

D-R-A-F-T

Town of Rockport Planning Board

Wednesday, August 8, 2012 – 5:30 P.M.

Rockport Opera House Downstairs Meeting Room

Meeting Televised on Channel 22

Board Present: Chair Kerry Leichtman, John Alexander, Terrie Mackenzie, Thomas Murphy, and James Ostheimer

Board Absent: Sarah Price

Staff Present: Acting Recording Secretary Deborah Sealey

Chair Leichtman called the meeting to order at 5:43 P.M., read the agenda and outlined the procedure for review.

Previous Meeting Minutes: 7/11/12

Chair Leichtman explained that he wanted to take the minutes of the previous meeting out of order. He said the minutes did not work for him because, though the secretary had attempted to write a verbatim record, it did not come across as comprehensible. Verbatim minutes were not necessary and the Chair recommended sending the minutes back to the secretary to have punctuation inserted. Mr. Alexander said the minutes should only contain decisions, actions, and a few bullet points; he would be willing to edit the presented minutes. Ms. McKenzie noted that the Town had digital recordings of meetings. Deborah Sealey, tonight's secretary, commented that Rockport's Planning Board minutes were historically nearly verbatim, which was quite different from other towns' minutes. She offered to provide samples, but the Board asked her to do tonight's minutes as she did them elsewhere.

ACTION: Kerry Leichtman made a motion, seconded by Terrie Mackenzie, to accept the minutes of 7/11/12 as presented.
Failed 0-4-1 (Mr. Ostheimer abstained)

It was agreed that John Alexander would edit the 7/11/12 minutes.

Old Business

Application of Rockport Properties LLC, represented by Landmark Corp., for site plan review for a change of use in Union Hall (educational to commercial – restaurant, retail grocery) on a parcel identified as Map 29, Lot 297 and located at 24 Central St. in District 913 (*continued from the 6/20/12 and 7/11/12 meetings*): Michael Sabatini and Tom Fowler, of Landmark, Corp., and Annemarie Ahearn, owner of Salt Water Farm, represented the application before the PB. Mr. Fowler said he would touch upon only the high points of the application. In reference to preserving/enhancing the landscape, he said the 4,000 sq. ft. building left little room for landscaping; however, landscape architect Mike Farmer had tried to make the property cohesive with the nearby Shepherd properties. He planned site-appropriate plantings, as well as a kitchen garden on the Main St. corner of the building. Pedestrian areas would have concrete and crushed stone surfaces. Mechanical equipment in the rear would be screened.

Discussing parking and circulation, Mr. Fowler acknowledged that parking could not be strictly conventional, despite the 25 spaces to be added in the rear. Proposed sidewalks would connect the Main St. and Central St. sides, improving pedestrian circulation and creating a more convenient connection to the harbor path and parking. Mr. Sabatini said that before the meeting he had explained the parking plans to Police Chief Kelley, who had not felt it necessary to stay for the meeting.

In reference to surface water drainage, Mr. Fowler said there would be no change to runoff patterns on Central and Main Streets. Gutters directed to a green spot would alleviate runoff over the sidewalk, which abutter Barbara Jackson had complained about at the last meeting. Mr. Sabatini said Public Works Director Steve Beveridge had concerns about ice buildup in the road and they had discussed making this development compatible with the overall future drainage plan.

Tonight's packets contained letters from Public Works and Maine Water, but Mr. Fowler said discussions had also taken place with CMP and FairPoint. The grease trap at the rear of Union Hall would serve to separate kitchen grease from wastewater for both Ms. Ahearn's restaurant and Shepherd's Pie. Special features on the site would include gas tanks, trash and recycling areas, and a shed on the far east of the parking area, all of which would be screened.

Chair Leichtman said he had no problems with the Site Plan or written report.

