



Rockport, Massachusetts Planning Board

Minutes of Meeting January 5, 2012 Town Hall Annex, 7:30 p.m.

Present: General Meeting and Discussion, Town Hall Annex, 7:30 p.m. Meeting comes to order with Barbara Sparks (Chairwoman), Patty Joy Edgerton, Mary Ruth Sole, Frederick H. Tarr, and Carolyn Britt (Consulting Planner), present; Hank Betts, absent. Minutes are recorded by Mary Bourguignon, Secretary.

1. Open Session

Public Comment. None.

2. Cases

7:35 Jonathan Weaver & Peter Noonan, Old Farm Inn, Map 8, Lot 12. The purpose of the meeting was to give the Planning Board a preliminary briefing about plans for converting the Old Farm Inn property and buildings into a care facility for eight brain injured individuals. Mr. Noonan is the owner and developer of the project and Jonathan Weaver is the architect. Mr. Weaver explained that the original “Norwood House” will be used as a common lounge and dining area for four residents who will each occupy a private room in an attached new addition. The addition replaces a former one-story, attached building. Professional care will be provided 24 hours per day, 7 days per week.

The second part of the development will serve four residents who need minimal care. They will be accommodated in a new structure housing four studio apartments. The structure replaces a barn that was removed. The new structure is slightly larger than the barn, and is located on the same footprint.

There will be 12 parking spaces as required by code; four will be paved. It is anticipated that none of the residents will have cars. Rockport resident Eric Hutchins suggested that since it's anticipated that eight spaces will be used infrequently, this would be a good place to consider using a concrete block and grass surface system that would allow rainwater to pass into the soil. Ms. Edgerton asked about plans for locating air conditioning units outside buildings. Her concern was that noise produced by large units might disturb neighbors. The proponents will consider this concern.

The existing septic system appears to be adequate, and usage will be less than when the property previously housed a restaurant.

Most funding for the project is in place or will be committed by June; start of construction is planned for July. Mr. Weaver expects to begin site plan review at the Planning Board's meeting on February 2.

When completed, the eight units will be considered part of Rockport's affordable housing inventory, although they are not available to the general public.

8 :00 Stanley Poole, Lane’s Farm Way, Map 23, Lot 20.

Ms. Britt added this case to the Agenda after this meeting had been posted. The Chair took a roll call vote to amend the Agenda. Ms. Sole made the Motion, Ms. Edgerton seconded. Voting for: Ms. Edgerton, Ms. Sole, Ms. Sparks; voting against: Mr. Tarr.

Mr. Poole was not present. The case concerns improvements to a dirt lane that serves several houses and a barn. Mr. Poole wants to build a house with frontage on the lane. The Planning Board will need to make a determination as to the adequacy of the lane in accordance with Rockport’s “Regulations for Determination of Adequacy of a Way or Street” before Mr. Poole can be issued a building permit. A site visit was tentatively scheduled for Friday, January 13 at 11:30 a.m.

3. Downtown Master Plan

No discussion at this meeting.

4. New Business

Zoning changes for Spring Town Meeting. The Planning Board will set up a Workshop with the Board of Appeals within the next few weeks to discuss changes, if any. Several subjects were brought up at this meeting. Referring back to the case discussed above where placement of air conditioning units was questioned, members suggested “nuisance” items in general that affect neighboring properties, questioning whether these should be regulated. Resident Tobey Arsenian brought up parking lots as a primary use. Mr. Tarr wanted to discuss “putting more teeth” into site plan review.

Ms. Britt asked about the possibility of adopting standard forms for use by all Boards that deal with regulations. This would produce more easily understood complete applications and decisions with nothing of importance left out. Ms. Sparks suggested Town Administrator Linda Sanders might be able to provide guidance in this matter.

Training session for Planning Board. Ms. Britt and Ms. Sparks had conferred about topics for a half-day training for the Planning Board for members of the Board of Appeals, or others, if interested. Ms. Britt proposed a session that would include an overview of Planning Board responsibilities, subdivision of land, and site plan review, using Rockport cases as examples, if possible.

5. Continuing Business, Liaison Reports, and Updates

Sewer extension planning. Ms. Britt provided the Board with a memorandum summarizing parts of the Rockport Comprehensive Water Resources Management Plan (2002) that are relevant to town planning. A drawback of the plan is that it addressed 26 areas but did not specify individual lots. At the time, there was no excess capacity available in the treatment plant; that may have changed today. The 1999 Build-out Analysis identified 1,400 acres in town vulnerable to or suitable for development.

Ms. Britt also commented on the Town of Concord’s 2003 plan summary and Gloucester’s sewer extension ordinance (2002). Both plans define eligible lots or parcels.

Liaison Reports. Mr. Tarr reported on a MAPC North Shore Task Force meeting he had attended. Ms. Sparks reported that the Massachusetts Cultural Council's site visit, which was part of the application for a State Cultural District designation for downtown, went very well. A decision will be made at the MCC Board meeting January 24.

Updates from Planner or Members. There was discussion about the MBTA's recent announcement of possible elimination of weekend MBTA commuter rail service and cuts in the schedule of evening trains. Selectwoman Erin Battistelli, who attended this meeting, said the Board of Selectmen will probably consider this at next week's meeting.

The Planning Board's Annual Report for the Town Report was informally approved.

6. Planning Board administration

The Minutes of December 15, 2011 were approved. Ms. Edgerton made the Motion, Ms. Sole seconded; all in favor.

There were no bills submitted for payment.

7. Adjournment

The meeting adjourned at 10 p.m. Mr. Tarr made the Motion, Ms. Edgerton seconded; all in favor.

Barbara Sparks, Chairwoman

Date Approved

Copies of the following documents made for Board members for tonight's meeting:



Rockport, Massachusetts Planning Board

Minutes of Meeting January 19, 2012 Town Hall Annex, 7:30 p.m.

Present: General Meeting and Discussion, Town Hall Annex, 7:30 p.m. Meeting comes to order with Barbara Sparks (Chairwoman), Hank Betts, Patty Joy Edgerton, Frederick H. Tarr, and Carolyn Britt (Consulting Planner), present; Mary Ruth Sole, absent. Minutes are recorded by Mary Bourguignon, Secretary. Members of the Finance Committee attended for discussion, as noted below. Selectmen Erin Battistelli and Sandy Jacques attended.

1. Open Session

Public Comment. There were no comments from the public.

2. 7:30 Meeting with the Finance Committee. Members of the Finance Committee present were Michael Hughes, Chairman; Frank Hassler, Wally Hess, Michael Lamoureux, June Michaels, and Robert Rick.

Over the past several months the Finance Committee has pulled together figures from the town census and other sources and has performed an analysis of population trends in Rockport taking place over the past several years. Planning Board Chair Barbara Sparks had asked the Finance Committee to extract information about population trends that could have an effect on town planning.

Mr. Hess made the presentation. A handout had been prepared which outlined the discussion with the following points:

- Who lives in Rockport? this addressed age and profession
- Who is moving in and who is leaving? this tracked gains and losses by age group
- Who owns property in town? this compared resident and non-resident owned property according to location, type, and assessed value of property

Mr. Hassler pointed out that the presented findings describe what has happened, not what will happen in the future. The Committee is not recommending a course of action, merely presenting facts to consider for future planning, whether it be for the schools, or for more general town planning.

Mr. Jacques spoke several times about the need for economic development, stating that to attract a younger population, there need to be good jobs.

Mr. Lamoureux observed that jobs created in Gloucester can benefit Rockport if new employees choose to live in our town.

Ms. Sparks said she is surprised that although global thinking has become commonplace, when it comes to our school system, a regional approach is rejected out of hand. Mr. Betts remarked that bussing was the norm in the regional school district that his children attended in Wilmington, DE.

Discussion ended with an observation that change has happened, and we are faced with a choice: we can try to change trends, or we can adapt to them.

Discussion of Downtown Master Plan Action Item earmarked for the Finance Committee

There is only one action item assigned to the Finance Committee: II.1.a. "Assess whether the conversion of rental units to condos is beneficial to the downtown and its residents." Considered in light of the previous discussion, removal of rental units from the market might make Rockport less affordable for young people. On the other hand, the older population might provide a market for condos. The many recent conversions could also reflect diminished demand for rental units, as young people migrate out.

Mr. Stanley Poole, who had joined the meeting for his case which follows next on the agenda, added that he owns many rental units, and the rental market has been strong for many years. Renters in recent years tend to be older empty-nesters or single people.

What we learned is that there is not a simple answer.

3. Cases

9:00 Stanley Poole, Lane's Farm Way, Map 23, Lot 20 – Road Improvement.

Ms. Britt summarized the Planning Board's January 13, 2012 site visit in a memo dated 1/18/12. Gary LeBlanc of the Rockport DPW also participated in the site visit. Subsequently, Ms. Britt spoke with Police Chief Tom McCarthy who thought the frontage was adequate and posed no public safety risk. Ms. Britt expressed a concern about one spot where the way narrows to 12' due to a large tree along the side of the way. Chief McCarthy did not object to the tree.

Mr. Poole said the tree belongs to his neighbor and abutter, 91-year-old Mr. Jack Lane who is not disposed to let a tree be cut down; Mr. Poole said it was "not possible" to remove the tree. Mr. Poole then pointed out advantages of keeping the way rural in nature, to discourage sightseers whose speeding automobiles might pose a safety threat to the horses that are part of his farm operation.

Upon Ms. Britt's recommendation, the Board waived the usual requirement for submittal of a plan. Ms. Britt will write up a stipulation that the frontage is adequate for Mr. Poole's one-house proposal, but not for further development along the way.

A Motion was made "to approve the determination that the way is adequate for the proposed use, which is construction of only one single family residence." Ms. Edgerton made the motion, Mr. Betts seconded; all in favor.

4. Downtown Master Plan

Mr. Betts gave an update on Parking. He and Peter Beacham of the Economic Development Committee attended a demonstration of "smart" parking meters presented by a manufacturer, Duncan, at the Rockport police station. Under consideration is a test area for 10 meters at Front Beach, and a gang meter to monitor 10-12 spaces, at T Wharf. The discussion will continue at a meeting of the Traffic Committee on January 23, 2012.

Implementation of Action Items. At their recent meeting, the Open Space and Recreation Committee discussed action items assigned to them. A new member, Bob Rushton, will contact the Economic Development Committee about working jointly to develop and market ecotourism in Rockport.

5. Preparation for Spring Town Meeting, April 7

The Planning Board and Board of Appeals will meet jointly at a Workshop on Friday, January 27 at 1 p.m. to discuss possible zoning changes to take to Town Meeting in April. The Board reviewed a list of talking points submitted by ZBA members Peter Bergholtz and Bill Christopher. The Board’s comments will be shared with the ZBA prior to the Workshop.

6. Continuing Business, Liaison Reports, and Updates

The on-going sewer extension planning discussion was postponed for a future meeting.

Liaison Reports: Ms. Edgerton and Mr. Tarr spoke about meetings they had attended.

Updates from Planner or Members: Regarding training for Planning Board members, Ms. Britt has been in touch with Bob Mitchell, trainer. There is great flexibility about what can be presented. Ms. Britt and Ms. Sparks will work together on a proposed agenda.

There was some discussion about the MBTA’s proposed cuts in service to Rockport, but there was no consensus about the best way to proceed. Selectwoman Erin Battistelli was in attendance at the meeting, and she thought the subject would be brought up at the next Selectmen’s Meeting.

7. Planning Board administration

Ms. Sparks informed members that a “panic button” silent alarm system has been installed in the Annex. Members should ask Secretary Mary Bourguignon for details when they come into the office to read mail.

Ms. Bourguignon has set up a log book for keeping track of the status of cases that come before the Board. She has also set up a calendar to keep track of members’ vacation schedules; members should inform her and Ms. Sparks when they plan to be away.

