



Rockport, Massachusetts Planning Board

Minutes of Meeting, Thursday, May 5, 2016 Rockport Town Hall Annex, 7:30 p.m.

Present: General Meeting and Hearing, Town Hall Annex 7:30 p.m. Meeting comes to order with Herman S. Lilja, Chairman; Edward S. Hand, Jr. Vice Chairman; Cameron Smith; Terence Duffy and Henry T. Betts present.. Kirk W Baker, Town Planner, present. Minutes are recorded by Mary Bourguignon, Secretary.

1. 7:30 p.m. General Meeting and Discussion

2. Planner's Update - Informal Discussion. Mr. Baker said Mr. Hand had a potential application. Rockport Music is asking for a preemptive decision on a piece of property on Brooks Road. It was then decided by the Board members that this was not a topic for the Planning Board to discuss.

3. Green Communities Update – Ed Hand. Mr. Hand said that at the Special Town Meeting the Stretch Code was passed so, we now have the two criteria. The next step is to do the plan. The plan will reduce our municipal consumption by 20% over five years. The Green Committee is going to meet next Monday and will be starting on how to organize to get the plan in place and how to go about getting a consultant on board.

4. Activities related to town-wide Master Plan – Cameron Smith. Mr. Smith said both he and Mr. Lilja had a meeting last week with Linda Sanders, Town Administrator, about the Master Plan and how that would fit with the Town, particularly the Board of Selectmen. This was keeping in mind the idea of getting MAPC pro bono support for the next step. So, he made a presentation to her about the findings with Survey Monkey and what is proposed as the next step. Also, he described a discussion, mostly from her, about other Boards and Committees, and her conclusion after seeing our presentation, was that other Boards and Committees should certainly have a roll in this Master Plan exercise. The next step is that Ms. Sanders would talk to the BOS about it and get the go ahead so, the Planning Board can make the proposal to MAPC for activity starting on July 1, 2016. Ms. Sanders thought the items most important were school, affordable housing, housing in general and zoning changes. With the MAPC's help we would have community meetings where people can come and talk about it. Mr. Smith asked Mr. Baker to put together an outline of what steps the Planning Board will be taking now that they have the Town Administrator's support, one of the things that MAPC will be looking for. The next step would be to prepare a concept document for the MAPC which would be sent to them for review after which they would return this document to us with comments. Mr. Smith said he would like to add that the Board ask the MAPC to help us find money grants.

5. Zoning By-Law Updates -2 Family Subdivision. Mr. Lilja said that after receiving a letter from Alan Battistelli, Chairman of the ZBA, and looking at the petition of Jeffery Lopes, 7 Parker St., who wants to convert an existing single family home into a two family home and after having looked at Mass. Law G.L. c. 40a, Section 16, it would appear that the Board needs a motion to allow Mr. Lopes to go back before the ZBA in an effort to have the ZBA reconsider his petition to divide his house into two houses. The ZBA is saying that because a change in the Zoning Bylaws in 2011 that instead of them considering Mr. Lopes' application under a variance they should have been considering it under a special permit. Mr. Duffy made a motion to allow Jeffrey Lopes, 7 Parker St., to go back to the ZBA under Mass General Law, Chapter 40a, Section 16 for reconsideration by the ZBA. Mr. Betts seconded the motion. All in favor. Mr. Lilja will write a letter to Alan Battistelli, Chairman of the ZBA, saying that the Planning Board made a motion and that they agreed that Mr. Lopes should be given reconsideration of his application.

6. By Laws Related to Registered Marijuana Dispensaries. Mr. Baker said someone called the office asking if Rockport had any bylaw pertaining to registered marijuana dispensaries. We do not. Mr. Kirk checked with Mr. Orlando, Building Inspector, who said what that does is leave the Town open; essentially somebody can come into the retail district and set up shop. Mr. Kirk then presented a slide show which covered dispensaries now open and some possible openings in Essex County. Mr. Baker suggested then a course to take is to do more

research of other towns and cities so we will have enough data if you want to pursue putting together a bylaw. Then write the RMD bylaw using language from other towns. Mr. Hand made a motion to prepare a very simple RMD bylaw for presentation at Fall Town Meeting. Mr. Duffy seconded the motion. All in favor.

7. Contract Renewal with Planner. The Board reviewed the activities of the Planner since hire and recommended a salary increase. Mr. Lilja is to write a letter to Mitch Vieira and Kirk Baker, the Planner, with the Board's decision.

8. Continuing Business, Liaison Reports, and Other Updates

- **Liaison Reports.** No reports given.
- **Updates from Members.** Mr. Lilja said he sent an email out regarding Richard Tadler, 9 Gap Head Rd., who has a house that is 10, 600 sq. ft. and he has a special concern about being able to renovate that house and should he not be given a grandfather clause to allow him to renovate his house without restrictions of the 7,000 sq. ft. clause bylaw. Mr. Lilja told Mr. Tadler that everyone is going forward from the same point in time.

9. Planning Board Administration

- **Approval of Bills.** An invoice for Kirk Baker was submitted for payment. Mr. Smith made a motion to pay this invoice. Mr. Duffy seconded the motion. All in favor.
- **Approval of Minutes.** Minutes for August 27, 2015, March 17, 2016, April 3, 2016 & April 17, 2016 were submitted for approval. Mr. Smith made a motion to approve all the above minutes. Mr. Betts seconded the motion. All in favor.

10. Adjournment: 10:02 p.m. Mr. Hand made a motion to adjourn. Mr. Duffy seconded the motion. All in favor.

Herman S. Lilja, Chairman

Date