

Approved Sept. 25, 2014 meeting

**City of Rockland
Comprehensive Planning Commission
Minutes for September 11, 2014**

Board Present: Chair Valli Geiger, Thomas Keedy, Adam Ackor, Terry Pinto, Eileen Wilkinson, Ann Morris, Alternate Amy Files. Mayor Larry Pritchett, ex-officio member attended.

Board Absent: Audra Caler-Bell

Staff Present: Code Enforcement Officer John Root, Asst. Code Enforcement Officer David Kalloch, City Attorney Kevin Beal, Recording Secretary Kara Cushman

Meeting Called to order at 7:04 p.m.

New Business:

Ordinance Amendment #27, Chapter 19, Sec. 19-304, Resident Zone “B” Regulations on Agricultural Markets, Old County Road

CEO Root said this would add agricultural markets under conditional uses requiring approval of the Planning Board. He discussed the definition of Agricultural Markets. The COMPS Commission studied a map showing lots with frontage on Old County Road in Zone “B” that would allow these markets. CEO Root said the Rural Residential Zone 2 (RR2) that was adopted a few years ago allows these markets. They would have been included along parts of Old County Road if the original RR2 proposal had passed.

CEO Root said there has been a request by a property owner in this area in the “B” zone for an Agricultural Market including discussions about contract zoning (Ord. Sec. 19-104.) Even though it’s rural, Old County Road is a very active road. Chair Geiger asked if the COMPS Commission had addressed this last year? CEO Root said Agricultural Markets are not included on Old County Road in the RR1 zone. Member Pinto asked what the differences between farm stands and Agricultural Markets are. City Attorney Beal read the definitions. Member Pinto asked why farm stands wouldn’t be allowed. Why do they have to be in different zones? Alt. Member Files asked if you can sell food grown on your own property. CEO Root said people selling the produce they have grown on their land have never been stopped. But we don’t want a situation like Beth’s Farm from Warren in this area. Member Morris said it is a good idea. It’s not being discussed now, but she thinks farm stands should be able to sell, too. CEO Root said farm stands can be a part of this. Alt. Member Files asked what the definition of the structure that can be built is and if they’re selling mainly local goods.

Asst. CEO Kalloch said property owners in RR1 were upset because they didn't want their zone changed and because the RR1 Zone was not changed, Agricultural Markets are not presently allowed in the RR1 zone along Old County Rd. RR2 was put in above that. Member Ackor said the primary concern was lot size. His only concern is that the road is in such horrible condition, that changes would increase traffic. Member Pinto said it would force the road to be fixed. Member Ackor said the road has reached the end of its useful life, but he's in favor of this amendment.

Alt. Member Files said there was not any definition as to what type of building could be built. She is concerned with large construction. Member Morris said it would be conditional use so it would have to be approved. CEO Root said there are design standards and that would be part of their regulations.

ACTION: Member Morris made a motion, seconded by Member Pinto to recommend approval of Ordinance Amendment #27 as written. VOTE: 6-0-1 (Member Keedy abstained.)

Ordinance Amendment #28, Chapter 19, Sec. 19-304, DT Zone Regulations- Street Level Residential Uses

CEO Root said this would permit residential dwellings to be on the first floor. Currently, in the Downtown (DT) Zone new dwelling units can only occupy up to 25% of the ground floor. This change to the Downtown zone (including Councilor Hebert 's suggested amendment) would allow dwellings on the entire street level floor space except for on those parcels abutting Main, Union, Limerock, School, Museum, Orient, Oak, Park, Pleasant, Winter, and Commercial Streets, Tillson Avenue, Kimball Lane, and Park Drive. Member Morris asked if the purpose of restricting residences is because commercial pays more taxes. Mayor Pritchett said, no, it's so residential doesn't crowd out commercial businesses. CEO Root explained that "new dwelling unit" can also mean a newly established residence in an existing building that had been used for commercial or other uses. Member Pinto asked about Elm St. and what would be allowed there? Asst. CEO Kalloch said residential uses can continue, but you can't take a gallery and change back to residential. CEO Root said the map marks the lots that would permit 1st floor residential. Alt. Member Files asked if it was against the vision of DT Standards. Member Pinto said in the 1890's all those residential places were there and Rockland was thriving. When there were changes to commercial, no one was living in DT to support the business. Mayor Pritchett said 2nd and 3rd floors could be residential. He said Councilor Hebert's feeling was to encourage street level retail. Does the city want to pull back from residences on the 1st floor level?