Minutes for January 5, 2012 were approved. Ms. Edgerton made the motion, Mr. Tarr seconded; all in favor.

Invoices from Community Investment Associates for services and for reimbursement, and from Jeff Amero, were approved for payment. Mr. Tarr made the motion, Mr. Betts seconded; all in favor.

8. Adjournment

The meeting adjourned at 10:38 p.m. Mr. Betts made the motion to adjourn, Mr. Tarr seconded; all in favor.

Barbara Sparks, Chairwoman

Date Approved

Copies of the following documents made for Board members for tonight’s meeting:



Rockport, Massachusetts Planning Board

Minutes of Workshop January 27, 2012 Town Hall Annex, 1 p.m.

Present: Workshop and Discussion, Town Hall Annex, 1 p.m. Members of the Planning Board present: Barbara Sparks (Chairwoman), Hank Betts, Patty Joy Edgerton, Mary Ruth Sole, Frederick H. Tarr, and Carolyn Britt (Consulting Planner). Members of the Board of Appeals Present: Bill Christopher (Chairman), Alan Battistelli, Peter Bergholtz, Joyce Fossa, Tacy San Antonio, and Nick Rees. Also present: Building Inspector Paul Orlando.

Planning Board Chairwoman Barbara Sparks opened the Workshop at 1 p.m. There were two items of business: (1) to review zoning by-law revisions passed at Fall Town Meeting in September 2011, and (2) to review proposed zoning by-law revisions for Spring Town Meeting in April 2012.

Revisions passed at FTM 2011

An omission on page 10, Section II.A (January 2012 edition) and an error on page 13, Section III.C.G., were noted.

There was discussion about need for clarification of points concerning decks.

Action Item: the Board of Appeals will discuss this at their meeting on January 31, and send proposed new wording to the Planning Board.

Proposed revisions for STM 2012

The Board of Appeals had proposed a number of “housekeeping” revisions. Each item was discussed, and the two Boards were in agreement.

Action Item:

Planner Carolyn Britt will prepare draft warrant articles incorporating the proposed changes for the Planning Board to review. The target date for submitting the draft warrant articles to Town Administrator Linda Sanders is February 10.

Action Item:

Building Inspector Paul Orlando will submit minor edits to Ms. Britt.

Adjournment

The meeting adjourned at 2:40 p.m. Mr. Betts made the motion to adjourn, Mr. Christopher seconded; all in favor.

Barbara Sparks, Chairwoman

Date Approved



Rockport, Massachusetts Planning Board

Minutes of Meeting February 2, 2012 Town Hall Annex, 7:30 p.m.

Present: General Meeting and Discussion, Town Hall Annex, 7:30 p.m. Meeting comes to order with Barbara Sparks (Chairwoman), Hank Betts, Patty Joy Edgerton, Mary Ruth Sole, Frederick H. Tarr, and Carolyn Britt (Consulting Planner), present. Minutes are recorded by Mary Bourguignon, Secretary. Selectwoman Erin Battistelli attended.

1. Open Session

Public Comment. After some discussion the Board decided to move point #5 (below) to the top of the Agenda to recognize the large number of residents who came for this discussion.

Two letters to the Editor of the Gloucester Daily Times, one written by Toby Arsenian and the other by Jane O'Maley Beauvais, had urged readers to attend this Planning Board meeting to air concerns about demolition of homes and other planning or zoning concerns. Forty-four people signed the attendance roster, with a somewhat higher number in attendance.

Chairwoman Barbara Sparks informed the attendees that the Board intends to study both demolition delay and scenic view overlays in the near future. She outlined the process the Board typically follows and would likely use for consideration of proposed changes to these or any other Zoning Articles:

- gather information
- hold a public workshop to solicit residents' input and to determine goals
- hold a second workshop to report the Board's findings
- communicate regularly with participants
- draft a proposed warrant article for by-law changes
- consult with Town Counsel
- hold an official public hearing on the proposed by-law(s)
- present the proposed new by-law(s) at Town Meeting so that voters can decide whether or not to adopt the changes (2/3 vote required for approval). In the case of the specific issues being addressed at this meeting, Fall Town Meeting 2012 would likely be the earliest opportunity to present proposed new by-laws.

Ms. Sparks then opened the floor for comments and approximately 20 people spoke (some more than once). In general, speakers expressed concern that the character of Rockport is changing, historic structures are at risk, and scenic views now available to the public may be blocked by construction of "McMansions" allowed by the Town in pursuit of increased real estate tax revenue. Ms. Edgerton encouraged attendees to familiarize themselves with studies recently released by the Finance Committee examining how Rockport's demographics have changed over the past several years.

The discussion, which ended on a positive note, lasted about 45 minutes. Ms. Sparks then said she hoped tonight's attendees would continue to be actively involved in the continuing zoning work. She encouraged speakers to reiterate their statements at the Planning Board's Workshop to be scheduled soon (May was suggested) where statements could be written on flip-charts, discussed in depth, and compiled into Minutes, which would be distributed by e-mail and available on-line.

2. Cases

Stanley Poole, Lane's Farm Way, Map 23, Lot 20. Determination Documents. This Agenda item had been scheduled for 7:35 p.m. but actually began at 8:30 p.m. due to the large turnout of residents for the above discussion (#1).

Ms. Britt had prepared a draft Determination for the Board. She needs to clarify a point about Mr. Poole's right to use the Way, as there is some ambiguity in the deed Mr. Poole submitted. This case will be continued at the next Planning Board meeting on February 16, 2012.

3. Downtown Master Plan

Update on Parking. Mr. Betts reported that the Selectmen will be asked to appoint an ad hoc Parking Solutions Committee and also discuss the Committee's charge at a Selectmen's meeting in March. The Selectmen's Agenda on February 7 will include an update on parking meters the Town is considering for purchase. Mr. Betts handed out a draft proposal and timeline for the Board to review.

Ms. Sparks reported that she and Mr. Betts met with the Traffic Committee on January 23, 2012 regarding Action Items in the Downtown Master Plan. The Committee will add a section on Planning to their regular meeting Agendas so that work can proceed as items are discussed.

4. Preparation for Spring Town Meeting, April 7

A draft of proposed zoning changes prepared by Ms. Britt that was discussed. The changes had been discussed and agreed upon by the Planning Board, Board of Appeals, and Building Inspector at the Workshop held January 27, 2012. The date for the public hearing on the warrant articles will be March 15, following which Planning Board members will vote to support or not support each article.

5. New Business see #1, above.

- Long-range zoning changes: demolition delay; scenic view overlays

6. Continuing Business, Liaison Reports, and Updates

Sewer extension planning: Planning Board scope of services; no presentation at this meeting; discussion to be continued.

Liaison Reports: Ms. Edgerton informed the Board about proposals that have been submitted to the Community Preservation Committee. Ms. Sparks reported that the Massachusetts

Cultural Council's decision about awarding Cultural District status has been postponed until March 20. Ms. Sparks reported that seARTS (Society for the Encouragement of the Arts) annual meeting will be held on Tuesday, February 28, 6-9 p.m., at the Shalin Liu Performance Center; she encouraged members to attend. Ms. Sparks reported that Rockport's Honorable Mention award for the Downtown Master Plan granted by the American Planning Association-MA chapter is now listed with other award winners on the APA-MA website.

Updates from Planner or Members:

Ms. Britt reported that she had had a lunch meeting with Stephen DeMarco, Historical Commission Chair, near his place of business. As she has done many times before, she urged him to apply for CPA funds to hire a part-time consultant to advise the Commission, write up decisions, and ensure that statutory requirements are met. She offered to share her office space in the Planning Board office with such a person. She asked Mr. DeMarco about the Downtown Master Plan Action Items earmarked for the HC. He stated that an inventory of buildings on Bearskin Neck has been completed in preparation for extending one of the existing local historic districts to include that area. He thought a warrant article would be ready for Fall Town Meeting 2012. He also stated that the Draft Design Guidelines for Historic Districts (revised 2/3/11) has been adopted and is in force.

Ms. Britt reported on a "webinar" she had listened to concerning construction in flood zones.

7. Planning Board administration

Minutes for January 19, 2012 were approved; the motion was made by Mr. Tarr, seconded by Ms. Sole; all in favor.

Minutes for the January 27, 2012 Workshop were approved; the motion was made by Ms. Sole, seconded by Ms. Edgerton; approved by four with one abstention; Mr. Tarr did not attend the workshop so abstained from voting.

Approval of Bills: Invoices were approved for (1) parking fee reimbursement for Mr. Tarr for a planning meeting he had attended in Boston; (2) two office supply invoices; (3) reimbursement for Ms. Britt for printing costs. The motion was made by Ms. Edgerton, seconded by Mr. Betts; approved by four with one abstention; Mr. Tarr abstained.

8. Adjournment: The meeting adjourned at 9:55 p.m. The motion was made by Ms. Sole, seconded by Mr. Betts; all in favor.

Henry T. Betts, Vice Chairman

Date Approved



Rockport, Massachusetts Planning Board

Minutes of Meeting February 16, 2012 Town Hall Annex, 7:30 p.m.

Present: General Meeting and Discussion, Town Hall Annex, 7:30 p.m. Meeting comes to order with Hank Betts (Acting Chairman), Patty Joy Edgerton, Frederick H. Tarr, and Carolyn Britt (Consulting Planner), present. Minutes are recorded by Mary Bourguignon, Secretary. Barbara Sparks (Chairwoman) and Mary Ruth Sole absent.

Topic #6 was added to the Agenda by roll call vote. All members present voted to add Paul Hickey, 2 Blueberry Lane, Map 3/ Lot 9, final vote on Determination of Road Improvement Plan.

1. Open Session

Public Comment Toby Arsenian, 95 Granite St. mentioned that people have spoken about altering the threshold for Site Plan Review (SPR) and that maybe former Chairwoman of Planning Board Hildy Feuerbach could attend a Planning Board meeting to discuss the provisions of SPR and answer questions that might come up. Ms. Feuerbach also served on the committee that came up with the Site Plan bylaw.

2. Cases

7:35 p.m. Jon Weaver & Peter Noonan, Old Farm Rockport, Map 8, Lot 12

PUBLIC HEARING

Ms. Britt distributed a list of items to be added to the plan. Due to the absence of two members, this hearing will be continued to March 1, 2012, when the full Board will be present. Mr. Tarr made a motion to continue this hearing. Ms. Edgerton seconded the motion; all in favor.

7:50 p.m. Brett & Pamela Hawkes, 6 Witham Road, Map 32, Lots 31A & 32A.

application for ANR. Mr. Hawkes explained to the Board members the plan. After a short discussion the Board members approved this ANR. Mr. Tarr made a motion to approve this ANR. Ms. Edgerton seconded the motion. All in favor.

3. Downtown Master Plan

Update on Parking. Mr. Betts met with providers and they are still considering options to charge visitors and not residents. Interim Parking Committee will have a meeting in March to appoint the Parking Committee.

4. Preparation for Spring Town Meeting, April 7, 2012.

Discussion of changes to proposed warrant article will begin on March 1, 2012 meeting. The Public Hearing will be held on March 15, 2012. Comments made at the March 1, 2012 meeting will be added to the public hearing input.

5. Preparation for Fall Town Meeting, September 10, 2012.

A brief discussion took place regarding next steps. It was noted that Swampscott has increased set-backs along its waterfront. Ms. Britt agreed to review the Swampscott zoning regarding the set-back.

6. New Business

Paul Hickey, 2 Blueberry Lane, Map 3, Lot 9, Final vote on Determination. Tim Olson, DPW staff, did a final site inspection and everything is completed. The Board voted to sign this Road Improvement Plan Determination. Mr. Tarr made a motion to sign the Determination. Ms. Edgerton seconded the motion. All in favor.

