

D-R-A-F-T
Town of Rockport Zoning Board of Appeals
Wednesday, May 8, 2013 – 7:30 P.M.
Rockport Opera House Downstairs Meeting Room
Meeting Televised on Channel 22

Board Present: Chair Mark Masterson, George D. Benson II, Stephen Bowen, Alexandra (Sani) Fogel, David C. Gordon, Emily Lusher, and John Osgood

Board Absent: None

Staff Present: Planning Director Thomas M. Ford, Videographer Sally Leighton, and Recording Secretary Deborah Sealey

The meeting was called to order at 7:23 P.M. and Chair Mark Masterson introduced newest ZBA member John Osgood. Mr. Osgood said he could not vote tonight because he had forgotten to be sworn in. Mr. Masterson reviewed the agenda and asked board members if they had any conflicts: none did.

I. New Business

A. Application of Nina and Stephen Christie for Section 902.3(10) special exception review to operate a day care facility at the family home on a parcel identified as Map 9, Lot 17-3, and located at 5 Bella's Way in District 902.

Both applicants appeared before the ZBA. Mrs. Christie said they would have a license to take care of six children in their home, but would take in only five since they had one child of their own under the age of five. She said she had cared for children here and there over the last five years. Mrs. Christie had found there was a large need for childcare and few were family-run, which seemed to be what people preferred. She and her husband planned to run a literacy-rich, loving, and caring environment.

Mr. Christie explained that the couple had five acres abutted by properties of his brother and mother-in-law. Stephen Bowen stated his wife worked at Peopleplace Cooperative Preschool in Camden, but the Christies had no objection to his participation in the review.

Chair Masterson opened the meeting to public comment at 7:35 P.M. but no one chose to speak.

Ms. Fogel asked if there would be any limit on the number of children served. Mrs. Christie responded that they would be limited to six children, as licensing requirements set ratios by age. In response to a question from Mr. Bowen, Mrs. Christie said the state had looked at and measured the space to be used for childcare. George Benson asked the maximum number of children allowed. Mrs. Christie replied that they might be allowed to have more, but only planned to have six children; she was not contemplating having an after-school program. Chair Masterson asked if licensing depended on this ZBA permission and Mrs. Christie said she was already working with the state. Planning Director Ford commented that Rockport had always run parallel paths with state departments.

Chair Masterson read aloud each stipulation under Section 702.3 (Special Exceptions) of the ordinance, as well as the Christies' written comments on each. Mr. Benson asked how many cars could be parked on the property without being on the road. Mr. Christie responded that there was room for 15 cars and their swing-around drive would prevent congestion.

Mrs. Christie said they would have an additional employee only on Wednesday mornings. Mr. Benson asked if there would be a sign. Mrs. Christie said any sign would be at their driveway, but they might not have one for safety reasons.

ACTION: George Benson made a motion, seconded by Sani Fogel, to approve the application of Nina and Stephen Christie for Section 902.3(10) special exception review to operate a day care facility at the family home on a parcel identified as Map 9, Lot 17-3 and located at 5 Bella's Way in District 902.
Carried 6-0-1 (Mr. Osgood abstained)

B. Application of Will Dennett and Jen Iott for Section 902.3(25) special exception review to operate a tradesmen's shop for Aurora Sails and Canvas on a parcel identified as Map 35, Lot 17-4 and located on Park St. in District 902.

George Benson said he would be a neighbor across the street from this project but felt he could be impartial. The applicants had no objection to his participation.

Mr. Dennett said Aurora Sails and Canvas had operated for 16 years next to the Yoga Barn in Camden. They now wanted to build their own facility so they could have more space and be more centrally located.

Chair Masterson asked board members if they had any questions regarding the information submitted. Mr. Osgood ascertained that the applicants would build a 2-story 32' X 72' main structure, as well as a 24' X 30' garage. He said this would provide 49,024 sq. ft. of floor area. Mr. Ford noted that there was no footprint size limit in District 902.

Chair Masterson said the board was here to review the application under special exceptions, which could be thought of as a use that is appropriate for a district, but that requires additional review to weigh the intensity and scope of the activity.

Chair Masterson opened the meeting to public comment at 8:00 P.M. but no one chose to speak.

Mr. Masterson then read aloud each special exception criteria and the responses to them submitted by the applicants. Mr. Benson asked the applicants to describe the process of their business. Mr. Dennett said they went to the customer to take measurements and make templates, and then returned to their workspace to make the products, which they then delivered to the customer. There would be no dyeing or washing of materials at Aurora Sails and Canvas.

Mr. Benson asked for a description of the space that would be built. Ms. Iott responded that the first floor would contain an office, bathroom and sewing tables. The second floor would be one big open space. Mr. Dennett confirmed for Mr. Masterson that the building could later be

converted into a residence. Mr. Benson suggested the applicants might want to build a larger septic system in anticipation of possible conversion to a residence.

Mr. Benson asked if a customer could trailer a boat to the location, turn around, and get out. Mr. Dennett said they could. The driveway would likely be paved in the future.

Chair Masterson asked about the loudest machinery their business used. Ms. Iott replied that it was a grommet hammer. Mr. Dennett added that they had a compressor for one sewing machine; however, while operating next to a yoga meditation space for sixteen years, the grommet hammer had been the only cause for complaint. Mr. Dennett replied in the negative when asked if he foresaw going to any louder use. There would also be no outdoor lights at night.

The Chair asked the board if the applicants met the criteria as a tradesmen's shop in District 902. In response to a question from David Gordon, Mr. Dennett said it was possible the building would be sprinklered. Mr. Benson asked Mr. Ford if there were a limit on the number of apprentices allowed. Mr. Ford said there was and Chair Masterson said not more than three apprentices would be allowed.

ACTION: George Benson made a motion, seconded by Stephen Bowen, to approve the application of Will Dennett and Jen Iott for Section 902.3(25) special exception review to operate a tradesmen's shop for Aurora Sails and Canvas on a parcel identified as Map 35, Lot 17-4 and located on Park St. in District 902.
Carried 6-0-1 (Mr. Osgood abstained)

II. Approval of Minutes

ACTION: David Gordon made a motion, seconded by George Benson, to approve the minutes of the November 17, 2012 meeting.
Carried 6-0-1 (Mr. Osgood abstained)

III. Zoning Board of Appeals Roster

Chair Masterson said some board members were coming to the end of their terms. Stephen Bowen, Sani Fogel, and Mark Masterson said they were all willing to continue to serve on the board. Mr. Masterson added that he was willing to continue to serve as Chair.

IV. Adjournment

ACTION: Stephen Bowen made a motion, seconded by George Benson, to adjourn at 8:27 P.M.
Carried 7-0-0

Respectfully submitted,

Deborah Sealey
Recording Secretary