

D-R-A-F-T
Town of Rockport Planning Board
Wednesday, August 12, 2015 – 5:30 P.M.
Rockport Opera House Downstairs Meeting Room
Meeting Televised on Channel 22

Board Present: Chair John Alexander, Howard “Tony” Bates, Warren Erickson, Terri MacKenzie, Thomas Murphy, James Ostheimer, and John Viehman

Board Absent: None

Staff Present: Planning and Development Director James Francomano, Videographer Tom Goodwin, and Recording Secretary Deborah Sealey

I. Roll Call

Chair John Alexander called the meeting to order at 5:30 P.M. and took a roll call.

II. New Business

Request to dissolve the “Brewster Point” subdivision off Warrenton Street (Map 4 / Lot 160) as approved by the Planning Board and recorded in 2008.

The applicant was represented by attorney Stephen Hanscom, accompanied by prospective buyer Angus Cooper, who had set up the Royal C, LLC this morning. The request before the PB was to dissolve the subdivision put in place in 2008: Mr. Hanscom showed the subdivision plan approved on 1/9/08 to the Board.

Mr. Hanscom said Mr. Cooper was under contract to purchase the property, consisting of 116 acres (with 5,500’ of ocean frontage) plus the 1-acre Ram Island, from HFC-Glen Cove, LLC. The buyer’s obligations under the contract were contingent on dissolution of the subdivision. Mr. Cooper wanted to return the property to a classic Maine saltwater farm, with one residence and the existing buildings. Attorney Hanscom cited Town ordinances that allowed the PB to effect dissolution of the subdivision. He stressed that use as a residence instead of a 45-unit subdivision would protect the environment and the health and welfare of Rockport’s inhabitants and reduce the amount of traffic onto Warrenton St. and, thereby, Rte. 1.

Mr. Murphy said he felt this was a wonderful thing. Tony Bates cited the legal documents as saying the sale to Mr. Cooper was subject to the buyer’s future expected assessed value of the property and asked if that had been resolved. Attorney Hanscom responded that he and his client had already spoken with the Assessor and Town Manager and said Mr. Cooper was very satisfied with the outcome. Chair Alexander said water, sewer, and electric issues must be dealt with in a manner consistent with town, state and utility requirements.

ACTION: Tony Bates made a motion, seconded by Thomas Murphy, to dissolve the “Brewster Point” subdivision off Warrenton Street (Map 4 / Lot 160) as approved by the Planning Board and recorded in 2008, subject to the condition that the applicant shall be responsible for the cost either to complete the connection to the Town’s sewer system or to disconnect from the system in a manner acceptable to the Public Works Director.

Carried 7-0-0

ACTION: Thomas Murphy made a motion, seconded by Tony Bates, to authorize the Board Chair to execute the attached notice of vacation on behalf of the Board.

Carried 7-0-0

III. Discussion of Possible Adoption of Maine Uniform Building Code (MUBC):

Planner Francomano wanted to be sure Board members knew all about the July 7 Select Board workshop on the MUBC. He said that eventually there would be a warrant article on which the PB could remark.

Select Board member Tracy Murphy said that Board had voted to put a decision on MUBC and the energy code off until June 2016. There would be a hearing beforehand so people would be informed. Mr. Murphy asked if the ballot would allow the two items to be considered separately. Ms. Murphy said that had not been decided yet. Ms. MacKenzie had attended the SB workshop, where she said costs of implementation to the Town had been asked, but not costs to the residents. She said the PB recommendation would be important.

Ms. Murphy said Rockport currently had no building codes, which meant people could build whatever they liked. She said the SB wanted to solicit comment from local building contractors and asked if they should be included in public hearings. Mr. Viehman asked why they should not be.

Chair Alexander asked if any action by the Board were needed now and Mr. Francomano answered in the negative. He mentioned participants in the workshop and there was further discussion. Chair Alexander asked the Board if anyone was interested in further investigation or whether that should be left to the SB. Tony Bates felt the PB should hold an information session on the subject. Mr. Alexander wanted to hold a workshop, inviting large and small builders to share their thoughts for a couple of hours. Mr. Erickson felt the Board should first understand MUBC before soliciting opinions on it.

IV. Discussion of Draft Proposal of Changes to the Planning Board By-Laws:

Planner Francomano had provided a draft of proposed changes to the By-Laws for the Board's consideration. The Board reviewed each proposed change: Mr. Francomano explained the reasoning behind each and the Board discussed and gave its recommendations on each.

ACTION: Thomas Murphy made a motion, seconded by John Viehman, that the draft as distributed, marked up, and amended this evening is the draft that may be voted upon at the next meeting.
Carried 7-0-0

V. Approval of Minutes of the 7/8/15 Meeting

ACTION: Tony Bates made a motion, seconded by Terri MacKenzie, that the minutes of the 7/8/15 meeting be approved as electronically distributed.
Carried 7-0-0

VI. Adjournment

ACTION: Warren Erickson made a motion, seconded by Terri MacKenzie, to adjourn at 7:15 P.M.
Carried 7-0-0

Respectfully submitted,

Deborah Sealey
Recording Secretary