

Approved 7/30/13

CITY OF ROCKLAND
PLANNING BOARD
Minutes of Meeting
June 18, 2013

Board Present: Chairman E. Laustsen, K. Swan, and P. vanVuuren

Board Absent: W. Bodine and G. Terrien

Staff Present: Code Enforcement Officer J. Root and Secretary D. Sealey

The Chairman called the meeting to order at 5:18 P.M. and reviewed the agenda. The Chair stated that, though he was not an abutter, he lived down the street from the Talbots.

Public Comment: None

Communications: None

Old Business:

Rockland Realty, LLC – 110 Union St. - Site Plan Review Application for Change of Use From Single-Family Dwelling to Mixed Use with Retail on the First Floor and an Apartment on the Second Floor – Final Review - Tax Map 22-E-7: Bryan Austin of 2A Architects, representing the applicant, said his goal tonight was to have approval of the requested Change of Use after answering questions and/or making changes requested. He recapped changes made to the plan since the last meeting. The site walk had produced two conditions and the remaining question was that of buffering/screening between the applicant's property and the property of John Alexander.

Mr. Austin said half of the south property line had an existing 6'-high fence, which would be replaced by a 6'-high 2-sided privacy fence along the entire line. A minimum of 27 shrubs would be planted on the property and existing trees would be trimmed. The proposed outside light on the south wall of the building had been eliminated from the plan.

The west (rear) line of the property would also have a 6'-high fence, one canopy tree, and shrubs. The north line would have low vegetation but remain open near Union St. to provide sight lines. Mr. Austin said there would be no change to the contours, though minor filling of dips on the site would take place. Drainage flow arrows had been added to the plan.

During the site visit the common concern of Lindsay Brook on the adjoining property to the north had been discussed. A surveyor would clearly define the side and back lines and the applicant would take care of safety issues if the survey showed the brook were on his property. CEO Root said the situation with Lindsay Brook was being addressed and might include a grate. Chair Laustsen reported that City Attorney Kevin Beal had assured him that it was solely the problem of the neighboring property owner to address any problems with Lindsay Brook.

Mr. Austin said a dye test had been performed on the sewer line and flows into the sewer: the sewer line needed to be upgraded and replaced.

Ms. vanVuuren noted that proposed vegetation was not identified as evergreen. Mr. Austin responded that the intention was to have a landscape contractor design the site to meet quantity requirements. Mr. Swan said he was just as concerned with protecting the residential area to the west and wanted to see more details regarding the variety and height of that landscaping.

Mr. Laustsen led a review of the Standards titles. Five proposed outdoor lights had been reduced to four.

ACTION: Ms. vanVuuren made a motion to approve the standards with conditions to follow.
Carried 3-0-0

Chair Laustsen read aloud three proposed conditions, followed by 23 Findings of Fact. Ms. vanVuuren remarked that the screening needed to be year-round. CEO Root said there was no place for water to flow but downhill, where it entered a swale between two properties. A solution for sinkholes might provide the opportunity to address drainage in some fashion. The CEO said the applicant had agreed he would participate in resolving any potential drainage issues from his site.

ACTION: Mr. Swan made a motion to approve the findings.
Carried 3-0-0

ACTION: Ms. vanVuuren made a motion to approve the Site plan with the following conditions: 1) The sewer line connection pipe may have to be replaced. The applicant will submit an engineered design for a new pipe, or proof that the pipe is in good condition, to the Wastewater Department director for approval, 2) A survey will be performed to show the boundary lines of the subject lot. The survey will be submitted to the Code Enforcement Office. If the survey reveals that Lindsay Brook runs under the subject parcel, the applicant will submit an engineered solution to the current openings to the underground brook to the Planning Board. The Planning Board will then review the plans for a possible approval. However, if the survey shows the brook located on a neighboring parcel, the applicant will bear no responsibility for any improvements to it; and 3) A landscape plan will be submitted to the Planning Board for review and approval.
Carried 3-0-0

New Business:

Karen & Richmond Talbot – 239 Cedar Street – Application for a Level 3 Home Occupation for an Artist’s Studio & Gallery – Tax Map #39-A-2: Karen Talbot represented her application before the board. CEO Root explained that while an artist’s studio was a Level 2 Home Occupation that did not require PB approval, Ms. Talbot wanted to later add a gallery, which qualified as Level 3 and did require approval.

Mr. Laustsen said the gallery would be on the first floor, with the studio and an office on the second floor. The combined uses would require 855.25 sq. ft., which would be 12% (with 30% allowed) of the 6,986 sq. ft. of the house and barn combined. The maximum number of parking spaces allowed would be six: Ms. Talbot said there would be three along Cedar St. and three in the driveway.

The PB reviewed the elements and asked that the 6/18/13 date of submittal and total acreage of 3.16 be added to the plan. There were no easements on the property and no additional lighting was proposed.

ACTION: Mr. Swan made a motion to accept the application as complete.
Carried 3-0-0

The Chair read the titles of the Standards and remarked that there was lots of natural landscaping on the property.

ACTION: Ms. vanVuuren made a motion to approve the standards.
Carried 3-0-0

Chair Laustsen read aloud the 23 Findings of Fact.

ACTION: Mr. Swan made a motion to approve the findings.
Carried 3-0-0

ACTION: Ms. vanVuuren made a motion to approve the Conditional Use and Site Plan.
Carried 3-0-0

Previous Meeting Minutes: 6/4/13

ACTION: Mr. Swan made a motion to approve the 6/4/13 minutes with changes.
Carried 3-0-0

Adjournment: Ms. vanVuuren made a motion to adjourn the meeting at 6:35 P.M.
Carried 3-0-0

Respectfully submitted,

Deborah Sealey
Recording Secretary