7. Continuing Business, Liaison Reports, and Updates

Mr. Betts mentioned that Ms. Sparks has sent out emails to attendees of the February 2, 2012 meeting.

Zenas Seppala, 92 Granite St. spoke about the size of the proposed red oak trees at the proposed Cape Ann Tool Co. condominium project if it goes ahead. They propose planting large trees between the buildings. These trees, in time, will be 70 ft high and 15 ft. wide, obscuring the waterfront vista.

Ms. Britt said she has sent an email to Steve DeMarco, Chairman, Historical Commission Chair and Jamie Theophanis, Historical Commission member requesting their written support for a meeting about demolition delay presented by the Mass. Historical Commission. Ms. Britt has had no reply from either person.

Ms. Edgerton reported on the latest applications that the Community Preservation Comm. has received.

8. Planning Board administration

Minutes for February 2, 2012 were approved; the motion was made by Ms. Edgerton, seconded by Mr. Tarr; all in favor.

Approval of Bills: No invoices were presented for payment.

9. Adjournment: The meeting adjourned at 9:11 p.m. The motion was made by Mr. Tarr, seconded by Ms. Edgerton.; all in favor.

Henry T. Betts, Vice Chairman

Date Approved

Documents Distributed at the Meeting:

- Old Farm Inn – Submissions Required to Complete SPR
- Brett Hawkes, 5 & 6 Witham Road, Map 32, Lot 32A
- Proposed Zoning Changes for ATM 2012



Rockport, Massachusetts Planning Board

Minutes for Meeting March 1, 2012 Town Hall Annex, 7:30 p.m.

Present: General Meeting and Discussion, Town Hall Annex, 7:30 p.m. Meeting comes to order with Barbara Sparks (Chairwoman), Hank Betts, Patty Joy Edgerton, Mary Ruth Sole, Frederick H. Tarr, and Carolyn Britt (Consulting Planner), present. Minutes are recorded by Mary Bourguignon, Secretary.

Members of the public in attendance: Roy V. Johnson, Paul DeCourcy, Lynda DeCourcy, Elana Brink, Bill Balzarini, Jane Montecalvo, Merry Seppala, Zenas Seppala, Toby Arsenian, and Erin Battistelli, Selectwoman.

Mr. Betts, Vice Chair, chaired the meeting.

Open Session

Public Comment. Zenas Seppala, a member of the Tool Company Task Force, showed the Board a paper model illustrating the mature size of the trees that had been specified on the approved landscape plan for the Tool Company development site. His model showed that at maturity, the trees would almost completely screen the buildings and block view lines from the street. Ms. Edgerton commented that perhaps the intent had been to shield residences from vehicle headlights and other street lighting.

Mr. Arsenian said he had many statements to make regarding the sewer needs assessment, and that he would hold his comments until that agenda item was discussed.

2. Cases

7:35 PUBLIC HEARING. Old Farm Rockport, Map 8, Lot 12

Jonathan Weaver and Peter Noonan were present. Acting Chair Hank Betts started the meeting by reading a letter from an abutter, Gigi Pugh Sundstrom, residing at 295 Granite St., making comments on the proposal. One primary concern was the possibility of broken drain and septic pipes on site during construction. Mr. Weaver made a presentation of the project, describing the proposed development and explaining the plans submitted. Mr. Weaver emphasized that the proposal eliminates 4,000sf of impervious surface from the site. He noted that lighting will be full cut-off, that septic flow should be reduced by 50% from current usage, one tree near the house may need to be taken down, the building will have sprinklers, and that an area for waste disposal and snow storage has been added to the plan. Mr. Weaver plans to meet with the Fire Chief to go over all relevant matters. The site will be deed restricted for 8 bedrooms. Mr. Weaver will provide the Planning Board with a review by the Massachusetts Historical Commission, and notes from the meeting with the Fire Chief. The applicant will also meet again with the Conservation Commission on March 7, 2012 and will provide the Planning Board with the results of that meeting, as well as the final decision of the Board of Health. Information was provided on the maintenance requirements for the

septic system. The state of Massachusetts will have final review over the architectural plans. The application for Site Plan Review is considered complete as of this meeting date.

3. Downtown Master Plan

Mr. Betts reported that at the Selectmen's meeting on March 6, 2012, the Economic Development Committee will make a presentation outlining their proposal for expenditure of funds voted for promotion of the town at Fall 2011 town meeting. A sum of money has been earmarked for improving the parking situation in Rockport. Mr. Betts remarked that the police department and selectmen appear to be focused on a near-term solution, i.e., new meters to be installed within a few months, which can be paid for with existing police department funds. The concern of the Planning Board is that objectives need to be understood before purchase decisions go forward.

4. Preparation for Spring Town Meeting April 9, 2012

Town Counsel's red-line mark-ups of warrant article were reviewed. Ms. Britt will prepare a new draft of the articles incorporating recommended changes. Both the original draft, which has been posted, and the new draft will be available for the Public Hearing scheduled for March 15. Ms Britt will also prepare a brief explanation of each article so that members of the public will understand the intent of the changes, most of which are housekeeping corrections of existing by-laws. Mr. Arsenian commented that referenced maps should be available.

5. Preparation for Fall Town Meeting, September 10, 2012

As part of the information gathering process, board members had been sent a link to a Massachusetts Historical Commission document called "Preservation through Bylaws and Ordinances." Demolition delay and scenic view overlays are addressed in the document. Ms. Sparks will send the link to the e-mail list of people who attended the February 2 Planning Board meeting.

Mr. Tarr reiterated that he would like the Board to assess the existing site plan review by-law.

6. New Business

Mr. Arsenian reiterated that a water needs survey should be undertaken.

7. Continuing Business, Liaison Reports, and Updates

Sewer extension planning, updates: Ms. Britt is working on a scope of services that would define the Planning Board's role.

Liaison Reports: Mr. Tarr had attended a MAPC meeting in Boston.

Updates from Planner or Members: none

8. Planning Board administration

Approval of Minutes of February 16 was postponed until the next meeting.

A bill for office supplies was approved. Ms. Sparks made the motion, Ms. Sole seconded; all in favor.

9. Adjournment

The meeting adjourned at 9:35 p.m. Mr. Tarr made the motion, Ms. Sole seconded; all in favor.

Henry T. Betts, Vice Chairman

Date Approved

Documents Distributed at the Meeting:



Rockport, Massachusetts Planning Board

Minutes of Meeting March 15, 2012 Town Hall Annex, 7:30 p.m.

Present: Public Hearing, General Meeting, and Discussion, Town Hall Annex, 7:30 p.m. Meeting comes to order with Barbara Sparks (Chairwoman), Hank Betts, Patty Joy Edgerton, Mary Ruth Sole, Frederick H. Tarr, and Carolyn Britt (Consulting Planner), present. Minutes are recorded by Mary Bourguignon, Secretary. Selectwoman Erin Battistelli was present.

Two members of the Board of Appeals (BOA) were present for the Public Hearing: Lars Wiberg and Bill Christopher.

7:30 p.m. Public Hearing concerning warrant articles for Spring Town Meeting 2012

Chairwoman Barbara Sparks opened the Public Hearing at 7:35 p.m. She noted that the Hearing had been duly advertised in the Gloucester Daily Times and posted as required.

Each proposed Article was taken in order:

1. Delete Section III.B. and renumber subsequent sections. This Article is to delete a Housing Balance section that expired July 1, 2009. Town Counsel advised removal. Resident Toby Arsenian, 95 Granite Street, objected, citing his concern for water and sewer planning. Ms. Britt will consult with Town Counsel (through Town Administrator Linda Sanders) to see if there is a new model by-law to accomplish the same goal.

2. Add Downtown District to the list of districts in Section II.A. This corrects an omission. No discussion.

3. Amend Section VI.K.1, Housing Balance, to improve its application to smaller projects and improve functioning. The Article clarifies the calculation for the number of required affordable units in a development. The Article ties the eligibility requirement to a State index. No discussion.

4. Delete the definition for Trailer and insert a new one. This Article allows an additional boat or trailer to be stored on a parcel as long as setback requirements are met. No discussion.

5. Amend the Table of Uses with two minor changes. There is a correction (the words "dwelling unit" replaces "structure") and an addition (decks are added to the list of structures and will have to meet all the setback requirements of a structure). Ms. Sparks asked BOA members present if this addition would have changed a recent decision they made. Mr. Wiberg responded that the addition brings the by-law into agreement with decisions the BOA has made concerning decks. The BOA has been treating decks as structures.

6. Amend Section IV.A.1 to clarify set-back issues with decks, dwelling units, and structures. This Article adds Accessory Structures to the appropriate tables. No discussion.

7. Amend Section VI.H.4 to require a bond to cover removal of the wind energy system. The provision in this Article would ensure funds for removal of abandoned or hazardous wind energy conversion systems (WECS). No discussion.

8. Amend Section VIII. by deleting section B.1. and replacing it with references required by the Commonwealth of Massachusetts, and other minor changes. Mr. Arsenian asked to see a map, and it was produced for his perusal. No further discussion.

A Motion was made by Mr. Tarr to approve all the Articles. Mr. Betts seconded. All in favor. The Public Hearing was declared closed at 8:30.

8:30 p.m. Old Farm Rockport, Map 8, Lot 12, Jon Weaver & Peter Noonan
Continuation of PUBLIC HEARING. Abutters present: Bill Balzarini and Gigi Pugh Sundstrom.

Mr. Noonan and Mr. Weaver brought new material to the meeting that had not previously been available to the Planning Board or consultant. The new material consisted of a new Topography, Drainage, and Utility Plan showing the location of the off-site leach field, a letter from Mr. Weaver dated March 8, 2012 addressing Ms. Sundstrom's questions in an earlier letter, photographs of the existing site with screening for parking inserted into the photograph, and an analysis of wetlands on the site by Bill Manuell prepared for the Conservation Commission along with the March 9, 2012 Determination of Applicability prepared by the Conservation Commission. The Board and the applicant discussed and reviewed the materials. Ms. Sundstrom and Mr. Balzarini indicated that the leach field that is off-site is not to be used any longer and Mr. Weaver indicated that it is required to serve the wastewater processing needs of the proposed development. The discussion ended with Mr. Weaver and Mr. Noonan having determined that they will review the legal materials again to show that use is allowed and is available to the Old Farm Inn owner. They will submit new information to the Planning Board when the review effort is completed.

A site visit was scheduled for Tuesday, March 20 at 4 p.m. Ms. Bourguignon will post the visit so that discussion can take place.

Continuing Business, Liaison Reports, and Updates

- Discussion of EDC Target Marketing Plan. There was a brief discussion of the plan, which Board members had read in advance. Ms. Sparks asked for a Motion to support the plan. Mr. Betts made the Motion, Ms. Sole seconded. The vote was 4 to 1, with Mr. Tarr abstaining.
- Update on progress of Preserve Rockport committee. The ad hoc committee has met and their members are doing research into preservation options. The Planning Board will soon begin preparation for the Workshop scheduled for May 3.
- Sewer assessment. Ms. Britt, Ms. Sparks, Mr. Betts and Selectman Sandy Jacques had met with DPW Director Joe Parisi to clarify what it is the DPW will be asking voters

to approve at Town Meeting. Mr. Parisi explained that the water treatment plant has excess capacity thanks to improved I&I. The DPW will request \$50,000 for a study of sewer needs in the existing sewer sub-area district. He explained the hierarchy of need determination. The expectation is that there will not be opportunity for expansion of the existing sub-area at this time. Ms. Britt explained that expansion of the system would require Planning Board involvement.

- Liaison Reports. Ms. Edgerton reported on a CPC meeting she had attended.
- Updates from Planner or Members: none.

