

Town of Rockport Planning Board
Wednesday, August 14, 2013 – 5:30 P.M.
Rockport Opera House Downstairs Meeting Room
Meeting Televised on Channel 22

Board Present: Vice-Chair John Alexander, Tony Bates, Terrie MacKenzie, James Ostheimer, and Sarah Price

Board Absent: Thomas Murphy

Staff Present: Planning and Community Development Director Bill Najpauer and Recording Secretary Deborah Sealey

Vice-Chair Alexander called the meeting to order at 5:40 P.M. and stated that board members were volunteers whose job was to assure that applications adhered to Rockport's Land Use Ordinance. He thanked Bill Najpauer for providing a new checklist that would make the process of review easier for the board. Mr. Alexander said previous chair Kerry Leichtman had resigned from the board.

I. Old Business: None

II. New Business

A. Application from Nicholas Brown (Broham Properties LLC) to construct a new building at 321 Commercial Street, Map 020, Lot 101. A new business, "Stone Coast Cross Fit", would occupy the site. The location is in District 907M.

Property owners Nick and Lilly Brown and Will Gartley of Gartley & Dorsky Engineering & Surveying represented the application before the board. Mr. Gartley said an existing commercial building had been removed from the site and the owners wanted to replace that with a new 3,600 sq. ft. single-story 40' X 90' building. The owners proposed reducing the current 90' wide street opening to a single 24' wide entrance and adding 16 parking spaces. Utilities were already in place.

Drainage had been discussed during the site walk: everything sloped toward Route 1, with minimal opportunity for improvement. The flow of water along the curb and gutter line was sluggish and the applicants had agreed to adjust the site plan and tip the road a little harder to the south in order to direct everything toward the southerly curb line and into a catch basin. Additionally, a small landscaping berm would be added in front of the building to ensure roof water went in the same direction.

Receiving no questions from the board or public, Vice-Chair Alexander moved onto Section 1300, regarding scale drawings and photos. Ms. MacKenzie asked if any photos of the prefabricated steel-frame building were available. Mr. Brown replied that it would have a board and batten exterior.

In reference to Sections 1304.2 and 1304.3, Ms. Price asked that the narrative be corrected to reflect the drainage changes made this evening. Mr. Najpauer said the revision to be submitted would become part of the application. Vice-Chair Alexander stated that Public Works Director Steve Beveridge had indicated the existing sewer line was adequate. Tony Bates asked if the amount of drainage would remain unchanged and Mr. Gartley replied that it would be very close.

ACTION: Sarah Price made a motion, seconded by Terri MacKenzie, that the application was complete.
Carried 5-0-0

Under Section 1305 (Performance Standards) review, Vice-Chair Alexander said he would like more detail on the landscaping shown on the plan. Mr. Gartley said there would be a grass berm directly in front of the building, with day lilies on the raised patch for the sign. Six rhododendrons would be placed on the uphill side, additional plants on

the side, and two trees separating the parking from the house. Mr. Alexander read aloud the section subtitles. Ms. MacKenzie said the tax map noted a drainage easement on the property behind and asked if anyone knew history. Mr. Gartley said it had been part of an old subdivision that was never completed. Since the high point of the applicants' lot was in the back, no drainage would flow onto the lot behind.

Under Section 1003 (Architectural Review), Tony Bates asked why there were two types of exterior materials. Mr. Brown replied that for cost purposes board and batten would be on the two sides facing Route 1, but not in the back. Mr. Alexander said the board had resisted metal siding on Route 1 and read from the ordinance. Ms. MacKenzie said that language had been changed and Mr. Najpauer read the new language from Section 1003.4(2). Ms. MacKenzie gave a brief revision history and read aloud the building materials section, which recommended materials common to, or a facsimile of, traditional New England material. Tony Bates added that loud colors were not acceptable.

Vice-Chair Alexander said he was against metal siding on any side of the building, while Ms. MacKenzie was not. Ms. Price said she was concerned with appearance, rather than materials, and would like to see all sides of the building represented in the submittals. Tony Bates said the board must be sensitive to the fact that abutters would see all sides of the building. Mr. Brown said they wanted to be flexible and would go with what the board wanted. Vice-Chair Alexander responded that they would go with board and batten all around and an asphalt roof. Discussion of the roof pitch resulted in the board's stipulation of 5-1/2 or better pitch.

Ms. Price mentioned that Section 1003.6 required that facades of linear commercial structures incorporate architectural interest. Mr. Gartley replied that there would be a canopy over the double entrance door. Ms. Price went on to say that the building was not in keeping with the vernacular of the neighborhood and the drawing was too vague and general. Ms. MacKenzie countered that there were already a fair number of buildings similar to this in this transitional area. Mr. Gartley noted an old car dealership, greenhouses, and Bohndell Sales' similar building nearby; he stated that the building was also 110' from Route 1. Mr. Alexander felt the facade was sufficiently broken up.

Vice-Chair Alexander called for public comment at 6:22 P.M., but none was offered.

ACTION: Terri MacKenzie made a motion, seconded by Tony Bates, to approve the Site Review application from Nicholas Brown (Broham Properties LLC) to construct a new building at 321 Commercial Street, Map 020, Lot 101. A new business, "Stone Coast Cross Fit", would occupy the site, located in District 907M. The following conditions would apply: 1) the siding be entirely board and batten in slate gray, 2) the roof material be changed from metal to asphalt shingle, also of similar color, and 3) that the roof pitch be slightly modified from 5 to 5-1/2.
Carried 5-0-0

B. Site Review Application from Habitat for Humanity, represented by Tia Anderson, Executive Director, to construct a 2,816 sq. ft. addition to their existing building at 799 West Street, Map 16, Lot 41, and located in District 907 and the Shoreland Overlay.

