion, seconded by Warren Erickson, that a condition of site approval would be satisfactory authorization to connect to the public sewer based on Rockport, Camden, and MDEP approvals.

Carried 5-0-0

Mr. Francomano said a letter dated 2/8/16 from Engineer Stephen Cox had stated, on behalf of Maine Water, that the public water supply was sufficient to meet Heiwa Tofu's needs. A 2/8/16 email from the Fire Marshall's Office said no permitting was necessary for industrial or mercantile uses. Mr. Francomano noted that a Commercial Food Processor license could not be issued until the space was built; Mr. Wolovitz had such a license in Belfast.

ACTION: Terri MacKenzie made a motion, seconded by Thomas Murphy, to state that issuance of a DACF license for Heiwa Tofu as a Commercial Food Processor be a condition of approval.
Carried 5-0-0

ACTION: Thomas Murphy made a motion, seconded by James Ostheimer, to accept the application as complete.
Carried 5-0-0

Section 808.3 (Performance Standards):

ACTION: Thomas Murphy made a motion, seconded by Warren Erickson, that since this use was less intensive than the previous one, a traffic study was not required.
Carried 5-0-0

Mr. Wolovitz said there would be minimal changes to the existing exterior lighting, though they would be adjusted to use less energy.

ACTION: Thomas Murphy made a motion, seconded by Warren Erickson, that a condition of approval would be that any exterior lighting must conform to Sec. 801.7.
Carried 5-0-0

Section 1000 (Landscaping): Mr. Ostheimer noted the four garden beds and 7 plants described, but said he would like to know where individual plants would be located. Mr. Wolovitz responded that the list of plants was suggestive only and he would be working each year to build up the beds.

ACTION: Terri MacKenzie made a motion, seconded by Thomas Murphy, that the Landscape Plan meets the requirements of Section 1002 (Landscape Plan Requirements).
Carried 5-0-0

Section 1003 (Architectural Review): Mr. Murphy said this was an existing building with siting and elevations in place.

ACTION: Thomas Murphy made a motion, seconded by James Ostheimer, that since no exterior changes are proposed, we find the building meets the Architectural Review standards.
Carried 5-0-0

Section 1004:

ACTION: Thomas Murphy made a motion, seconded by Warren Erickson, that we find the parking lot design and landscaping meet the requirements of Sec. 1004.
Carried 5-0-0

Section 800 (General): Mr. Erickson said propane tanks were just as homely and more of a safety factor than a dumpster. Mr. Murphy said traditionally tanks had not been screened and this was an existing tank. Mr. Erickson said that when reviewing the ordinances he would like to look at propane from a safety standpoint. Mr. Murphy suggested the Board ask the Fire Chief's opinion in those cases.

Chair Alexander opened and closed the Public Hearing at 6:25 P.M.; no one spoke.

ACTION: Warren Erickson made a motion, seconded by Thomas Murphy, to approve the Site Plan of Heiwa Soy Beanery d/b/a Tofoodio, LLC, for light manufacturing and retail uses at 201 West Street (Map 26/Lot 7-11), subject to the conditions of approval already voted on.
Carried 5-0-0

Chair Alexander proposed that the Submissions Checklist become the Findings of Fact now and going forward.

ACTION: Thomas Murphy made a motion, seconded by Warren Erickson, to adopt the Submissions Checklist for this application as the Findings of Fact for its approval.
Carried 5-0-0

B. David Moore – Hawthorne Drive – Proposal to Merge Lots 5 & 6 of Bay Ridge Phase 4 Subdivision (Map 2, Lots 57-5 and 57-6) and Merge These Lots with Property on Chickawaukee Pond Road (Map 5, Lot 133): Not addressed this evening.

C. Dick Nightingale - Bay Ridge Phase 4 Subdivision - Application to Amend the Final Plan to Increase the Width of Cliffside Drive Private Way to Serve Lands Not Included in the Original Subdivision: Not addressed this evening.

III. Other Business:

A.Planning Board By-laws: Continuation of Discussion of Proposed Amendments to the By-Laws Last Discussed at the Board’s Regular Meeting of January 13, 2016: Planner Francomano reminded the Board that they had made changes to the by-laws at the last meeting and would vote on them at this meeting. Mr. Murphy clarified that members had copies of the proposed amendments at the last meeting.

ACTION: Warren Erickson made a motion, seconded by Thomas Murphy, to approve the proposed changes to the by-laws.
Carried 5-0-0

B.ORC Work Plan: Chair Alexander suggested the Board get together at 5:30 P.M. on March 9 to discuss the Architectural Review Section 1003. The Board agreed. Mr. Alexander wanted Mr. Francomano, Mr. Murphy, and Mr. Erickson to prepare to walk the Board through the section.

C. FEMA Letter: Chair Alexander asked why he and Mr. Francomano had received a letter from FEMA. Mr. Francomano said the letter had been addressed to the Chair because it concerned an up-coming zoning amendment regarding new flood mapping that required adoption by the town. The Chair said he would copy the letter to the other members.

IV. Approve Minutes of 11/18/15 MUBEC Workshop and 10/14/15 and 1/13/16 Regular Meetings:

ACTION: Warren Erickson made a motion, seconded by James Ostheimer, to approve the minutes of the MUBEC workshop, with the addition of Terri MacKenzie’s email of 11/12/15 and reference to it in the minutes.
Carried 5-0-0

ACTION: Thomas Murphy made a motion, seconded by Terri MacKenzie, to approve the minutes of 1/13/16.

Carried 5-0-0

ACTION: Thomas Murphy made a motion, seconded by Warren Erickson, to approve the minutes of Wednesday, 10/15/15 for the Town of Rockport Planning Board.

Carried 5-0-0

VI. Adjournment: The Board acknowledged Tom Goodwin's dedication and service to the Town of Rockport recording the meetings of the Planning Board and wished him well in his new employment.

The meeting adjourned at 7:00 P.M.

Respectfully submitted,

Deborah Sealey
Recording Secretary