Planning Board administration

Minutes of February 16, 2012 were approved. Mr. Tarr made the Motion, Ms. Edgerton seconded. Ms. Sparks and Ms. Sole were absent from this meeting and abstained; all others approved.

Minutes of March 1, 2012 were approved. Mr. Tarr made the Motion, Ms. Sole seconded; all in favor.

Invoices for Community Investment Associates and The Eagle Tribune Publishing Co. were approved. Ms. Edgerton made the Motion, Ms. Sole seconded; all in favor.

Adjournment

The meeting adjourned at 10:03 p.m. Mr. Tarr made the Motion, Mr. Betts seconded; all in favor.

Barbara Sparks, Chairwoman

Date Approved



Rockport, Massachusetts Planning Board

Minutes for Meeting April 5, 2012 Town Hall Annex, 7:00 p.m.

Special Event:

7 p.m. Planning Board Open House for potential write-in candidates

Regular Meeting 7:30 p.m.

Present: General Meeting, and Discussion, Town Hall Annex, 7:30 p.m. Meeting comes to order with Barbara Sparks (Chairwoman), Hank Betts, Patty Joy Edgerton, Mary Ruth Sole, Frederick H. Tarr, and Carolyn Britt (Consulting Planner), present. Minutes are recorded by Mary Bourguignon, Secretary.

Open House. No potential write-in candidates came to the Open House.

Public Comment. Toby Arsenian, 95 Granite Street, reported a conversation he had had with Senator Bruce Tarr concerning Chapter 40A legislation. Senator Tarr said he would be happy to brief the Planning Board about this legislation.

7:30 p.m. Old Farm Rockport, Map 8, Lot 12, continuation of Site Plan Review. Jon Weaver and Peter Noonan were joined by Attorney Robert Visnick. There were no abutters present. Attorney Visnick responded to questions brought up at the March 15 hearing about easements for one of the septic systems. Attorney Visnick provided documents that indicated discussions begun in 1998 had not gone forward and had been abandoned, thereby substantiating Old Farm Rockport's right to use the septic system in question. The shared septic system arrangement went into effect in 1988, prior to zoning by-law enacted in 1989 which would have prohibited such an arrangement.

The Board asked for, and received, assurance that the maintenance agreement would be fully funded by the end of the first year of the Old Farm Maintenance Trust's operation. The arrangement will be one of the conditions for site plan approval.

The Board asked Mr. Weaver about plans to save the cupola on the Murphy Building. Mr. Weaver said the cupola would not fit within the zoning height limitation, nor is its restoration in the project's budget. Nevertheless, he will try to find a way to incorporate it into the building's design. Board members felt saving the cupola, though desirable, should not be a condition for approval.

A Motion was made by Mr. Tarr, seconded by Mr. Betts, to close the hearing. All voted in favor. Mr. Weaver and Mr. Noonan have provided all the necessary documents and have answered all the Board's questions.

Ms. Britt will prepare a Decision Document for Board Members to sign next week.

Spring Town Meeting, April 9

The Board reviewed the Planning Board's ten Articles, as well as other Articles and budget items of interest to the Board. Mr. Arsenian asked for clarification on Article J: Trailers.

Preparation for May 3 Workshop #1, 7-8 p.m. in the Brenner Room at the Library

Ms. Britt will give an introduction about the purpose of zoning by-laws and how they can be used effectively. Discussion will focus on what attendees see as goals for preserving architecture and scenic views along the coast outside the historic districts.

Continuing Business, Liaison Reports, and Updates

Liaison Reports. Members reported on meetings they had attended: Ms. Sole, Essex Scenic Byway; Ms. Edgerton, Community Preservation Committee, and Ms. Sparks, Economic Development Committee and Cape Ann Tool Task Force public presentation.

Planning Board administration

- Planning Board budget: Ms. Britt is sourcing a computer in the \$800 to \$1,000 range for her workstation in the Planning Board's office. She is exploring the possibility of obtaining software that can integrate GIS information with census data as well as information from other sources. She and conservation agent Geri Falco could share a license for such software.
- Minutes of March 15, 2012 were approved. Mr. Tarr made the Motion, Ms. Sole seconded; all in favor.
- An invoice for public hearing notices in the newspaper and reimbursement to Ms. Sparks for copying costs for the Town Meeting handout were approved. Ms. Edgerton made the Motion, Mr. Betts seconded; all in favor.

Adjournment

The meeting adjourned at 9:15 p.m. Mr. Tarr made the Motion to adjourn, Mr. Betts seconded; all in favor.

Barbara Sparks, Chairwoman

Date Approved



Rockport, Massachusetts Planning Board

Minutes for Meeting April 10, 2012
Town Hall Annex, 10 a.m.

Present: Special Meeting, Town Hall Annex, 10 a.m. Meeting comes to order with Barbara Sparks (Chairwoman), Hank Betts, Patty Joy Edgerton, and Mary Ruth Sole, present. Frederick H. Tarr and Carolyn Britt (Consulting Planner), absent.

Old Farm Rockport, Map 8, Lot 12, conclusion of Site Plan Review. Jon Weaver was present.

A Motion was made to approve the Decision of the Rockport Planning Board dated April 5, 2012 for Site Plan Review of the Old Farm Inn, Inc. project known as Old Farm Rockport, located at 291 Granite Street, Rockport.

The Motion was made by Ms. Sole, seconded by Mr. Betts, and voted all in favor. Board members signed two copies of the Decision document. Mr. Weaver was given one copy to take to the Registry of Deeds.

Adjournment

The meeting adjourned at 10:08 a.m. Mr. Betts made the Motion to adjourn, Ms. Edgerton seconded; all in favor.

Barbara Sparks, Chairwoman

Date Approved



Rockport, Massachusetts Planning Board

Minutes of Meeting April 19, 2012
Town Hall Annex, 7:30 p.m.

Present: General Meeting, and Discussion, Town Hall Annex, 7:30 p.m. Meeting comes to order with Barbara Sparks (Chairwoman), Hank Betts, Mary Ruth Sole, and Frederick H. Tarr, present. Absent: Patty Joy Edgerton and Carolyn Britt (Consulting Planner). Minutes are recorded by Mary Bourguignon, Secretary. Also present: Selectwoman Erin Battistelli and Bill Christopher, Chair of the Board of Appeals.

Public Comment

Toby Arsenian, 95 Granite Street, reminded the Board that Senator Bruce Tarr has offered to talk to the Board about 40A legislation (See Minutes of 4-5-12).

Spring Town Meeting

The Board and Mr. Christopher discussed Article J: Trailers, the article that had failed to pass at town meeting. The Article would have allowed a second trailer or boat on a property but not within a setback. Current zoning allows one trailer or boat, which may be in a setback, probably because many driveways are in a setback, and trailers are commonly parked in a driveway.

A question was raised as to the purpose of setbacks, and should anything be allowed in a setback. The definition of “setbacks” in the zoning by-law is “open unoccupied space...” This discussion was beyond the scope of this meeting.

For the time being, the Board decided to put on hold a renewed attempt to allow a second trailer or boat. If trailer or boat owners request that the Board pursue it, it can be taken up for another town meeting; there doesn't seem to be a pressing need to do so now.

Preparation for May 3 Workshop #1, 7-8 p.m. in the Brenner Room at the Library

Ms. Sparks and Mr. Betts proposed hiring a facilitator to moderate the workshop so that Board members can be engaged in the discussion, not distracted by the logistics of running the meeting and recording on flip charts. The Board concurred. Ms. Sparks will contact Walker Brown Planners to see if either or both of their principals would be available.

The Board brainstormed about what is unique and special about Rockport, which would lead to goals for a preservation effort. This is the kind of discussion we hope to have with workshop participants. This brought up questions about Site Plan Review, and whether or not it functions (or should function) as a design and/or preservation tool.

Downtown Master Plan

Ms. Sparks has put together a summary of where things stand in implementation of action items so that the Board can decide how to proceed with this effort.

Continuing Business, Liaison Reports, and Updates

Liaison Reports: Mr. Tarr reported on an Essex Heritage meeting and a MAPC transportation meeting; Ms. Sole reported on an Open Space & Recreation meeting; Mr. Betts gave an update on Parking.

Planning Board administration

Minutes of April 5, 2012 were approved. Ms. Sole made the Motion; Mr. Betts seconded; all in favor.

Minutes of April 10, 2012 were approved. Mr. Tarr made the Motion; Mr. Betts seconded; all in favor.

There were no bills to be approved.

Adjournment

The meeting adjourned at 9:25 p.m. Ms. Sole made the Motion to adjourn; Mr. Betts seconded; all in favor.

Barbara Sparks, Chairwoman

Date



Rockport, Massachusetts Planning Board

**Minutes of Workshop and Meeting May 3, 2012
Peggy Brenner Room, Rockport Public Library 7:00 p.m.**

Workshop, 7:00 p.m. to 8:30 p.m.

**Discussion: Guiding Change in Rockport's Residential Neighborhoods, facilitated by
Juliet Walker, President, Brown Walker Planners, Inc.**

Workshop on Guiding Change in Rockport's Residential Neighborhoods

Ms. Sparks and Mr. Betts introduced the workshop. Ms. Sparks began the discussion with photographs illustrating impacts of zoning, design, and neighborliness on ocean views from public ways. She then introduced Juliet Walker from Brown-Walker Planners who facilitated the meeting. The attached notes are the result of the workshop discussion. At the end of the workshop, Ms. Britt went through the Rockport Zoning By-law and noted which sections had the most impact on design, appearance, and preservation of Rockport's historic buildings and neighborhoods. (hand-out also attached)

SEE ATTACHED WORKSHOP SUMMARY

Present: General Meeting, and Discussion, Peggy Brenner Room, Rockport Public Library, 8:45 p.m. Meeting comes to order with Barbara Sparks (Chairwoman), Hank Betts, Mary Ruth Sole, Frederick H. Tarr, Patty Edgerton and Carolyn Britt (Consulting Planner) present. Minutes are recorded by Mary Bourguignon, Secretary. Also present: Selectwoman Erin Battistelli.

1. Public Comment

2. 9 p.m. Jon Weaver & Peter Noonan, Old Farm Rockport, Map 8, Lot 12. Changes to approved plan. Abutters in attendance were: George Robertson, Jr., 14 Mt. Locust Ave., Paul & Lynda DeCourcy, 1 Gott Ave., Roy V. Johnson, 246 Granite St., Mary Jane Morrill, 3 Worcester Place, Elana Brink, 234 Granite St., and William Balzarini, 293 Granite St.

Mr. Weaver and Mr. Noonan attended, as well as several abutters and neighbors who they had informed of the meeting. Mr. Noonan explained the changes in funding that resulted in modifying the design of the project. He and Mr. Weaver explained that there would be the same number of bedrooms, but that some bathrooms would now be shared, and a full apartment unit would be placed on the second floor of each building available to residents who did not have mobility limitations. There would be no changes to the site plan other than

the reduction in footprint of each building. The amount of demolition required would be reduced. The Planning Board determined that the changes were insubstantial. The Rockport Planning Board at its meeting held on May 3, 2012, voted five in favor and 0 opposed, that the proposed modification or deviation is insubstantial and does not materially affect the terms for conditions of the Site Plan Approval. The Planning Board allows the modification or deviation as being consistent with the Site Plan approval Mr. Betts moved, Mr. Tarr seconded, unanimous vote that the changes are insubstantial.

3. Preparation for May 17 Workshop #2, 7-8:30 p.m. in the Brenner Room at the Library, a joint presentation with the Rockport Historical Commission

- Agenda for Workshop: Demolition Delay, presented by Chris Skelly, Massachusetts Historical Commission. At the workshop held earlier in the evening, Jane O'Malley Beauvais offered to make research she has done available in the library. Ms. Beauvais has contacted many other towns in regard to their experience with demolition delay bylaws.