Dave Johnson and Jay Fischer accompanied Midcoast Habitat for Humanity Executive Director Tia Anderson. Ms. Anderson explained that the proposed 12' X 20' addition, attached to the existing building by a connector, would be used for inside storage of materials currently stored outside. The addition would be behind the existing structure and not very visible from the road. Construction would be wood frame with an asphalt roof; colors would match the existing building. There would be no change to site vegetation.

ACTION: Sarah Price made a motion, seconded by Tony Bates, to waive the requirement for site plan scale and contours.
Carried 5-0-0

Review of Section 1304 found that the written statement submitted had answered all questions.

ACTION: Sarah Price made a motion, seconded by Terri MacKenzie, to accept the written statement as complete.
Carried 5-0-0

Vice-Chair Alexander read aloud the titles of Section 1305 (Performance Standards). Ms. MacKenzie asked why the checklist indicated a landscape plan was not applicable. Mr. Najpauer replied that this was because no additional landscaping was proposed. Ms. MacKenzie wanted to be sure all applicants were being treated equally. Ms. Alexander confirmed for Ms. Price that all outside storage would cease when the addition was complete.

In reference to the Architectural Review section of the ordinance, Vice-Chair Alexander said he was happy the connector was as envisioned in the ordinance.

ACTION: Tony Bates made a motion, seconded by Sarah Price, to approve the Site Review Application from Habitat for Humanity, represented by Tia Anderson, Executive Director, to construct a 2,816 sq. ft. addition to their existing building at 799 West Street, Map 16, Lot 41, and located in District 907 and the Shoreland Overlay.
Carried 5-0-0

C. Site Review, Minor Revision Application from Penobscot Bay Medical Center, represented by WBRC Architects and Engineers, to revise a Site Review Application approved on 5/8/13 for a Hospice Building located at 6 Glen Cove Drive, Map 6, Lot 155, and located in District 909.

Paul Monyok of WBRC Architects and Engineers represented the applicant, while Blaine Buck, Jerry Bender, and Heidi McCaffery remained in the audience, available for questions. Mr. Monyok said he wanted to update the board and explain proposed changes to a few minor design elements. Vice-Chair Alexander asked him to compare the approved and new plans during his presentation.

Mr. Monyok said in order to present a more residential feel there would be a one-way driveway that pointed vehicles to the front door. This had required the addition of a drop-off area and necessitated moving the parking area up. A rock wall would provide the entry focal point.

In order to have refuse storage, a dumpster area would be added behind the building (previous plans had called for transporting refuse to the hospital). An HVAC chiller element had been added, as well as a screened pad enclosure for it and the LP gas tank.

The two-lane road leading to the hospice unit would be scaled back from 24' to 20' wide to enhance the residential feel. Mr. Monyok said the emergency access drive had been moved slightly to the east, narrowed from 24' to 20', and the sidewalk removed. Additionally, the previously designed intersection for future expansion had been replaced by a smooth curve.

Some plantings had been moved and the Memory Walk extended. In answer to Tony Bates' question about removal of the low-level landscape lighting, Mr. Monyok said it was thought the walk would not be used much at night. Concrete patio areas had been enlarged slightly.

ACTION: Sarah Price made a motion, seconded by James Ostheimer, to approve the minor revision application from Penobscot Bay Medical Center, represented by WBRC Architects and Engineers, to revise a Site Review Application approved on 5/8/13 for a Hospice Building located at 6 Glen Cove Drive, Map 6, Lot 155, and located in District 909.
Carried 5-0-0

D. To consider Land Use Ordinance revisions to Section 141 (Table of Land Uses) and to Section 904.3 (Special Exceptions). The proposed ordinance revisions were reviewed and approved by the Ordinance Review Committee on August 1, 2013 and are scheduled to be reviewed by the Board of Selectmen on August 12, 2013.

Mr. Najpauer said one result of the public hearing dealing with the library had been the addition of #16, which referred to the library only. Tony Bates asked if the selectmen had approved this addition. Mr. Najpauer replied that the selectmen had scheduled a public hearing and this board was being asked for a recommendation.

ACTION: Tony Bates made a motion, seconded by Sarah Price, to recommend we have a public hearing before the Planning Board to consider the Land Use Ordinance revisions to Section 1414 (Table of Land Uses).
Carried 5-0-0

Another ordinance change was to correct an omission in the 2004 revisions, which resulted in not allowing public utilities to expand in the residential district.

ACTION: Tony Bates made a motion, seconded by Terri MacKenzie, to hold a public hearing to consider the modification to Section 904.3 (Special Exceptions) to allow public utility installations, including power substation structures.
Carried 5-0-0

III. Other Business

Election of Officers

ACTION: Tony Bates made a motion, seconded by Sarah Price, to nominate John Alexander to be Chair of the Rockport Planning Board and Thomas Murphy to be Vice-Chair for the coming year.
Carried 5-0-0

IV. Approval of Minutes

ACTION: Terri MacKenzie made a motion, seconded by James Ostheimer, to approve the minutes of the Wednesday, June 19, 2013 meeting as corrected.
Carried 4-0-1 (Tony Bates abstained)

V. Adjournment

The meeting adjourned at 7:08 P.M.

Respectfully submitted,

Deborah Sealey
Recording Secretary