

- PUBLIC MEETING -

Ordinance Review Committee

Thursday, February 26, 2015
8:00 a.m. @ Rockport Town Office
Richardson Room

PLANNER'S NOTES

1. In attendance were Will Gartley, Larry Goldman, Terri Mackenzie, Ken McKinley, Richard Remsen (Chair) and Molly Sholes.
2. Correspondence. An e-mail from Paul Gibbons, Esq. dated February 25, 2015 was distributed to the Committee along with Will's annotated excerpt of the Ordinance. Both detailed obvious typographical and formatting errors in the 2014 edition of the Land Use Ordinance, especially in the version posted to the Town's website.
3. Implementation of 2013 and 2014 amendments and ORC recommendations.

There is considerable doubt about what changes were adopted and what changes might have been recommended by the ORC but did not make it as far as the Warrant Articles at Annual Town Meeting. The official version of the language considered by the voters can be obtained from the Town Clerk's office.

Scott and I were asked to verify as much of this language as possible. Scott was confident that the official version and what was published to the website are different. I was asked to distinguish between: problems like typos and formatting; changes approved by the voters but not accurately codified in the LUO; or changes recommended in 2013 or 2014 but not clearly resolved.

If the Committee can form consensus on these distinctions the next step will be to decide whether to include any of this material in its recommendations to the Select Board, even though it was not included in the Work Plan for the current season.

My impression is that the problems with the Special District 913.2 were the most acute. For example, it appeared to be the consensus of those present that these several parcels were identified specifically to encourage multifamily residential development and redevelopment. Why then would that use remain permitted only by Special Exception?

We also discussed why a column for this new zoning district should or should not be added to the tables at Sections 917-918. No consensus there. The value of including comprehensive tables for permitted Uses and dimensional standards in the Ordinance itself was called into question by Richard, Steve, Will and others. As recently as 2013 the formatting was different: each zoning district had its own, narrowly focused table. I mentioned that comprehensive tables appear to me to be very useful “back office” tools but may not need to be included in the Ordinance itself and especially not if they are used in addition to district specific tables.

4. Work Plan Item #4 – Section 1303 Site Plan review thresholds. Continued from Committee meeting of February 12th. I reviewed with the Committee my annotated copies of corresponding ordinance provisions from Camden, Lincolnville and Rockland and some suggestions for similar provisions that might be interest in the Town of Rockport.

Ken and Will and others indicated that my suggestion of a new specific threshold of cubic yards of cut or fill would be too technical. Scott noted that Section 801.2 provides a some opportunity for staff to impose more stringent review where extensive earthworks is proposed. [However these provisions do not give us authority to “bump up” a Building Permit application to a Site Plan application.]

Will and Ken suggested that Section 1303.1 be broken down into two subsections that and the word “Major” be deleted from Section 1303.4.

Terri suggested that elevation drawings be added as a requirement under Section 1304 “Site Plan Content.”

I was asked to draft possible solutions along these lines.

5. Adjourn. The meeting was adjourned at 9:10 a.m.

These notes reflect my recollection of discussion at the February 26th meeting.

Prepared by:



James P. Francomano, Director
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Dated:

2015-03-06