4. Continuing Business, Liaison Reports, and Updates

- Liaison Reports. Ms. Edgerton said she will bring up the CPC report at the next meeting.
- Updates from Planner or Members.
- Ms. Sparks said there is an update about the Cape Ann Tool Co. Ms. Britt, Mr. Betts and Ms. Sparks met with Bill Christopher, Chair of the Board of Appeals, to go through the changes that were granted by the ZBA. A discussion of the changes will be on the Planning Board's agenda for May 17, 2012, probably at 9:00 p.m.
- Mr. Betts said that there has not been much progress made on the parking meters. Mr. Betts talked to the Boy Scouts about participating in a survey downtown regarding summer parking patterns.

Mr. Tarr said MAPC was going to have a comprehensive meeting on changes to 40A that was cancelled but as soon as a date has been set he will advise the Board.

5. Planning Board administration

- Approval of Minutes of April 19, 2012. Mr. Betts made a motion to approve the minutes of April 19, 2012. Mr. Tarr seconded the motion. All in favor.
- Approval of Bills. No bills approved.

6. Adjournment 9:41 p.m. Mr. Tarr made a motion to adjourn. Mr. Betts seconded the motion. All in favor.

Henry T. Betts, Vice-Chairman

Date



Rockport, Massachusetts Planning Board

**Minutes of Workshop and Meeting May 17, 2012
Peggy Brenner Room, Rockport Public Library 7:00 p.m.**

Workshop #2, 7 to 8:30 p.m.

1. Welcome and Introduction

Hank Betts, Vice-Chair of the Planning Board
Steve DeMarco, Chairman of the Historical Commission.

Mr. Betts, Vice-Chair of the Planning Board and Mr. DeMarco, Chairman of the Historical Commission introduced the workshop presentation speaker, Christopher C. Skelly, Massachusetts Historical Commission.

2. An Introduction to Demolition Delay Bylaws in Massachusetts. Speaker: Christopher C. Skelly, Massachusetts Historical Commission.

The presentation covered the advantages of demolition delay bylaws, the different types of demolition delay bylaws found in Massachusetts, the typical steps in a demolition delay bylaw, and success stories with demolition delay from around the state.

The power point charts are attached. Key points of the presentation included: 1) demolition delay bylaws and ordinances create a possibility that some significant historic structures can be saved; 2) A property on the National Register of Historic Places is only honorary and does not protect a structure from demolition; 3) The important step is to determine if a structure is historically significant. This is determined under the guidance of the Historical Commission; 4) The applicant cannot demolish the building during the delay period typically 6, 12, or 24 months. Incentives might be available during that time to help the applicant achieve his goals while still preserving the structure. Examples included some setback considerations and wetland considerations; 5) categorical- based bylaws are not the most effective and should not necessarily be considered. 6) One has to deal with delay by neglect issues; 7) Many success stories can be found in the MHC guidebook, Preservation Through Bylaws, a copy of which is in the Planning Board office. The guidebook can be ordered from the Massachusetts Historical Commission; 8) New Tools include local bylaws; 9) Note that local Historic district bylaws can be written as general bylaws, requiring a 50% passage vote at town meeting where a zoning bylaw requires a 66.67% passage vote.

Regular Meeting of the Planning Board 8:45 p.m.

Present: General Meeting, and Discussion, Peggy Brenner Room, Rockport Public Library, 8:45 p.m. Meeting comes to order with Hank Betts, (Vice Chairman), Mary Ruth Sole, Frederick H. Tarr, Patty Edgerton, Cameron Smith and Carolyn Britt (Consulting Planner) present. Minutes are recorded by Mary Bourguignon, Secretary. Also present: Selectwoman Erin Battistelli.

1. Public Comment Toby Arsenian, 95 Granite St. had a few remarks about the Old Colony Maritime and the ZBA decision.

2. Election of Officers

Mr. Betts was elected Chairman and Mr. Smith was elected Vice Chairman. Voting proceeded as follows: Mr. Betts opened the floor for nominations for the Chairman. Mr. Tarr made a motion to nominate Henry T. Betts as Chairman. Ms. Edgerton seconded the motion. All in favor. Mr. Betts made a motion to close the floor for nominations. All in favor. Mr. Betts opened the floor for nomination for Vice-Chairman. Ms. Edgerton nominated Mary Ruth Sole, Mr. Tarr seconded the motion. Ms. Sole nominated Cameron Smith, Mr. Betts seconded the motion. Mr. Betts made a motion that nominations be closed. All in favor. Mr. Betts asked the Board to go to a vote. All in favor of Ms. Sole, 2 votes. All in favor of Mr. Smith, 3 votes. Mr. Smith voted in as Vice Chairman.

3. Old Colony Maritime Inc., Discussion on ZBA decisions

Carolyn Britt shared that she had received recent information from the Old Colony Maritime Inc officials and needed time to digest it before discussing the ZBA decisions. Mrs. Sole agreed that we needed to review this information before proceeding. A general discussion followed with many questions about the smoke stack viability, affordable housing, staging development of the site, along with other issues not relevant to the ZBA decisions

Mr. Betts reminded the Board that we will only review items in the ZBA decisions relevant to the Planning Board and would not discuss other issues going forward.

Ms. Britt was asked to prepare information for our next meeting, June 5, 2012.

4. Old Farm Rockport – members need to sign Changes to Approved Plan. Document was signed at the end of the meeting.

5. Goals for coming year. Mr. Betts said the Planning Board has a lot on their plate. The Board has committed ourselves to have something to present to the Town at the Fall Town

Meeting, either some sort of demolition delay or a SPR review concept. At the June 21, 2012 meeting the Board should choose an agreed upon path forward. Board members are working with others on a parking study and need to work with the DPW Commissioners on the sewer study.

6. Fall Town Meeting – discussion/timeline Topic covered in Item #5.

7.. Continuing Business, Liaison Reports/Liaison Assignments

- Liaison Reports Assignments

Mr. Smith volunteered to work as liaison with the Economic Development Committee. Ms. Edgerton reported from the CPC that they will be voting on June 12, 2012 on items to present at Fall Town Meeting. Mr. Tarr said that MAPC planning commission is talking about a 40A review which is badly needed. Mr. Smith reported that Ed Hand, formerly of the Wellesley Planning Board, has been invited to address the Planning Board on June 21, 2012. Mr. Hand has developed a way to do site reviews in cases where building plans threatened the quality of neighborhoods.

- Updates from Planner or Members

Ms. Britt reported on 0 Blueberry Lane, Map 3 Lot 31. Ms. Britt spoke of the site visit that she and Tim Olson of the DPW had done and that she suggested that the whole Board do a site visit on May 29, 2012 at 1:30 p.m.

8. Planning Board administration

- Budget - The Board approved buying Ms. Britt a computer and associated services, mapping software and training. It was decided not to print any more of the Downtown Master Plan.
- Approval of Minutes-Approval of Bills. Minutes for May 3, 2012 were approved. Ms. Edgerton made a motion to approve the minutes of May 3, 2012. Mr. Tarr seconded the motion. All in favor. Bills from Community Investment, W. B. Mason and Radio Shack were approved for payment. Ms. Sole made a motion to approve all the bills. Mr. Tarr seconded the motion. All in favor.

9. Adjournment 10:18 p.m. Ms. Sole made a motion to adjourn. Mr. Smith seconded the motion. All in favor

Henry T. Betts, Chairman

Date



Rockport, Massachusetts Planning Board

Minutes of Meeting June 5, 2012 Town Hall Annex, 7:30 p.m.

Present: General Meeting, and Discussion, Town Hall Annex, 7:30 p.m. Meeting comes to order with Cameron Smith (Acting Chairman) Frederick H. Tarr, Patty Edgerton and Carolyn Britt (Consulting Planner) present. Hank Betts and Mary Ruth Sole absent. Minutes are recorded by Mary Bourguignon, Secretary. Also present: Selectwoman Erin Battistelli.

1. 7:30 p.m. 0 Blueberry Lane, Map 3, Lot 31 – Site Visit review.

Ms. Britt handed out copies of the Road Improvement Plan – Determination. Ms. Britt read over, discussed and highlighted a few things in each section of this Determination: Submissions and Resources, Assessment of Submissions, Findings and Determination. Ms. Britt stated that she found in looking at this section of the road she found it is generally 16' wide but her greatest concern is where the 16' of gravel was applied but unsupported. Ms. Britt also spoke on drainage; it seems some potholes are opening up but with this wet weather she has not seen evidence of severe gullies near the road. The applicant, Brandt Symes and his lawyer, Joshua Latham agreed to extend the date of the ANR and send a letter to the office by Friday, June 8, 2012 advising the Planning Board of this extension. Mr. Smith said if Mr. Symes would agree to this then the Board can take up at the May 21, 2012 meeting, allowing the full Board to consider this.

2. Old Colony Maritime, LLC, Granite St. & Breakwater Ave., Map 16, Lots, 26A, 28, and 28A - Review of Zoning Board of Appeals Decision.

Old Colony Maritime (OCM) sent a letter to the Zoning Board of Appeals on April 11, 2012 requesting that the ZBA amend their decision on a previous Petition. These certain changes to the special permits and variances were approved by the ZBA on April 30, 2012. On May 16, 2012 Old Colony Maritime provided information to the Planning Board to consider amending the SPR to approve these changes, and conform the site plan approval to the current project plans. The changes include the removal of the smoke stack. In the original proposal the smoke stack was retained. Mr. Smith said that the ZBA found it was inconsequential to take down the smoke stack among other findings that they made. Citizens voiced their concerns and comments about retaining vs. removing the smoke stack. Environmental safety and debris falling on the neighbors' property during removal was also brought up. Ms. Britt stated that there is nothing right now that the Planning Board has to decide on. Old Colony Maritime did ask for a meeting that Mr. Betts and she had with OCM. They gave more detailed information on the phasing of construction, and the only amendment that was required had to do with the demolition of the smoke stack. OCM's permits are about to expire. It was discussed that if OCM wants to demolish the smoke stack, they can't do it unless they demolish the whole building. Mr. Smith suggested wrapping up and said very good points were made that bring in more directions than we have been considering up until this moment. Mr. Smith indicated that the Board will review materials provided. At the next

meeting the Planning Board will do a quick crisp summary and come to a decision. Mr. Tarr stated said he would like a legal opinion from the Town Attorney or from the Supreme Court as to who has jurisdiction. Mr. Smith said that Mr. Tarr's point that we need to look at the legal aspect of this is a good one. We should take all of these comments, and if necessary, go to Town Counsel, and try to get this in a more crisp form than it is right now.

3. Preparation for Fall Town Meeting – Proposed By-Law additions/amendments. Mr. Smith opened by mentioning what probable additions or amendments the Board sees that are perhaps in process and whether which ones, if any, the Board thinks they want to try to have ready by the time of the September 12, 2012 Town Meeting. Mr. Smith said he has a little list:

1. Come up with a flow diagram for permitting, that is not a legal document, but at least it would give pathways for our customers to get some sort of a visual idea of what they would have to go through and who should they go to first. A work in process.
2. Demolition Delay question. Should the Board try to bring that to some kind of crystallization by September 12, 2012?
3. Discuss some issues about site setbacks.
4. Helicopter ports.

4. Initial Review of Goals and Path Forward. Mr. Smith said every year the Board puts out a list of goals for the next year, we have started that process already, but we have not finished it. By the next meeting we should have an inclusive list that we can then narrow down. Mr. Smith had handed out his document, "Possible Planning Board Objectives 2012 - 2013" to Board members asking them read and note his "High priority objectives" which are highlighted in red. This topic is to be continued at the meeting of June 21, 2012.

