

Approved 12/17/13

CITY OF ROCKLAND
PLANNING BOARD
Minutes of Meeting
October 15, 2013

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

Board Absent: P. vanVuuren

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

The Chairman called the meeting to order at 5:15 P.M. and reviewed the agenda.

Public Comment: None

Communications: CEO Root read aloud a letter from Fannie Copeland concerning drainage, vegetation, and wildlife on the property proposed to be a flag lot. After receiving the letter, Mr. Root had made a visit to the Copelands and explained the proposed plan.

New Business:

1. Mark Wilkinson – 249 Maverick Street – Continued Site Plan Review Application to Construct a 512 sq. ft. Building for a Take-Out Restaurant – Tax Map #74-B-9: Applicants Mark and Maria Wilkinson were accompanied by engineer Bill Lane of Gartley & Dorsky. CEO Root said he had given the drainage study and plan to Director of Public Works Greg Blackwell, who had no issues or comments.

Mr. Lane had added to the drainage analysis plan, showing contours and the existing and proposed flow arrows requested by the PB at the last meeting. Mr. Lane said a ridge at the curb cut would prevent stormwater from Old County Road entering the property. As for runoff onto Maverick St., the first 100' transitioned from a gravel shoulder to a curved area from the curb line to the south away from the intersection, where it went into a stable ditch line to a cross culvert and into the catch basins in the road. Mr. Lane had seen no erosive conditions in the vicinity of the catch basins.

(Mr. Bodine arrived at 5:27 P.M.)

Since some contours had been raised by 3' from the previous plan, Mr. Terrien asked by what percent the runoff would change. Mr. Lane replied that the peak was relatively controlled by site conditions and there was no indication of deleterious effect. Mr. Terrien asked if the engineer's verbal assertion was adequate since the PB had received inadequate submissions. He also questioned the picnic tables being placed on a 10% slope. Mr. Wilkinson said it was easy enough to shim the tables.

Mr. Terrien said a letter from Mr. Lane stating that the 35% increase in runoff would not cause a problem would make him feel better. Mr. Lane said he had done that in his statement but would do it again. He explained the contours' effect on drainage in detail.

CEO Root had provided an aerial photo of abutters' properties, as promised.

ACTION: Mr. Swan made a motion to accept the plan as complete with the condition that Bill Lane provide the statement requested.
Carried 5-0-0

Chair Laustsen read the titles of the Standards sections. He noted his appreciation for the applicant's retaining of 98 mature trees on the property. There would be underground electric to the site and full cut-off downlights would be required if more lights were added later.

ACTION: Ms. Nickelbein made a motion to approve the Standards.
Carried 5-0-0

Chair Laustsen read aloud the 25 Findings of Fact.

ACTION: Mr. Terrien made a motion to approve the Findings.
Carried 5-0-0

ACTION: Mr. Terrien made a motion to approve the Site Plan with the condition that engineer Wm. Lane of Gartley & Dorsky provide a stamped statement that, in his professional opinion, any increase in drainage from the site onto the Maverick St. storm system will have no significant effect.
Carried 5-0-0

2. Valli Geiger and Greg Marley – 192 Broadway - Conditional Use Application to Establish a ROW Serving a Flag Lot – Tax Map #45-E-5: Applicants Valli Geiger and Greg Marley, who own both 186 and 192 Broadway, represented their application. (Ms. Nickelbein stated that she was an abutter within 100'.)

Ms. Geiger said Alden St. (a paper street) had come with the 9 lots they had bought. A year later, Alden St. had been dissolved and its land had been combined with 192 Broadway. Now Ms. Geiger and Mr. Marley wanted to build a single-family home on the property.

Ms. Geiger said the proposed ROW from Broadway to the flag lot would serve both 186 & 192 Broadway. The drive would be a 200' long permeable surface. She said several neighbors had expressed concern that they would remove the hedge, but instead most of the land would remain vegetated. Mr. Marley noted that this would meet the goal of increasing infill without infrastructure costs to the city. While he and his wife had enjoyed the wildness of the land, they did pay taxes on it and would like to be able to use it.

They planned to remove the asphalt at 186 Broadway. CEO Root said they should speak with Public Works Director Blackwell because he had indicated a wish for some asphalt on the ROW where it approached Broadway.

Chair Laustsen said a flag lot was a Conditional Use in the Residential "A" zone. Mr. Root read aloud the definitions of conditional use and flag lots. Mr. Terrien felt the board had addressed all the issues mentioned under Conditional Use.

Chair Laustsen read aloud the 14 Findings of Fact.

ACTION: Mr. Bodine made a motion to approve the Findings.
Carried 5-0-0

ACTION: Mr. Terrien made a motion to approve the flag lot.
Carried 5-0-0

Other Business: Mr. Terrien asked for clarification of his role on the PB, saying he did not want to be a stickler, but couldn't vote for something he knew was not true. Mr. Root asked if the city had a standard that said there could be no increase in drainage from a site. Mr. Terrien replied that there were standards that said development could not adversely affect surrounding areas. He added that the board should not have to deal with partial submissions, based on limited responsibility, in cases when it required more information to determine adverse effect. He said the board needed submissions from applicants that allowed the board to base its judgment upon a professional assertion.

There was a lengthy discussion Mr. Laustsen said having a thorough drainage plan would become the order of the day. Mr. Bodine suggested inviting Greg Blackwell to talk with the PB about his responsibility to and communication with the board. Mr. Swan wanted Mr. Blackwell to provide an explanation when he said drainage was not an issue for a plan

Adjournment: Ms. Knickelbein made a motion to adjourn the meeting at 6:39 P.M.
Carried 5-0-0

Respectfully submitted,

Deborah Sealey
Recording Secretary