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

Chair Leichtman led a review of the Standards in Section 1305. Mr. Ostheimer asked why the normal grease disposal method would not be employed and why Shepherd's Pie was not currently following that protocol. Mr. Fowler replied that Shepherd's Pie was trying to do what was normal and separate it out; however, it fouled up at the bottom and must be cleaned out, which was an expensive procedure. Mr. Sabatini said the grease was warm when it went through the trap, so failed to coagulate. He confirmed for Mr. Leichtman that Shepherd's Pie had done what was necessary, but it wasn't working. Mr. Fowler said this would be a baffle-system 1,000-gallon tank that would be pumped out on a regular basis.

Moving on to Section 1000, Chair Leichtman said he agreed with Mr. Fowler that there was a large landscaping void on the property and added that even one tree would be an improvement. Mr. Sabatini noted that the maple tree on the corner of the lot was town property, but would be maintained by Union Hall. Mr. Leichtman said that they would also highlight the trail leading down to the harbor. Mr. Fowler added that the utility companies had agreed with their plans for addressing the guy wires. The guy wires would not cross the sidewalk; Mr. Beveridge would coordinate this. Chair Leichtman said CEO Scott Bickford had suggested that Central and Main Streets were town roads at this location, but Mr. Fowler said he thought they were partially maintained by the state. Mr. Leichtman said Mr. Beveridge had noted that some sidewalk improvements would be necessary. Mr. Sabatini explained that he had talked with Mr. Beveridge and some Selectmen regarding help with costs of an easement for drainage.

Ms. Mackenzie foresaw possible problems with skateboarders at the end of the sidewalk steps and suggested handrails to make them pedestrian-friendly. Mr. Sabatini pointed out the locations of handrails and explained how they would stop skateboarders. Mr. Murphy asked if locating a terraced kitchen garden in public would result in damage to, or theft of, plants. Ms. Ahearn replied that she doubted it since the majority of the plants would be herbs. Chair Leichtman suggested that collaboration on using land in the public ROW be mentioned to the Selectmen, to avoid it becoming an issue. The PB was not authorized to allow the developers to use town land, so this was between them and the Selectmen.

Mr. Alexander asked if anything other than the fire escape and deck would be removed from the exterior of the building. Mr. Sabatini replied in the negative, adding that existing windows would be repaired or replaced with historic replicas: the majority of historical materials would be placed on the Main St. facade.

Mr. Fowler confirmed that the ZBA had granted a Special Exception for the change of use to a restaurant.

In reviewing Section 800, Chair Leichtman said the only issue was parking regulations. He did not feel grand-fathering would be applicable, due to the change of use, and suggested that waiving the parking regulations would be the smartest thing to do. He said the developers would have to work on the fact that there was parking, but not parking awareness. Mr. Ostheimer asked if the parking would be compromised when there was activity at the Opera House. Mr. Leichtman responded that the town and police were

notified of special events. Ms. McKenzie said that development of the parking area and sidewalks would help people take advantage of what was there. Mr. Murphy assumed signs would designate who could use which parking spaces, but Mr. Sabatini said he would prefer to keep it open, simply providing signs that designated it as public parking.

ACTION: Kerry Leichtman made a motion, seconded by Thomas Murphy, to waive the parking space regulations for this project.
Carried 5-0-0

Chair Leichtman asked for public comment. Ted Rodman said there was an opportunity here for integrated historical signage and markers. Asked by Mr. Leichtman to respond, Mr. Sabatini said he had no plans for such signage, which would need to be a town-wide program. Mr. Leichtman said the Board had discussed signage that would work, but not be obtrusive.

ACTION: John Alexander made a motion, seconded by Terrie Mackenzie, to approve the application of Rockport Properties LLC, represented by Landmark Corp., for site plan review for a change of use in Union Hall (educational to commercial, two residential units, restaurant and retail grocery) on a parcel identified as Map 29, Lot 297 and located at 24 Central St. in District 913.
Carried 5-0-0

The meeting ended at 6:30 P.M.

Respectfully submitted,

Deborah Sealey
Acting Recording Secretary