

Memo

To: Stephen Bowen, Chair and Members of the Zoning Board of Appeals
Prospective Members Kimberlee Graffam and Allen Mitchell

Cc: Scott E. Bickford, Code Enforcement Officer
Phillip R. Brown, property owner

From: James P. Francomano, Planning and Development Director

Date: April 21, 2016

Re: PRB Machine Shop – Application for Special Exception approval
431 Rockland Street (Map 13 / Lot 5-1)

Applicant Phil Brown proposes to convert approximately 588 square feet inside an existing accessory structure for use as a machine shop (southerly portion of ground floor) on his property located in the Section 908 Rural zoning district. The proposed use qualifies as a “Tradesman’s Shop,” as defined per Land Use Ordinance (LUO) Section 300. For this reason Mr. Brown’s proposal requires ZBA Special Exception approval in order to complete his pending application for a building permit.

When a commercial use is proposed in otherwise residential surroundings, ZBA review and possible conditions of approval are intended to minimize impacts on neighboring properties and to ensure general compatibility of the proposed use. As we will discuss, at your meeting at 5:30 p.m. Monday, May 2, the criteria for Special Exception review is in Section 703.3 of the LUO. On this project, separate Site Plan approval from the Planning Board is NOT required as per Section 1303 of the LUO.

Tel: 236-0989
Fax: 230-0112

TOWN OF ROCKPORT
101 Main Street, Rockport, ME 04856

email: aaplanning@town.rockport.me.us

Please print - **ROCKPORT BOARD OF APPEALS APPLICATION** - Please print

Name Applicant(s)/Appellant(s) PHIL BROWN

Street Address(s) 431 ROCKLAND ST. Map 13 Lot 5-1

Appellant Mailing Address " (Route 17)

Appellant Email Address prb1829@yahoo.com

Appellant Tel # 596-0574 Cell# _____ Fax# _____

Name of Appellants Agent/Legal Rep. _____

Agents Mailing Address _____

Agents Tel # _____ Cell# _____ Fax# _____

Agents Email Address _____

INFORMATION ON PROJECT / ACTION BEING APPEALED OR APPLIED FOR

Name of Project MACHINE SHOP - 588 SF

Street Address of Project/Action same as above Map: _____ Lot: _____

Name of Owner _____

Owners Mailing Address _____

Owners Email Address _____

Owner's Tel. # _____ Cell# _____ Fax# _____

TYPE OF APPEAL REQUIRING REVIEW

- (please check off and complete appropriate attached sheet for specific type of appeal)
- Administrative appeals of the order or decision of the Planning Board or Code Officer
 - Special Exceptions authorized by the Ordinance
 - Variances authorized by the Ordinance.
 - Ordinance interpretation
 - Miscellaneous appeals

IMPORTANT INFORMATION FOR APPELLANTS AND APPLICANTS

1. Please provide twelve (12) copies of a complete appeal application and supporting documentation;
2. Please enclose a check for Board of Appeals hearing fee - (see attached fee schedule - pink sheet);
3. The Rockport Board of Appeals normally meets on the 4th Wednesday of the month;
4. Complete applications must be submitted to the Planning Office 15 days before a regularly scheduled meeting;
5. The Planning Office will schedule a meeting date upon receipt of a complete application, supporting documentation & fee;
6. Applications that are not complete will be returned to the appellant by the Planning Office for additional information.

To the best of my knowledge, all information submitted with this application is true and correct.

Signature of Appellant Philip Brown Date Received by Planning Office 4/7/2016
JPF

PHIL BROWN
431 ROCKLAND STREET
ROCKPORT, ME 04856
TEL. 207-596-0574

April 7, 2016

To The Board,

1. The building is a simple 1-1/2 story structure that is similar to many in New England. Built to look like a barn.
2. It may perhaps enhance the surrounding properties.
3. I have public water. There will be minimal traffic as this is a machine shop that I intend to use occasionally for personal use.
4. Traffic should be light with no pedestrian traffic, and should not hinder any emergency vehicle access.
5. Built as a barn, with dense sprayed in insulation, 5/8 fire rated sheetrock and tall ceilings, and nothing being done outside, deterioration should be less than most buildings.
6. There may be a blacktop or cement apron in front of the building at some point and the gravel parking area and driveway will stay as they are.
7. All the work will be done inside and will be normal business operating hours.
8. Quiet hours are respected and appreciated.
9. I removed a lot of nasty alders and plan on planting 10-15 cedars and pine trees to block the view from the street but also hold back some of the highway noise.
10. The requested use is as a "Tradesman Shop," as defined in the ordinance.