5. Continuing Business, Liaison Reports, and Updates

- Sewer extension planning, updates. Ms. Britt spoke with Joe Parisi, Director of the DPW. Mr. Parisi indicated that the DPW was going to proceed within six months to a year and that they had not decided yet whether they were going to combine the sewerage and water needs studies into one procurement process. The Planning Board will stay in touch with the DPW on this matter. Mr. Tarr said he attended a DPW meeting some time ago where Joe Parisi stated that they have sewer districts in Gloucester. Mr. Tarr said he certainly thinks Rockport should have them here.
- Liaison Reports. Mr. Smith said the Economic Development meeting is going on this evening. Since he was unable to attend their meeting he sent his personal comments, on tourism, to them. Ms. Edgerton said the CPC board will be going over the final recommendations this coming Tuesday. After which she read the name of the applicants and the amounts that they will be requesting. Ms. Britt spoke with Jeff Amero, Cape Ann Mapping, about map work.
- Updates from Planner or Members. Ms. Britt spoke about installing GIS software with Jeff Amero, Cape Ann Mapping who directed her to an international supplier of

GIS software. Ms. Britt will then put together a summary of some costs and then Joe Parisi, DPW, can give her an idea of what he is going to do around the edges. Ms. Britt and Gerri Falco, Conservation Agent, would share this software application. Ms. Britt then spoke about the Citizen Planner training collaborative and that she is expecting a proposal from the ZBA indicating their interest in participating.

6. Planning Board Administration

- Approval of Minutes for May 17, 2012. Mr. Tarr made a motion to approve the minutes of May 17, 2012. Ms. Edgerton seconded the motion. All in favor.
- Approval of Bills. No bills presented for payment.

7. Adjournment: 9:36 p.m. Mr. Tarr made a motion to adjourn. Ms. Edgerton seconded the motion. All in favor.

Cameron Smith, Vice-Chairman

Date



Rockport, Massachusetts Planning Board

Minutes of Meeting June 21 2012 Town Hall Annex, 7:30 p.m.

Present: General Meeting, and Discussion, Town Hall Annex, 7:30 p.m. Meeting comes to order with Hank Betts (Chairman), Cameron Smith, Mary Ruth Sole, Frederick H. Tarr, Patty Edgerton and Carolyn Britt (Consulting Planner) present. Minutes are recorded by Mary Bourguignon, Secretary. Also present: Selectwomen Wilhelmina Sheedy, new liaison to the Planning Board and Erin Battistelli.

1. 7:31 p.m. Public Comments

Toby Arsenian, 95 Granite St. discussed relative rolls and authority of the Planning Board and ZBA relative to SPR.

2. 7:35 p.m. 0 Blueberry Lane, Map 3, Lot 31 – Symes

Ms. Britt summarized the current status. The Planning Board did a site visit, came up with a road improvement plan. After the Board members looked at the new road plan. Mr. Smith made a motion to approve this ANR. Mr. Tarr seconded the motion. All in favor.

3. 8:00 p.m. Ed Hand – Wellesley Large House Review

Ed Hand, former Planning Board member in Wellesley, presented a detailed summary of how they addressed large house growth. His charts are attached. The Planning Board found his presentation very valuable for future planning efforts.

4. 8:30 p.m. Old Colony Maritime, LLC, Granite St. & Breakwater Ave., Map 16, Lots, 26A, 28, and 28A – Continued Review of Zoning Board of Appeals Decision.

Mr. Betts stated that the discussion would focus on addressing smokestack issues, specifically condition 11 requiring that Old Colony Maritime LLC prove that the smokestack is in safe condition. He also stated that although affordable housing unit issues would not be part of this discussion, we would discuss our views after addressing the smokestack issues. The Board reviewed Town Counsel's legal opinion on the process used by both the Planning Board and Zoning Board of Appeals while addressing the Old Colony request for modifications to the "Old Colony Maritime Site Plan Approval dated November 17, 2005". It was agreed that tightening up the process was in order. Counsel reminded the Board that under IX.B, site plan review is applicable to new construction, or an addition or expansion of structures or uses. If the area of the smokestack is not being used for another purpose, it seems unlikely that the removal of the smokestack would be a reason to change the conditions imposed when the site plan was initially approved. Mr. Tarr stated that the Board does not necessarily have to agree to Town Counsel's comments. The entire legal opinion is attached.

Mr. Tarr stated that the smokestack removal was a substantial change as the structure was of historical significance. A spirited and lengthy discussion followed, including public

comments, detailing historical and neighborhood attributes of the structure, its use as a navigation aid, and its landmark value. Others spoke of surprise that the smokestack was not included in the initial demolition plan and thought the structure was an eyesore.

After the lengthy discussion, the Board reviewed the documents from Old Colony's engineering consultant, Continental Chimney and Engineering LLC, which stated the smokestack was unsafe and that the top 15 ft. needed to be removed. The documents are attached. We reminded ourselves that condition 11 only addressed the safety of the smokestack. Mr. Smith made a motion saying whereas the smoke stack has been found by professional experts to be unsound and whereas the taking down of the smoke stack is not a substantial change to the site plan therefore we find that the site plan should be amended to reflect these two findings. (Ms. Britt made a clarification on the above motion by saying for them to remove the smoke stack is not going to make a difference to the footprint on the SPR. It gives us some options.)The Board then, by a vote of four in favor and one opposed, voted to amend the November 17, 2005 Site Plan. A discussion of affordable housing being moved off site was discussed and the Board agreed to insure that the ZBA recognize the financial value of such a move and that Rockport insure a fair value for such offsite placement it received from Old Colony. Mr. Smith made a motion to craft a letter to the ZBA. The purpose of the letter would be two fold; one, to work in concert with the ZBA on the affordable housing issue. Two, to clear up the uncertainty about certain details of what the Old Colony is proposing to do. Ms. Sole seconded the motion. All in favor.

5. Zoning Changes – next year – Demolition Delay – modification to SPR

Eric Hutchins, 13 Applectart Rd., presented to the Board, information on a petition being circulated to amend Rockport's Zoning By-Laws. Amendments would require a site plan review prior to demolition of buildings and structures that are older than 100 years and at least 800 sq. ft. in gross floor area and expanding site plan review to construction or exterior expansion of buildings resulting in a gross floor area of 4,500 sq. ft. or more. A certificate of compliance would be required to ensure all conditions of the Planning Board have been met. The Board decided to examine these proposals and further discuss these and other potential by-law changes at the next Planning Board meeting.

6. Goals for the coming year Mr. Betts handed out a sheet

As the meeting was running late, Mr. Betts gave a brief summary on the proposed procedure we should use to keep track of various Rockport Committees and boards progress on completing the recommendations in the Downtown Master Plan. He suggested liaison assignments to the Board and asked for comments before the next meeting. He will also provide the Board with a summary of assignments and follow-up recommendations. He also asked the Board to highlight the top three recommendations for the Board to review on an ongoing basis

7. Continuing Business, Liaison Reports, and Updates

- **Sewer extension planning, updates.** No new update.
- **Liaison Reports.** No liaison reports.
- **Updates from Planner or Members. Encumber \$1,000.00 for Planning Board training.** Britt said by the end of June she and Mr. Betts will encumber the funds if they need to or sign a contract with U of MA. Mr. Smith made a motion to encumber

\$1,000.00 for a planned training program to be run by U of Mass. Ms. Edgerton seconded the motion. All in favor.

8. Planning Board administration

- **Sign Carolyn Britt's contract.** Mr. Smith made a motion to approve Carolyn Britt, the Town Planner's contract from July 1, 2012 to June 30, 2013. Ms. Sole seconded the motion. All in favor.
- **Approval of Minutes for June 5, 2012.** Ms. Edgerton made a motion to approve the minutes of June 5, 2012. Mr. Smith seconded the motion. All in favor.
- **Approval of Bills.** Bills for W.B. Mason, newgg Business (Ms. Britt's' computer) and Community Investment (reimbursement to CIA for Brown Walker Planners) were approved. Ms. Edgerton made a motion to pay all the above bills. Mr. Smith seconded the motion. All in favor.
- **FY13 Signature Authorization for Bills and Payrolls** Ms. Edgerton made a motion to have Henry T. Betts authorized to sign bills for the Fiscal Year 2013 and Mary Bourguignon authorized to sign payroll and bills up to \$150.00 for the Fiscal Year 2013. Mr. Smith seconded the motion,. All in favor.
- **Transfer of monies between Schedules Request. Monies to be transferred from Printing to Purchases of service and Office Supplies.** (Purchase of Service money to provide training to the PB and ZBA and consultant and cover assistance w/ public workshop.) Transfer to Office supplies to cover purchase of computer for PB office. Mr. Smith made a motion for the above transfers. Ms. Edgerton seconded the motion. All in favor.
- **WIFI installation in Annex** Mr. Betts stated that the Planning board needs to come up with \$95.00 as their share of installing WIFI in the Town Hall Annex. Mr. Smith suggested authorizing the Board in sign the bill for this installation when it comes in. Mr. Tarr made a motion authorizing the payment of this future bill. Ms. Sole seconded the motion. All in favor.

9. Adjournment: 10:35 p.m. Mr. Smith made a motion to adjourn. Ms. Sole seconded the motion. All in favor.

Henry T. Betts, Chairman

Date



Rockport, Massachusetts Planning Board

Minutes of Meeting July 5, 2012
Town Hall Annex, 7:30 p.m.

Present: General Meeting, and Discussion, Town Hall Annex, 7:30 p.m. Meeting comes to order with Hank Betts (Chairman), Cameron Smith (Vice- Chairman), Mary Ruth Sole, Frederick H. Tarr, Patty Edgerton. Carolyn Britt (Consulting Planner) absent. Minutes are recorded by Mary Bourguignon, Secretary.

7:35 p.m. Citizen Query

General comments included discussions around the Old Colony Maritime, LLC smoke stack and alternate use of the site. Mr. Tarr stated that he and others intend to file a law suit against the Planning Board alleging that during the time that the 2005 Old Colony Maritime LLC. Site Plan Review was being conducted no public hearings were conducted concerning the future of the smoke stack. Mary Ruth Sole, a member of the Board during this time period, stated that public hearings held at that time did address the smoke stack and that Mr. Tarr should check the files before proceeding. Mr. Betts reminded the Board that our meetings this year were all open sessions and the subject of the smoke stack was given extensive airing over the last three meetings.

The fact that the affordable housing units for the Old Colony Maritime, LLC were being moved off site was noted. The point that the ZBA must insure full compensation for providing off-site placement of the two units was stressed. Mr. Betts noted that at our June 21, 2012 meeting the Planning Board agreed that full compensation should be required and that our position would be communicated to the ZBA.

7:50 p.m. ANR - Ledgebrook Condominium, Frank Street Extension –Map 24, Lots 4E & 4K

A plan for an ANR for Ledgebrook Condominium, Frank Street Extension was presented to the Board for information. The complete ANR package will be forthcoming and probably will be ready for discussion and potentially voted on at our July 19th meeting. The plan, as we have it, is available for view in the office.

8:00 p.m. Discussion of Warrant Articles for Fall Town Meeting

The Board reviewed modifications suggested for the IX. SITE PLAN REVIEW BY-LAW. The suggested modifications are attached. Proposed changes upgrade item IX. A OBJECTIVES and add considerations to item IX.H. APPROVAL. The Board noted that we should refer to present by-laws pertaining to light trespass and Mr. Smith suggested more comprehensive words for the lighting section. He was asked to transmit these upgrades to Ms. Britt to be included in our next examination of the proposed article. The Board generally agreed to these modifications.

