

Approved 3/4/14

CITY OF ROCKLAND
PLANNING BOARD
Minutes of Meeting
February 11, 2014

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 5:20 P.M. and reviewed the agenda.

Communications: CEO Root noted that letters concerning the Rockland Harbor Park proposal had been received from Allan & Kathleen Toubman and Ed & Laura Waller (dated 2/7/14), Mark & Patty Nutt (dated 2/10/14), Dave & Aralynn McMane (dated 2/11/14), and Alexander & Kimberly Gibson (dated 2/11/14).

Public Comment: Connie Hayes, 222 Broadway, said she was a Farnsworth trustee who welcomed CMCA to Rockland. As a taxpayer, she understood the overlay district strove to create a lively pedestrian density with a visual, social, commercial and aesthetic interest. Ms. Hayes thought the proposed building design was of extraordinary high quality, but she did not understand why CMCA continued to propose a wall along Winter St. that did not appear to meet the code. Ms. Hayes thought the building would sit beautifully on a location that did not have an urban purpose reflected in the code for the Downtown District. She asked CMCA to give the city more than a wall along its sidewalk. Ms. Hayes concluded by saying that it was smart planning to have this code so growth would happen intelligently.

Charles Jordan, Jr., 1 Walker Place, said he was in favor of the CMCA project as presented. It would be a magnet for the city and make all other acreage in the Tillson Avenue area more valuable. Mr. Jordan said Stuart and Marianne Smith did nothing but quality projects and he hoped their hotel proposal would be approved.

Brian Harden, 19 Traverse St., was struck by how local Stuart and Marianne Smith's proposed hotel looked. He noted there was a huge view corridor between its location and Boston Financial. Mr. Harden said he also favored the CMCA project. Having been on the City Council when the overlay zone was debated in 2005, Mr. Harden said he had asked if there was enough flexibility in the standards so projects of exceptional merit could be permitted. He read from Section 19-317 and said the CMCA project met the spirit and intent of the ordinance. While there was nothing the PB could do about the wording of the ordinance, Mr. Harden wished the City Council members had attended this evening's meeting because they were the only people who could add the necessary flexibility to the Tillson Overlay Zone Design Standards. He concluded by begging the City Council to talk with the Planning Board.

Amy Files, 39 Pleasant St., said she was new to town and hoped Rockland would maintain its residential character. She was excited about the CMCA project and asked the PB to meet with the City Council. Concerned about the proposed hotel's effect on the neighborhood, Ms. Files said its design should be more closely related to the neighborhood.

Nathan Davis, 10 Fulton St., was a new resident who supported the CMCA plan. He said he and other young people moved to Rockland because it was energetic and vibrant. He encouraged the PB to be as flexible as possible.

Old Business:

Center for Maine Contemporary Art – 21 Winter Street - Pre-Application Meeting for a New Contemporary Arts Building - Tax Map #1-H-4: CMCA Director Suzette McAvoy, associate architect Hye-Young Chung, and engineer Will Gartley appeared before the PB. Ms. McAvoy said since last coming before the PB, her group had done a lot of listening and held a lot of meetings. At the PB's suggestion, they had met with Gerald Weinand and Frank Isganitis, who had helped create the Tillson Overlay Zone Design Standards, and had incorporated some of their ideas in the redesign. Ms. McAvoy was confident this redesign met every aspect of the Design Standards.

Mr. Gartley said he and Ms. Chung had spent a lot of time on the phone discussing dimensions and the intent of the standards: he said he felt they had been met. The engineer said a canopy connecting two wings of the building had been added. He discussed the project in relation to all parts of the code.

Ms. Chung discussed how the design details agreed with the standards, pointing out windows, horizontal expression lines, display windows, lintels, transom windows, and prominent windowsills. She also showed examples of traditional and contemporary architectural styles that lived in harmony, concentrating on modern additions that incorporated elements of the original buildings.

Chair Laustsen acknowledged that CMCA had gone a long way to incorporate details of the Design Standards. Mr. Gartley explained how they felt each item of the Tillson Overlay Design Standards had been met. Mr. Terrien did not agree that meeting a majority of the items satisfied the ordinance. He felt the absence of windows at street level was a major problem and a diversion from Main Street.

Ms. Knickelbein questioned how a metal facade so close to the street could be pedestrian-friendly. She worried it would reflect heat. Ms. Chung said the metal had a dull sheen and was not highly reflective.

Mr. Swan objected to the fact that the wall had no activity and Ms. McAvoy said the wall was the most important part of the project because it was needed to provide gallery space. Mr. Swan did not feel the building would attract people from Main Street. Chair Laustsen suggested that landscaping along the facade could break it up. Ms. vanVuuren, noting that this was a warehouse district, felt the ordinance was contradictory.

