

**D-R-A-F-T**  
**CITY OF ROCKLAND**  
**PLANNING BOARD**  
Minutes of Meeting  
December 17, 2013

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

**Board Absent:** W. Bodine and A. Knickelbein

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

The Chairman called the meeting to order at 5:17 P.M. and reviewed the agenda.

**Approve Previous Minutes:**

**ACTION:** Mr. Swan made a motion to approve the minutes of the 10/15/13 meeting.  
Carried 3-0-1 (Ms. vanVuuren abstained)

**ACTION:** Mr. Terrien made a motion to approve the minutes of the 11/5/13 meeting.  
Carried 4-0-0

**Public Comment:** None

**Communications:** Wai Lam had written to ask for an extension on the completion of landscaping at 145 Camden St. The applicant wanted the Code Office to be able to issue a Certificate of Occupancy prior to landscaping being completed.

**ACTION:** Ms. vanVuuren made a motion to give the applicant until June 21, 2014 for a Temporary Certificate of Occupancy.  
Carried 4-0-0

**New Business:**

**1. Robert Wiggin - 127 Main Street – Site Plan Review for Construction of a 576 Sq. Ft. Fabric Structure for Boat Storage – Tax Map #11-F-13:** Mr. Wiggin explained that he wanted to construct this structure so he could work on his boat in the TB-1 Zone. Mr. Terrien questioned whether the structure's location would meet the requirement that it be 5' from the house. Mr. Wiggin replied that it could be moved over 1' by moving the boat in the spring. He stated that a double garage previously occupied the same space.

Chair Laustsen noted that this application had come before the PB because the structure exceeded 300 sq. ft. (36' X 16') and confirmed that the structure would have to be 5' from the house as required by ordinance. CEO Root said that all other setbacks were met.

**ACTION:** Mr. Terrien made a motion to accept the application as complete.  
Carried 4-0-0

Chair Laustsen read aloud the 13 Findings of Fact.

**ACTION:** Ms. vanVuuren made a motion to approve the Findings.  
Carried 4-0-0

**ACTION:** Mr. Swan made a motion to approve the Site Plan.  
Carried 4-0-0

**2. Center for Maine Contemporary Art – 21 Winter Street – Pre-Application Meeting to Discuss Construction of a New CMCA Building – Tax Map #1-H-4:**

Engineer Will Gartley and architect Toshiko Mori represented the applicant before the PB. Mr. Gartley stated that public utilities were in place but he was researching stormwater, which ran off the current building's roof. There was no stormwater line on Winter St., though there were two catch basins at the end of the road. Mr. Gartley had met with Public Works Director Greg Blackwell, City Manager James Smith, and Wastewater Treatment Facility Director Terrence Pinto to discuss the situation. Mr. Gartley said the existing building was situated 20' from the property line, while the new CMCA building would reach the property line.

Ms. Mori provided some personal history, saying how much she liked Rockland (she has a home on North Haven) and had watched its transition over the past 30 years. Noting that the existing building at 21 Winter Street had been a garage, Ms. Mori said industrial areas were always attractive to contemporary art entities. She felt it was important for the CMCA building to bridge a gap between industrial and waterfront areas.

Utilizing a 3-dimensional model, Ms. Mori pointed out the location of the proposed building in relation to Winter and Main Streets. She said the building's facade would occupy more than 72% of the street line. A courtyard would be used for queuing, outdoor sculpture, and citizen participation: it would be fenced off at night.

There would be one 20'-26'-high gallery, a 15'-high gallery, and 12'-high office space. Ms. Mori said she had broken up the building's facade to meet the Design Standards. Though she was still exploring facade materials, Ms. Mori said they would be humble but very crafted; possibly a non-reflective matte silver material that would change color slightly over the day.

Mr. Terrien said Ms. Mori had done a great job relating to the context of the site at present but he had not heard an awareness of what the City was trying to do. He said the City wanted to transform the industrial character of what lay to the east of Main St. into a pedestrian extension of the downtown. He said the PB was obligated to discuss the CMCA proposal in the context of the Tillson Overlay Zone. Mr. Terrien said the City was not looking to extend the industrial. Ms. vanVuuren said it went beyond just the overlay because extensive details had been integrated into the zone. Chair Laustsen added that the PB did not have the latitude to change the requirements. While Ms. Mori had incorporated the vertical elements, many others were not met.

Ms. Mori responded that the design details noted in the ordinance largely related to retail spaces and said a contemporary art gallery was of a different typology, requiring a different expression. She felt it would not be easy to work through in terms of expression, but details of some of the requirements could be met. She noted that the setback of the courtyard might not conform and an entry might have to be added on the facade.

Mr. Terrien said he believed in the fullness of the guidelines; he wanted them to be met and was not interested in just compromising. Saying the PB needed to fulfill the future in every step, Mr. Terrien said he would like to see all of the guidelines met.

CMCA Director Suzette McAvoy said Ms. Mori's design did look to the future and the City of Rockland had sent a letter supporting the project. She read aloud from the Design Standards and said this project would meet those if latitude were allowed in interpreting them.

There was further back and forth on ways in which this design did/did not meet the standards. Ms. vanVuuren suggested CMCA might want to talk with Comprehensive Planning Commission members in order to understand the intent of the overlay zone. As to materials, Ms. vanVuuren said they were very important and the ordinance was specific on that point.

Chair Laustsen said the PB did not have the latitude to drop elements of the ordinance; for example, the maximum front setback would be difficult to meet with the courtyard. He said perhaps the City Council might have to modify the ordinance.

**Adjournment:** Ms. vanVuuren made a motion to adjourn the meeting at 6:53 P.M.  
Carried 4-0-0

Respectfully submitted,

Deborah Sealey  
Recording Secretary