Thank you,



Phil Brown
431 Rockland St
Rockport, Me 04856
207-596-0574

WARRANTY DEED

Know All By These Presents

That We, **LISA WOTTON** and **TIMOTHY WOTTON**, of Rockport, County of Knox and State of Maine

in consideration of one dollar and other valuable considerations,

paid by **PHILIP BROWN**, whose mailing address is 55 Mill Street, Rockland, Maine 04841

the receipt whereof We do hereby acknowledge, do hereby give, grant, bargain, sell, and convey unto the said **PHILIP BROWN**, his heirs and assigns forever,

A certain lot or parcel of land, together with the buildings and improvements thereon, located in the Town of Rockport, County of Knox and State of Maine, more particularly described as follows:

BEGINNING at an iron rod set located on the East line of Rockland Street – Route 17 at the northwest corner of land to be retained by the Grantors , Timothy D. Wotton and Lisa T. Wotton;

THENCE northwesterly by the East line of Rockland Street – Route 17 along an Arc with a radius of 1,190.9 feet, a distance of 344.2 feet to a 5/8 rebar set at the South corner of land now or formerly of Dodge (Book 1156, Page 329);

THENCE North 45° 13' East 278.3 feet by land of said Dodge to a point;

THENCE North 45° 12' East 197.7 feet by land of Dodge and then land of Trahan and in part along a stone wall to an iron rod set;

THENCE North 45° 13' East 660.3 feet along land of Trahan (Book 3802, Page 296), then land of Brown (Book 596, Page 1) and then land of Doherty (Book 3779, Page 236) to an iron rod set at the end of a stone wall;

THENCE continuing along the same course by land of Doherty 32.8 feet to a point;

THENCE South 46° 22' East 505.5 feet along the line of land of Lawson (Book 2322, Page 213) to a 1" iron rod found;

MAINE REAL ESTATE TRANSFER
TAX PAID

THENCE South 44° 38' West 869.7 feet along line of Lawson to a 1" iron rod found;

THENCE North 45° 2' West 71.8 feet to a point;

THENCE South 11° 12' East 147.3 feet to a 5/8 rebar set at the northeast corner of land of Timothy and Lisa Wotton;

THENCE South 81° 58' West 418.1 feet by land of said Wotton to an iron rod set on the East line of Rockland Street – Route 17, being the place of beginning.

REFERENCE is made to "Boundary Survey of Property Deeded to Timothy D. Wotton and Lisa T. Wotton situated at 419 Rockland Street, Route 17, Rockport, Knox County, Maine" dated June 2011 by Richards, Cranston & Chapman, Inc. RPT5248

The above-premises are a portion of property conveyed by Edith M. Duncan to Timothy D. Wotton and Lisa T. Wotton by deed recorded on February 22, 2007 at the Knox County Registry of Deeds in Book 3756, Page 288.

Grantor reserves an easement to maintain, repair and replace the existing leach field over the above described property, said easement more particularly bounded and described as follows:

BEGINNING on the easterly side of Rockland Street – Route 17 at a 5/8" iron rod set marking the northwest corner of land to be retained by Lisa and Timothy Wotton and being the southwest corner of the above described parcel;

THENCE in a northwesterly direction by and along the easterly bound of Rockland Street- Route 17 a distance of forty (40) feet to a point;

THENCE North 81° 58' East parallel to the northerly line of land to be retained by said Wotton, a distance of seventy-five (75) feet, more or less, to a point;

THENCE in a southeasterly direction a distance of forty (40) feet to the northerly bound of land to be retained by said Wotton;

THENCE South 81° 58' West a distance of seventy-five (75) feet, more or less, to the point of beginning.

To Have and To Hold the aforegranted and bargained premises with all privileges and appurtenances thereof to the said **PHILIP BROWN**, his heirs and assigns, for them and their use and behoof forever,

AND We do **Covenant** with the said Grantee, his heirs and assigns, that We are lawfully seized in fee of the premises, that they are free of all encumbrances; that We have good right to sell and convey the same to the said Grantee to hold as aforesaid; and that We and Our heirs shall and will **Warrant and Defend** the same to the said Grantee, his heirs and assigns forever, against the lawful claims and demands of all persons.

In Witness Whereof, We, the said LISA WOTTON and TIMOTHY WOTTON have hereunto set our hands and seals this 6th day of the month of July, 2011.

Signed, Sealed and Delivered
in presence of

[Signature]
Witness
Printed Name:

[Signature]
LISA WOTTON

[Signature]
Witness
Printed Name:

[Signature]
TIMOTHY WOTTON

State of Maine
County of Knox, ss. 6 July, 2011

Then personally appeared the above-named LISA WOTTON and TIMOTHY WOTTON, known to me (or satisfactorily proven to me) to be the individuals described in this instrument and acknowledged the above instrument be their free act and deed.