Ms. McAvoy restated her belief that the project met the Design Standards. Mr. Terrien said he was arguing for pedestrian activity on the street. Ms. Chung said more stuff would not create more vitality. Mr. Laustsen said it would be helpful to know what the city was planning on Winter Street, as trees might help soften the facade. Mr. Gartley said he would try to find out so the city's plans could be included in the preliminary application.

Mr. Bodine believed the applicant had met the spirit of the code, if not the wording. He felt the overlay zone was overly restrictive and paternalistic. He said the CMCA building was a critical addition to the downtown and felt there were two possible solutions: contract zoning, or adding the phrase regarding "exceptional design merit" to the ordinance.

Chair Laustsen said the PB wanted to see the actual exterior materials when formal application was made.

New Business:

A. Liberty Hospitality of Maine, LLC – Tradewinds – 2 Park Drive - Preliminary Plan for Subdivision Review to Convert Hotel Rooms into Timeshares, Tax Map #1-H-10: Applicant Robert Liberty and architect John Hansen represented the application before the board. Mr. Hansen explained that this was Phase 4 of the conversion of hotel rooms to timeshares. Units 314, 316, and 318 would become Unit 316 and Units 300, 301, 302, and 303 would become Units 300 and 302.

The PB reviewed the elements. There would be no exterior construction and the drainage would remain unchanged. A signed statement from Fire Chief Jordan would be required. Chair Laustsen skimmed over the subdivision requirements. There was a sewer easement to Key Bank under the hotel.

A Public Hearing was opened and closed at 7:28 P.M. with no comments offered.

ACTION: Mr. Terrien made a motion to approve the preliminary plan.

Carried 5-0-0

B. Rockland Harbor Park, LLC – 12 Water Street – Pre-Application Review – Construction of a 65-Room Hotel – Tax Map #5-B-13: Rockland Harbor Park, LLC, principal Stuart Smith, architect John Hansen, and engineer William Lane appeared before the PB. Mr. Smith said his wife Marianne and son Tyler, an engineer, were also involved in the project and named his partners in the property, bought in 2007 as an investment. He noted that all of the owners were involved in the community and related some history of the former MBNA building now occupied by Boston Financial.

Mr. Smith said the parking lot used for Archer's Restaurant would be the primary lot for the inn. There would be less traffic than that planned for MBNA with 650 workers. A change of use application would be submitted for the existing building so a daycare/fitness studio could be located there in the former restaurant area.

Mr. Smith said the hotel had been planned since his group purchased the property. It would be family-owned and operated and the boardwalk would remain open to the public, providing open access to the waterfront. There would be much better security with the hotel in place. The property currently paid \$135,000 in taxes and Mr. Smith estimated the hotel would add another \$150,000 to that bill. A \$75,000 impact fee would be paid and Mr. Smith said properties in the south end would appreciate.

Architect Hansen said the existing gazebo would be moved and incorporated into the western end of the new hotel. He had utilized some grand old hotel elements in its design. A portion of the building would be in a flood zone (VE-14), so its height would be limited to 40', with the lowest floor at Elevation 16.5. Therefore, a total of 56.5' would be allowed, though the cupola could be higher as long as it was not accessible. Mr. Hansen described the elements that fit the cupola into the design.

The architect said the main level would technically be the second floor, the first floor being lower on the waterside. The portion in the flood zone would be elevated on piers. The view corridor would remain between the hotel and the Boston Financial building.

Bill Lane discussed some of the permits, etc., that would be part of the process and touched upon some of the modifications that would be made to the property.

Mr. Smith said he would host a public meeting at 5:30 P.M. on February 26 at the Boston Financial building so the public could ask questions about the proposed development. He noted that 55% of the buildings in the south end were not owner-occupied.

Minutes of Previous Meeting: 12/17/13 & 1/21/14

ACTION: Mr. Terrien made a motion to approve the minutes of the 11/21/14 meeting.

Carried 4-0-1 (Ms. vanVuuren abstained)

ACTION: Mr. Terrien made a motion to approve the minutes of the 12/17/13 meeting.

Carried 4-0-1 (Mr. Bodine abstained)

Other Business:

Mr. Bodine said the board needed to inform the City Council that it might not be able to approve the CMCA building without a change to the Tillson Overlay Zone. Chair Laustsen said he would contact the council.

Adjournment: Mr. Terrien made a motion to adjourn the meeting at 8:45 P.M.
Carried 5-0-0

Respectfully submitted,

Deborah Sealey
Recording Secretary