CEO Root said that an impetus for this amendment is a proposal to construct a new dwelling building at a Granite Street property where there had been a two-family dwelling that was a disaster and was demolished. The desire is to build multi-level dwellings in an area that is predominantly residential on Granite Street. Member Morris asked if residential is permitted in

DT right now. CEO Root said it is on the upper floors and on 25% of the 1st floor. Member Pinto said if you allow residential anywhere in your DT, it will make it prosperous and better. It helps the city to have more residential. Just because it's residential doesn't mean that the tax rolls should be assessed lower. It's based on the potential of it.

CEO Root said there was a gentleman that bought a house in the "DT" Zone and because it had been used as a commercial office, 75% of the street level floor space had to remain commercial. He was stuck with a gallery when he didn't want it. The area from Lindsey St. to the corner of Limerock St. along the east side of Union Street is residential in character. Member Keedy said that Camden St. ideas are mixed-use. He asked if this amendment is promoting mixed-use. City Attorney Beal said the current ordinance does.

Member Ackor said it promotes density and mixed-use. Mayor Pritchett said he doesn't see where the 1st floor has much bearing on DT, and it is more a question of street use. Member Wilkinson said the lots are quite small and we have to consider it if the lots aren't large enough to allow anything else. Member Pinto said in old towns you could live wherever you wanted to live. Old towns like Rockland died until they were turned into a specialty place that serviced people from out of town. The reason that happened is because there was no one living in DT. On Main Street, he doesn't see people turning ground floors into Residential.

Chair Geiger said the economics don't appear to work to turn 2nd, 3rd, and 4th floors into apartments. There is a desire to live downtown, but still economics don't work. City Attorney Beal said it is starting to change. Mayor Pritchett said there is a perception that there is higher value and demand for studios. Downtown owners want permits to maximize space. Studio units are going in

Member Wilkinson made a motion to strike language in section A.

Action: Member Wilkinson made a motion to strike all mention of specific streets leaving the amendment to read: "Residential uses, including single-family and multi-family dwelling units;" VOTE: 7-0-0. Passed unanimously.

ACTION: Chair Geiger made a motion, seconded by Member Amy Files to make an amendment to accept the proposal of Amendment #28 with the exception that Main Street remains. VOTE: 5-2-0 (Member Keedy and Member Ackor opposed.)

Mayor Pritchett said the question is do we want to permit ground floor living. CEO Root said he initiated this ordinance by saying you can have first floor residential except on Main Street and it turned into more than Main St. City Council wanted to go a little further with this and keep it to where there is a residential flavor. Chair Geiger said she proposes one change and that is to put Main Street back in.

ACTION: COMPS Commission voted that Sec. 19-304(14)(B)(1)(a) be amended as follows:

“Residential uses, including single-family and multi-family dwelling units; provided, however, that on parcels abutting Main Street, new dwelling units are only allowed where at least seventy-five percent (75%) of the street level floor space shall be used primarily for those uses set forth in subparagraphs (1)(b) et seq., and single-family dwellings may only be repaired or rebuilt as provided at Section 19-308;”

VOTE: 7-0-0 Passed unanimously.

OLD BUSINESS:

DT and TAAOZ Standards and the Architectural Design Standards

Chair Geiger said after COMPS Commission’s last conversation about this, she really had to think about what everyone had to say. She said she was not saying everything had to look like an 18th or 19th century building. She said what she meant is that when she looks at those buildings, she thinks our ancestors did a good job of building strong buildings that last, and the buildings are still worthy of being fixed up and used. What gets built in the TAAOZ needs to be of like caliber. The purpose of the TAAOZ is to expand our downtown. We need buildings that will stand the test of time and be sustainable. We don’t want materials that won’t last. We want a streetscape to match the rest of DT. There’s a reason that cities require those windows and doors. Long blank walls make streets that aren’t used. We owe it to future residents to create buildings that last.

