

**Approved 10/15/13**

CITY OF ROCKLAND  
PLANNING BOARD  
Minutes of Meeting  
October 1, 2013

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

**Board Absent:** None

**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.

**Public Comment:** None

**Communications:** Chair Laustsen said City Attorney Kevin Beal had not had time to do some of the ordinance work since the board's last discussion with him. Mr. Beal had said he would work on it next month.

**New Business:**

**1. Mark Wilkinson – 249 Maverick Street – Site Plan Review Application to Construct a 512 sq. ft. Building for a Take-Out Restaurant – Tax Map #74-B-9 – Public Hearing:** Mark and Maria Wilkinson were accompanied by engineer Bill Lane of Gartley & Dorsky. Mr. Wilkinson provided some business history and said he had run a similar take-out in St. Augustine, Florida for four years; he became homesick and moved back to run the same type of seasonal business in Rockland. He planned to operate the business from April 1 – October 15, Monday through Saturday from 11:00 A.M. to 3:00 P.M.

Mr. Lane distributed plans DR-1 (Drainage Analysis) and DR-2 (Civil Details) to board members. He stated that existing contours and spot elevations were shown on DR-1. There would be grading to smooth the parking lot and to move drainage water to a level spreader. There was protracted discussion of contours and whether cars could be parked on the current steep slope. Mr. Lane said the 4' grade difference could be handled within the 12' of the parking spaces.

Site Plan Review began with the elements of the site plan. A notation that the property was 0.71 acres was added to the site plan. Chair Laustsen asked where drainage water would go as it flowed toward Maverick Street. Mr. Lane replied that it would pick up the drainage structure at Old County Rd. and Maverick St.: sheet flow would be mitigated to offset. Mr. Wilkinson said the parking area surface would be pea stone or gravel. CEO Root noted that the excavator would need the proposed elevation or grading in order to proceed.

There was further discussion of stormwater and Mr. Lane explained that though runoff from the property would increase, it would be delayed between the level spreader and the street. Mr. Terrien commented that he couldn't tell if the difference would be trivial or significant.

Mr. Wilkinson said a stockade fence 40' long and 6' high would shelter the building. A 40'-wide opening would allow two-way traffic to and from the site. There would be 14 (including 1 handicap) parking spaces 14' wide by 19' long. There were no easements on the property and no sidewalks in the area. Mr. Wilkinson proposed a light over the serving window but under the canopy.

The board asked the applicant to provide the proposed contours, clarification of the change in drainage and its impact on being collected in the public way, abutters within 100' (Mr. Root would provide this), and any comments from the Public Works director.

*Chair Laustsen opened the Public Hearing at 6:24 P.M.*

Merton Sawyer (566 Old County Rd.) said he had concerns about the application. He said the board had spent 45 minutes on water drainage but only 3 minutes on traffic impact. He said traffic currently backed up from the corner to past his house: the addition of this business would have a high traffic impact. Mr. Sawyer noted that he would like to have a similar business on his property but the zoning did not accommodate it.

Steve Carroll (526 Old County Rd.) said he was reluctant to speak because he was in the middle of an application to operate a business on his nearby corner. He said Mr. Wilkinson's property was in a commercial zone and if anyone were to open a business there Mark and Maria Wilkinson were the best candidates.

Mr. Carroll said some of the neighbors were worried about what was happening on Old County Road and he had complained before about the lights and noise. Citing upcoming Wal-Mart traffic, Mr. Carroll said he wanted the Planning Board and City Council to think about traffic flow.

Chair Laustsen advised Mr. Carroll that the Comprehensive Planning Commission was the body that recommended zoning changes to the City Council. It was the Planning Board's responsibility to administer those decisions only.

Eddie LaFlamme (1897 Eastern Rd., Warren) owned ten buildings in Rockland and was in favor of this project, which abutted the golf course where he spent a lot of time. Mr. LaFlamme said the Wilkinsons did a very good job when they ran a business. He hoped the Planning Board would move this application forward.

*Chair Laustsen closed the Public Hearing at 6:43 P.M.*

The board agreed no site visit was necessary. Mr. Terrien said many impacts affected the traffic on Old County Rd. but this was insignificant. Ms. vanVuuren said the location of the entrance and the depiction of sight distances were reasons the board did not question traffic impact. CEO Root agreed, saying the property was zoned for business and it would have minimal traffic impact.

**2. Steve Stinson – 743 Main Street – Pre-Application Discussion of Re-Opening of Business – Tax Map #13-B-2:** Steve Stinson (111 Old Rockland St., Rockport) said he wanted to reopen the building at 743 Main St. as a lobster eatery. In order to do this, he wanted to build a deck and join two existing parking lots. Mr. Stinson would be leasing space from U.S. Cellular, which in turn leased from Schooner Wharf Associates.

CEO Root said the City Attorney declared a lease to be right, title, and interest, as long as it made clear that the setbacks would not be adequate if the lease came to an end. Mr. Stinson said that while the 16' wide deck structure would not cross his property line, he needed the lease for setbacks. Chair Laustsen said the Findings would stipulate that adjustments would have to be made for the setbacks if the lease expired.

Mr. Stinson asked if he could combine his parking spaces with those of lessee U.S. Cellular. Mr. Root said there were no setbacks between properties. Mr. Stinson said he would have 16 parking spaces and U.S. Cellular would have ten; he would pave and stripe his parking lot.

Mr. Root asked the applicant to speak with Public Works Director Blackwell concerning drainage. Mr. Stinson said he had done this and the only question had been the Harbor Trail. Mr. Laustsen said a sidewalk would be required where there was not one now and this should also be discussed with Mr. Blackwell.

CEO Root asked about drainage and Mr. Stinson said there was a storm drain on each side of his property. Mr. Blackwell had told him paving the parking lot would not be a problem.

There was discussion about the ability to back out of parking spaces; Mr. Root said an engineer would design the parking area. Two parking lots existed and were separated only by granite blocks, so the CEO concluded this was not a new parking lot.

The board asked that existing and proposed contours be shown on the Site Plan. No drainage study would be required.

**Adjournment:** Ms. Knicklebein made a motion to adjourn the meeting at approximately 7:30 P.M.  
Carried 4-0-0 (Mr. Swan and Mr. Bodine had left)

Respectfully submitted,

Deborah Sealey  
Recording Secretary