The Board then heard a presentation of a citizen's petition consisting of three warrant articles which will be presented at the Fall Town Meeting. Hildy Feuerbach 15 Pigeon Hill St. and

Eric Hutchins, 13 Applectart Rd., representing the citizen group, led the discussion. The Three articles are attached.

The Board agreed that Article 2, changing the threshold of a Site Plan Review for the construction or exterior expansion of a single family or two-family dwelling - IX.B.1.5- should be modified. The threshold would be lowered from 6,000 sq. ft. to 4500 sq. ft. The Board, however, stated that while the 4500 sq. ft. number did apply town-wide, a better long range application would be to develop a logical system based on the size of lots. The Board referred to the logic of the Wellesley large house application as presented by Ed Hand at our June 21th meeting. We agreed to pursue this option with a goal of presenting such a modification of the Site Plan Review to Town Meeting within the Year.

The Board understood the logic of Article 1, calling for a Site Plan Review if a structure greater than 800 sq. ft. were to be demolished. No demolition permit would be issued without this review. Again, the Board understood the reasoning of this article but had several issues:

- Why not ultimately end up with a demolition delay by-law which would be applicable town-wide and be broadly applied?
- Is the wording “demolition” the correct word for this article?
- Does the article address just the demolition or does it include future structures not yet designed for the site?
- It does not address the fact by way of example that:

A 3500 sq. ft. house could be built on an empty lot without a Site Plan Review while this same square footage property would require a site plan review if it is placed on a lot upon which a 800 sq. ft. or larger dwelling is to be demolished.

After extended discussion, the Board asked Mr. Smith to meet with Ms. Britt and help craft a series of questions to be asked to Town Counsel concerning the legality of these articles and answering the Boards’ concern. We asked that the questions be sent to the Board members and to Hildy Feuerbach and Eric Hutchins for a completeness checks before sending then to Town Counsel. The Board would like this completed before the next Board meeting.

Article 3 calls for a certificate of completion of the Site Plan Review conditions before a certificate of occupancy is issued. This article would complete the paper trail that the review has been done and completed per the Planning Board’s orders. The Board is in favor of the article.

Downtown Master Plan Updates

The Board discussed what they thought were the highest priority recommendations as outlined in Downtown Master Plan Implementation section. Mr. Betts will summarize the Board’s findings and by letter, let each town committee and board know our interest, and encourage them to address these recommendations as they go forward with their efforts. We will liaison with each entity as we go forward. High priority items centered on:

- Historical Commission moving forward with a Demolition Delay process and all that this means.
- Parking issues – under way. Optimize Five Corners traffic flow
- Capital Planning-Seeking Opportunities to share government and private business real estate to attract new ventures, perhaps from the emerging economy.
- Economic Development

- Organize to Undertake Economic Development V.1.a and b
- Sewer Study effort
- Water shed Protection

Planning Board Goals for FY2013

- Progress on the Downtown Master Plan is a major goal
- Prepare a large house by-law triggering Site Plan Review to augment or supplant existing triggers to such a review – Wellesley model?
- Rate of development by-law review and modification
- Build-out study review for understanding and modification
- Discussions with Ms. Britt will take place to see how we can go forward with these efforts.

Liaison Reports

- Parking study is underway.
- The Board will communicate with the Community Preservation Committee that we do not support the Thatcher Island committee request for monies. When Rockport accepted these lighthouses it was stated that public funds would not be needed.
- The Board also wants the CPC to recognize that we do not support items that clearly are maintenance issues as such items are not part of the CMC charter. The Board would probably voice opposition to such expenditures at Town Meeting

Bills, Approval of Minutes No minutes submitted for approval. Ms. Sole made a motion to approve payment of an invoice from Community Investment, Inc. Mr. Smith seconded the motion. All in favor.

Adjournment: 9:57 p.m. Ms. Sole made a motion to adjourn. Mr. Smith seconded the motion. All in favor.

Henry T. Betts, Chairman

Date



Rockport, Massachusetts Planning Board

Minutes of Meeting Date Town Hall Annex, 7:30 p.m.

Present: Meeting comes to order with Hank Betts (Chairman), Cameron Smith (Vice-Chairman), Mary Ruth Sole, Frederick H. Tarr, Patty Edgerton. Carolyn Britt (Consulting Planner) present. Minutes are recorded by Mary Bourguignon, Secretary.

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

2. 7:35 p.m. Citizen Query. No topic presented for discussion.

3. 7:36 p.m. ANR. Ledgebrook Condominium V, 8 & 20 Frank Street Extension, Map 24, Lots 4E & 4K

Robert Laramie, Attorney for the applicant, stated that they wish to convey the existing easement from Ledgebrook III to Ledgebrook Condominium V. After the Board members had a short discussion Mr. Tarr said he saw no problem with endorsing this easement. However, Mr. Hutchins brought up the importance of putting wetlands on the future ANR plans. Mr. Smith made a motion to accept this ANR. Ms. Edgerton seconded the motion. All in favor

4. 8:00 p.m SPR, 17 Railroad Ave, Map 18, Lot 169

Jay Smith explained to the Board how he would like to change a portion of the 130 year old building from retail to restaurant use with seating for 59 people, construct a handicapped accessible entrance, make minor changes to doors and windows. Mr. Tarr pointed out some errors on the plans. Ms. Britt said she needs a chance to get familiar with the plans and get the corrections that are needed to be made. A discussion about landscaping the property, customer parking spaces, location of the dumpster and lighting fixtures followed. Mr. Hutchins did suggest the use of a dry well to collect roof runoff.

5. Discussion of Warrant Articles for Fall Town Meeting

Mr. Betts received comments back from Kopelman & Paige, Town Attorneys. Mr. Betts then added that he has met with Ms. Britt and Mr. Smith regarding the SPR issue of the 100 year old home demolition. Mr. Betts questioned the Citizens petition where it states that if a 3,000 sq. ft. house is demolished it needs a SPR.

Mr. Smith said regarding the 100 year demolition issue Paul Orlando, Building Inspector, said it would be very hard to determine age. We could use language about the actual year built that is recorded in the assessor's record. The lawyers point: the person who is tearing down the housing is going to have to prove that is or isn't a 100 years old structure. That person may or may not be able to prove it one way or the other.

In the discussion that followed it was brought up that a house could be said to be 75 years old but pictures show that it is over 100 years old. Mr. Smith suggested using a mutually agreed upon set of figures instead of documentation. Then it is all clean.

Ms. Britt took both the Planning Board changes and the Citizens petition and integrated them into the correct bylaw. She ended up with some of the things that were proposed in the Citizens Petition, but in a different location. Mr. Betts questioned why would a demolition plan be required for only a 100 year old structure? Mr. Hutchins went on to explain tear downs. Mr. Betts asked “how does the Planning Board present this? Maybe a starting point beginning with demolition and SPR’s? Mr. Smith then asked wouldn’t it be simpler to exclude from the language “consideration of any new building that may or may not be planned for that property” if at Town Meeting that question came up or were compared against the Citizens petition article? “What about the new building”? Think of a way dealing with that “putting in the new building” part of it.

Ms. Britt said what she has tried to do is take everything the Planning Board has done, and integrate it into the SPR where she thought it belonged. She said one option is to put all changes in one warrant article or the other option is to have a warrant article for each one. She doesn’t know if it should be divided up into warrant articles. Ms. Britt said that the public hearing will be held on August 16, 2012. The Board needs to have a version that they will be using ready by August 2, 2012. Ms. Britt added that there is one other article scheduled to come up and that is coming from Joe Parisi, DPW Director, who needs to map some changes to the Watershed Overly map. We do not have this map change yet. In closing, Mr. Betts said at the August 16, 2012 meeting a hearing will be held and the Board will finish up any changes they have on this proposed article.

6. Downtown Master Plan Updates

Mr. Betts said this topic should be carried forward to the next meeting.

7. Planning Board Goals for FY2013 – Timeline

Ms. Britt informed the members about the two proposed on request training sessions for the Board members to be held along with the ZBA. These sessions are to be given by Bob Mitchell of the Citizen Planner Training Collaborative. Ms. Sole made a motion that the Planning Board to add to the agenda the discussion of training of its members. Mr. Smith seconded the motion. All in favor. The first session is: Roles and Responsibilities of Planning Boards and ZBA’s. The second session is: Custom session for Rockport prepared by Bob Mitchell. A possible date could be Thursday, September 13, 2012. A fall back date would be Tuesday, September 18, 2012. The first module will start at 5:00 p.m. with a dinner break, the second module will begin at 7:30 p.m. and go until 9:30 p.m. Ms. Britt suggested telling Mr. Mitchell what the Board wants, maybe discussions pertaining to SPR’s, variances and special permits. Ms. Britt to discuss possible dates of training with the ZBA proposes to them September 13, 2012.

8. Continuing Business, Liaison Reports, and Updates

- **Liaison Reports.** Mr. Smith said he and Ms. Britt have been discussing some major objectives, like implementing some of the downtown Master Plan recommendations that would require consultants, study, things like that. Mr. Smith said the Economic Development is talking about a \$50,000.00 plan for increasing tourism. Two parts: \$30,000.00 is for hiring an expert for marketing promotion on the web; \$20,000.00 for having someone who can coordinate a large number of students who can interview tourists, why did they come, etc. after the fact thing. The second thing, the Planning

Board might be interested in is the parking experiment that they might be doing. Using more sophisticated parking meters.

- **Updates from Planner or Members** Mr. Betts said 30 new parking meters are coming in and all will use credit cards. They will start from the corner of T Wharf. There is going to be a hearing next Tuesday, about increasing the parking rate to \$1.00 per hour up from .50 cents per hour. Making a time change from 8:00 a.m. to 6:00 p.m. to 10:00 a.m. to 8:00 p.m. and making all meters 5 hour limit.

9. Planning Board administration

- **Approval of Minutes of June 21, 2012 & July 5, 2012.** Ms. Sole made a motion to accept the minutes of June 21, 2012 and July 5, 2012. Ms. Edgerton seconded the motion. Mr. Tarr abstained. 4 in favor.
- **Approval of Bills** No bills were presented for payment.

10. Adjournment: 9:40 p.m. Mr. Smith made a motion to adjourn. Ms. Edgerton seconded the motion. All in favor.

Henry T. Betts, Chairman

Date



Rockport, Massachusetts Planning Board

Minutes of Meeting and Public Hearing August 2, 2012 Town Hall Annex, 7:30 p.m.

Present: General Meeting, and Discussion, Town Hall Annex, 7:30 p.m. Meeting comes to order with Hank Betts (Chairman), Cameron Smith (Vice- Chairman), Mary Ruth Sole, Frederick H. Tarr, Patty Edgerton. Carolyn Britt (Consulting Planner) present. Minutes are recorded by Mary Bourguignon, Secretary.

Topic #5 was added to the Agenda by roll call vote. All members present voted to add Betsy Carter, 220 Granite St., Map 8, Lot 4, to discuss the purchase of this property.

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

2. 7:35 p.m. Citizen Query. None

3. 7:40 p.m. Hearing - SPR, 17 Railroad Ave., Map 18, Lot 169

Jay Smith again explained to the Board, how he would like to change a portion of this 130 year old building from retail to restaurant use with seating for 59 people. The building needs sprucing up. He intends to do this by including new landscaped and handicapped areas. The handicapped entrance area will replace the asphalt area. After a discussion the Planning Board determined that the need for pavement markings, resolution of the location for the gutters and stormwater runoff are issues that the owner should discuss with the DPW. Mr. Smith then made a motion to approve this SPR after the owners address the above conditions the DPW. Ms. Edgerton seconded the motion. All in favor. The SPR determination will include two elements that require that the DPW address the stormwater runoff issue and pavement markings.