Member Wilkinson said an issue is the types of windows. Retail stores have big glassed-in windows. There are all kinds of design elements and materials that complement the environment we have. It’s about scale and innovation and can be very interesting in a block. She said her impression from COMPS Commission’s discussion was to create a 21st century replica of 19th century streetscape. She felt that’s not the direction we should go in. Alt. Member Files said it should be gone through piece by piece. She’d like input from architects and have a larger process. Member Pinto agreed. He said it’s important enough and complicated enough that he would like some help with this. It doesn’t address the quality of the building structure. Streetscape is more about moving people up and down the street. Blank walls limit activity between the beginning and the end.

Member Keedy said this is a very complex document and how are we expected to comment on it based on the time allowed? City Attorney Beal said an approach to take instead is what changes we like to see. What are our concerns with the ordinance? He recommended having less descriptive changes. Chair Geiger said she’s not comfortable with hiring designers, but we could gather expertise from people that are clear about what types of buildings attract people. CEO Root said that the City Council would take ideas from each group that included EDAC, Planning Board, and COMPS Commission. Two representatives from each group would work with the City Council at a workshop.

Mayor Pritchett said there is a concern with historic preservation. When you build something new, you want it to be new, but not to clash with others. City Attorney Beal said there are four words to take out of the existing ordinance policy, which is extending the “New England character”. That wasn’t the intent. Member Pinto said because that area is undeveloped, there are tremendous opportunities to build there. It could be totally different there. Historical DT and two streets down could be something different that looks new and would allow for different uses. Streetscape drives activity. Member Keedy said an example is in the Boston waterfront where revitalized warehouses are, and a lot of new buildings are metal. Member Files said on Boston waterfront there is not a lot of busy pedestrian traffic. There are little pockets that are developing. Mayor Pritchett said the area from Main St. to the waterfront has always been different. In design standards, there should be separate or strong distinctions. We are looking for more transitional designs.

Chair Geiger asked the COMPS Commission to look through the ordinance. What should stay and what should be added? CEO Root said we need two people from each board to meet with the City Council sometime in October. City Attorney Beal said he would send the COMPS Commission the current text of zoning regulations to look at. Member Pinto said the DT part should be relooked at to protect the historical aspect of those buildings. We’ve lost so many buildings that have just been torn down. Look at protection to prevent that.

MINUTES:

ACTION: Member Morris made a motion, seconded by Member Ackor to pass July 17, 2014 Minutes as written. VOTE: 7-0-0

ACTION: Member Wilkinson made a motion, seconded by Member Keedy to pass July 31, 2014 Minutes as written. VOTE: 6-0-1 (Member Morris abstained)

ACTION: Member Wilkinson made a motion, seconded by Member Keedy to pass August 14, 2014 Minutes as written. VOTE: 7-0-0

ACTION: Member Morris made a motion, seconded by Member Keedy to pass August 28, 2014 Joint Meeting EDAC and COMPS Commission minutes with the correction of “right away to right-of-way” and the correction of Roberts abstained and Pinto opposed for the one action. VOTE: 6-0-1 (Member Wilkinson abstained)

Mayor Pritchett asked for guidance from the COMPS Commission on parking. He said it’s difficult to separate land and parking use. Asst. CEO Kalloch said the Planning Board deals with planning on-site with projects that are being approved. Chair Geiger asked that the parking issue be put on the agenda for the next meeting. Member Keedy asked if we could have a study group or subset, so we don’t always have to do all of this at our regular meetings. Mayor Pritchett said the Parking Committee could be a sub-committee of the COMPS Commission.

Mayor Pritchett said container restaurants have been postponed to January. Member Files said we need a representative from the COMPS Commission at the City Council meetings when issues are discussed that involve us.

Next Meeting is tentatively scheduled for Thursday, September 25, 2014.

Meeting adjourned at: 9:10 p.m.

Respectfully Submitted,

Kara Cushman
Recording Secretary.