

D-R-A-F-T
Town of Rockport Zoning Board of Appeals
Wednesday, October 23, 2013 – 7:00 P.M.
Rockport Opera House Downstairs Meeting Room

Board Present: Chair Mark Masterson, Stephen Bowen, Alexandra (Sani) Fogel, Emily Lusher, and John Osgood

Board Absent: David C. Gordon

Staff Present: Planner and Community Development Director Bill Najpauer, Videographer Tom Goodwin, and Recording Secretary Deborah Sealey

Chair Mark Masterson, declaring a quorum, called the meeting to order at 7:03 P.M. and reviewed the agenda. The Chair said he had determined the ZBA had jurisdiction over the application. He asked if any member had a conflict of interest with tonight's application and none did.

I. New Business

Application from Harbor Schools of Maine, Inc., d/b/a Harbor Family Services (represented by Jack Mazzotti, President & CEO) for a Special Exception pursuant to Section 505 of the Land Use Ordinance. The application proposal is to change a legal non-conforming use consisting of a 12-bed treatment facility to another non-conforming use consisting of a professional office at the property located at 1180 Rockland Street (Route 17), Map 37, Lot 105, located in Rural District #908.

Jack Mazzotti said Harbor Family Services had been operating a 12-bed residential facility at 1180 Rockland St. since 2000. Things had been going well with the neighbors, schools, and town. However, this spring the state had cut Maine Care funding for room and board. Therefore, Harbor Family Services could no longer afford the Rockland St. facility and had decided to close the building and transfer the children to other programs.

The Maine Housing Authority held a 30-year mortgage on the building and Harbor Family Services had decided it could convert the building to office space, relocating many of its departments, including its Route 1 clinic services, to the Rockland St. facility. Mr. Mazzotti said the MHA mortgage required continued use of the building to be the same or similar and MHA had declared an office use was not similar to a residential facility.

Therefore, if the ZBA approved its application, Harbor Family Services would pay off its MHA mortgage and re-mortgage with the Genesis Foundation at a considerably more favorable rate. Mr. Mazzotti said the impact of professional offices would be less than that of a residential facility. The building would be open only Mon.-Fri. from 9:00 AM to 5:00 PM.

Chair Masterson called for public comment but there was none. He then proceeded to read aloud each Section 703.3 question, as well as the applicants' submitted response to each. Mr. Masterson declared that performance criteria #8, #9, and #10 were not applicable because this was a non-industrial use. Board members had no questions or comments.

ACTION: Stephen Bowen made a motion, seconded by Sani Fogel, to accept and approve the application of Harbor Schools of Maine, Inc., d/b/a Harbor Family Services (represented by Jack Mazzotti, President & CEO) for a Special Exception pursuant to Section 505 of the Land Use Ordinance. The application proposal is to change

a legal non-conforming use consisting of a 12-bed treatment facility to another non-conforming use consisting of a professional office at the property located at 1180 Rockland Street (Route 17), Map 37, Lot 105, located in Rural District #908.
Carried 5-0-0

II. Consideration of Minutes from the July 2013 Meeting

ACTION: Sani Fogel made a motion, seconded by John Osgood, to approve the 7/24/13 meeting minutes as read.

Carried 5-0-0

III. Other Business

Chair Masterson said the board needed an additional member and also should elect a Vice-Chair. John Osgood suggested a Vice-Chair could be elected when the need arose.

IV. Adjournment

The Chair declared the meeting adjourned at 7:24 P.M.

Respectfully submitted,

Deborah Sealey
Recording Secretary