Before me
[Signature]
Notary Public
Printed Name EDWARD M. COLLINS
My Commission Expires 25 December 2018

SEAL

KNOX SS: RECEIVED
JUL 06, 2011
at 03:12P
ATTEST: LISA J SIMMONS
REGISTER OF DEEDS



Phil Brown Tradesman's Shop



Property Information

Property ID 013-005-001
Location 431 ROCKLAND ST
Owner BROWN, PHILIP



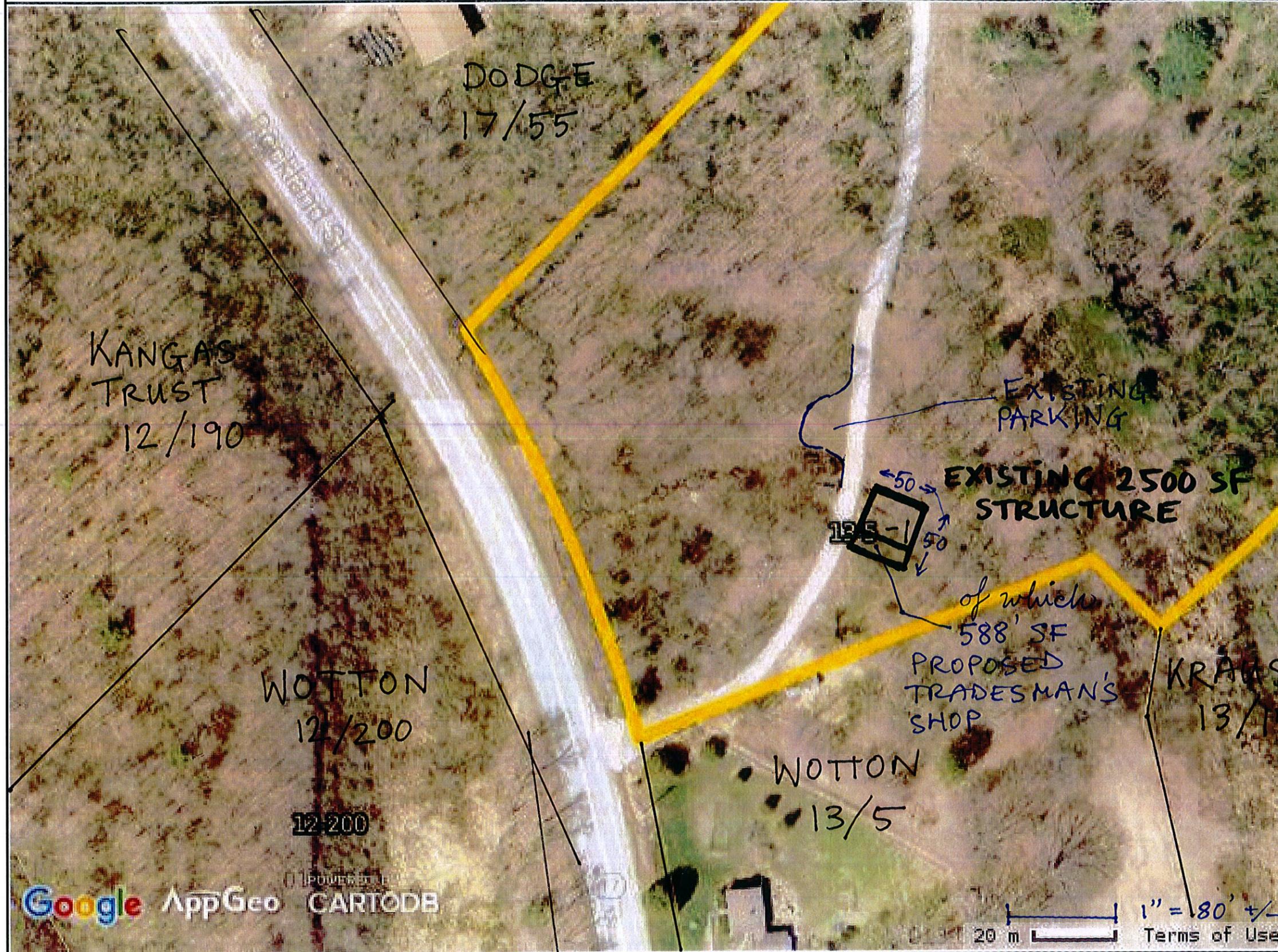
**MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT**

Town of Rockport, ME makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Parcels updated 4/1/2013
Properties updated 4/1/2013

Vicinity MAP
ABUTERS
NOTIFIED
BY MAIL

Phil Brown Tradesman's Shop



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Property ID 013-005-001
 Location 431 ROCKLAND ST
 Owner BROWN, PHILIP



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Parcels updated 4/1/2013
 Properties updated 4/1/2013

SPECIAL EXCEPTION for use as
 TRADESMAN'S SHOP
 APPROVED BY
 ROCKPORT ZONING BOARD of APPEALS:
 5/2/2016

1. _____, Chair
2. _____
3. _____
4. _____
5. _____
6. _____
7. _____