4. 8:15 p.m. SPR – David Lane, 162 Thatcher Rd., Map 21, Lot 67

Charles Nazarian, architect for David Lane, presented to the Board the plans of the proposed house, showing its construction, elevations, location of the proposed main driveway and drainage proposals.. A curb along the main driveway down to Thatcher Road on the side of the wetlands would be installed. Light poles would also be installed all along the length of the driveway. After listening to Mr. Nazarian's presentation it was decided that the Board members will visit the site on Wednesday, August 8, 2012 at 9:00 a.m.

5. 9:20 p.m. Betsy Carter, 220 Granite St., Map 8, Lot 4 - Purchase of Property

Betsy Carter stated that she and Ira Levine acquired this property and understands it has an outstanding requirement for SPR. Ms. Carter said that they wish to reclaim the land and lay down a mixture of loam, mow in the spring, have nothing growing on it and plant trees in the back portion. Long term, they would like to split off part of the land and give it to the Audubon Society. Ms. Britt agreed to meet with Ms. Carter to discuss the project in more detail.

6. Discussion of Warrant Articles for Fall Town Meeting

Hank Betts introduced the Warrant Articles and noted that these would be discussed at the August 16, 2012 meeting of the Planning Board that is scheduled as a public hearing.

7. Downtown Master Plan Updates No discussion.

8. Planning Board Goals for FY2013 – Timeline No discussion

9. Formal go ahead of WiFi for Town Hall Annex. Per Britt Hall.

(Mr. Betts to email Mr. Hall with decision to go ahead after discussion)

At a previous meeting the Board had approved a \$95.00 payment as the Planning Board’s share of installing WiFi in the Town Hall Annex. Mr. Betts to email Mr. Hall stating that fact.

10. Continuing Business, Liaison Reports, and Updates

- **Liaison Reports.** There were no liaison reports.
- **Updates from Planner or Members** Mr. Betts reported that the Parking Committee at their last meeting approved raising the hourly rates and installation of the new meters. Mr. Tarr said at the ZBA hearing the other night the Massachusetts Land Court ordered the ZBA to approve the Scally lot behind the water tower even though it doesn’t have frontage or access.

11. Planning Board Administration

- **Approval of Minutes of July 19, 2012.** Ms. Sole made a motion to approve the minutes of July 19, 2012. Ms. Edgerton seconded the motion. All in favor.
- **Approval of Bills.** Two bills from W. B. Mason and a bill from CPTC were presented for payment. Only one half was paid that was due on the CPTC bill. Mr. Smith made a motion to approve these bills. Mr. Tarr seconded this motion. All in favor.

12. Adjournment 10:14 p.m. Ms. Sole made a motion to adjourn. Ms. Edgerton seconded the motion. All in favor

Henry T. Betts, Chairman

Date



Rockport, Massachusetts Planning Board

Minutes of Meeting and Public Hearing August 16, 2012 Town Hall Annex, 7:30 p.m.

Present: General Meeting, and Discussion, Town Hall Annex, 7:30 p.m. Meeting comes to order with Hank Betts (Chairman), Cameron Smith (Vice- Chairman), Mary Ruth Sole, Frederick H. Tarr, Patty Edgerton. Carolyn Britt (Consulting Planner) present. Minutes are recorded by Mary Bourguignon, Secretary.

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

2. 7:30 p.m. Public Hearing – Proposed Amendments to Rockport Zoning Bylaws (Detailed minutes of Hearing attached).

Mr. Betts read each of the articles (copy attached). Mr. Betts introduced Joe Parisi, Director of Public Works who explained **Article O** of the Zoning-related articles for the Fall Town Meeting that were prepared by Town Counsel. They were recorded by the DEP in compliance with their regulations.

Mr. Betts read Paul Orlando, Building Inspector's document, "Comments on proposed changed to the Site Plan Review bylaw". (copy attached). Then Mr. Betts read and the Board discussed each article from the "Zoning-related articles for Rockport September, 2012 Special Town Meeting Prepared by Town Counsel" document.

- **Article J** No changes.
- **Article K** Mr. Tarr made a motion to remove the wording "including without limitation, single and two-family dwelling in place thereof". Mr. Smith seconded the motion. All in favor.
- **Article L** Mr. Smith suggested that this Article be accepted as it is.
- **Article M** Editorial change
- **Article N** Remove the wording "residentially used or zoned". Mr. Tarr made a motion to remove these words, Mr. Smith seconded the motion. All in favor.
- **Article O** Ms. Britt said **Article O** should be amended on the Town Meeting floor.

Mr. Tarr a motion that **Articles J, L, M and O** be approved as amended. Seconded by Mr. Smith. All in favor.

Mr. Tarr made a motion that **Articles K and N** be approved as amended. Mr. Smith seconded the motion. All in favor.

Mr. Betts said the Planning Board can decide at the next meeting how to respond to the Citizens Petition.

Mr. Tarr made a motion to close the Public Hearing. Ms. Edgerton seconded the motion. All in favor.

3. 10:00 p.m. Betsy Carter, 220 Granite St., Map 8, Lot 4, Discussion

Ms. Britt said she met with Ms. Carter the other morning and had a walk around the property at 220 Granite St. Paul Orlando, Building Inspector left two photographs of the property showing before and after the clearing of parts of the property.. Mr. Betts said that the Planning Board does not think that Ms. Carter and Mr. Levine should do an SPR.

4. 10:10 p.m. Public Hearing SPR – David Lane, 162 Thatcher Rd., Map 21, Lot 67

Ms. Britt said she has had emails back and forth with Mr. Nazarian. Ms. Britt then read the changes that she had made in the final decision pertaining to the stormwater permit. After a short discussion Mr. Tarr made a motion to accept this SPR. Mr. Smith seconded the motion. All in favor.

5. Members Sign SPR Final Document – 17 Railroad Ave., Map 18, Lot 169

All the Board members signed the final Decision on an Application for Site Plan Review document that the Board had approved at the August 2, 2012 meeting.

6. Downtown Master Plan Updates

No discussion.

7. Any items not anticipated before preparation for the agenda (requires vote)

None

8. Citizens Query

No discussion.

9. Continuing Business, Liaison Reports, and Updates

- **Liaison Reports.** No reports.
- **Updates from Planner or Members.** No reports.

10. Planning Board administration

- **Approval of Minutes of August 2, 2012.** Mr. Smith made a motion to approve the minutes of August 2, 2012. Ms. Edgerton seconded the motion. All in favor.
- **Approval of Bills.** Mr. Smith made a motion to approve payment of bills from the Eagle Tribune Publishing Co. and from W. B. Mason Co. Ms. Edgerton seconded the motion. All in favor.

11. Adjournment 10:50 p.m. Mr. Smith made a motion to adjourn. Ms. Edgerton seconded the motion. All in favor.

Henry T. Betts, Chairman

Date

Article O

Mr. Parisi, DPW Director, explained the article as an effort to comply with the DEP requirements for mapping.

Mr. Tarr said he feels deep rock well further development is completely unnecessary, but does feel the watershed should be protected. Zoning Article O amended as necessary should pass.

Other Articles Amending SPR

Mr. Betts started discussing the proposed changes in the SPR process. He stated that the citizens have put in a petition for several changes pertaining to a SPR. Those articles go to Town Meeting just as they are. The PB has some Articles that we are putting the warrant, which the Board can decide to change, leave in, or modify right up to TM time.

Mr. Betts went on to explain SPR's. How under **Article P** the gross floor area of 6,000 sq ft would be lowered to 4,500 sq. ft.

Mary Francis, Realtor. Ms. Francis noted that one thing she is trying to get a handle on is how she can tell her clients what they can expect if they are buying property in Rockport. Someone who buys property and in five years intends to take down that old property because it is not that functional. What are we talking about in terms of money and time? How long does a SPR take and how much does it cost? These questions are being asked of us, the realtors, and we do not know what to expect.

Michael Kenyon, 4 Landmark Lane, described the Citizens Petitions that was presented. Why the petitions were submitted, what the petitions do and what they don't do. The petitions grew out of a number of discussions this last winter and spring and a couple workshops that the Planning Board had last spring. Mr. Kenyon went on to explain the design of these petitions. He then read the three articles the Citizens submitted. **Article P, Article Q and Article R.**

Mr. Betts said **Article K** needs to be corrected. The wording "including without limitation, single and two-family dwelling in place thereof" will be removed from this Article before being submitted to Town Meeting.

Mr. Betts read **Article P.** (To replace 6,000 sq. ft with 4,500 sq. ft.) Then Mr. Betts read **Section B (Applicability)** from Paul Orlando's document regarding this topic submitted to the public hearing.

Eric Hutchins, 13 Applecart Rd. stated that SPR is very much not about what something is going to look like long term; SPR is about the impact of the construction and the activity. SPR is not what it looks like, it's about the impact associated with it happening.

Mr. Smith made the comment if anyone wants the detail of what the SPR entails all they have to do is look at the Zoning Bylaw, there is a section called Procedures. It has everything, so once you read you know what it is.

Hildy Feuerbach, 15 Pigeon Hill St. suggested that where the Planning Board feels that 6,000 sq. ft. is too high and that 4,500 sq. ft. is too low for SPR, maybe they should have some further study, maybe come up with another number.

Mr. Betts read **Article R**. The Planning Board proposed something different on the same Issues. Mr. Betts then read Article L. He then stated that Paul Orlando, Building Inspector wrote in his submission to the public hearing under his comments on proposed changes SPR bylaw, Section D. Procedures, 1.6 that he is strongly opposed to this amendment.

Mr. Betts read **Article J**. No changes.

Mr. Betts read **Article N** saying that under 1.3 the words “residentially used or zoned” should be removed.



Rockport, Massachusetts Planning Board

Minutes of Meeting and Public Hearing August 16, 2012 Town Hall Annex, 7:30 p.m.

Present: General Meeting, and Discussion, Town Hall Annex, 7:30 p.m. Meeting comes to order with Hank Betts (Chairman), Cameron Smith (Vice- Chairman), Mary Ruth Sole, Frederick H. Tarr, Patty Edgerton. Carolyn Britt (Consulting Planner) present. Minutes are recorded by Mary Bourguignon, Secretary.

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

2. 7:30 p.m. Public Hearing – Proposed Amendments to Rockport Zoning Bylaws (Detailed minutes of Hearing attached).

Mr. Betts read each of the articles (copy attached). Mr. Betts introduced Joe Parisi, Director of Public Works who explained **Article O** of the Zoning-related articles for the Fall Town Meeting that were prepared by Town Counsel. They were recorded by the DEP in compliance with their regulations.

Mr. Betts read Paul Orlando, Building Inspector's document, "Comments on proposed changed to the Site Plan Review bylaw". (Copy attached). Then Mr. Betts read and the Board discussed each article from the "Zoning-related articles for Rockport September, 2012 Special Town Meeting Prepared by Town Counsel" document.

- **Article J** No changes.
- **Article K** Mr. Tarr made a motion to remove the wording "including without limitation, single and two-family dwelling in place thereof". Mr. Smith seconded the motion. All in favor.
- **Article L** Mr. Smith suggested that this Article be accepted as it is.
- **Article M** Editorial change
- **Article N** Remove the wording "residentially used or zoned". Mr. Tarr made a motion to remove these words, Mr. Smith seconded the motion. All infavor.
- **Article O** Ms. Britt said **Article O** should be amended on the Town Meeting floor.

Mr. Tarr a motion that **Articles J, L, M and O** be approved as amended. Seconded by Mr. Smith. All in favor.

Mr. Tarr made a motion that **Articles K and N** be approved as amended. Mr. Smith seconded the motion. All in favor.

Mr. Betts said the Planning Board can decide at the next meeting how to respond to the Citizens Petition.

Mr. Tarr made a motion to close the Public Hearing. Ms. Edgerton seconded the motion. All in favor.

3. 10:00 p.m. Betsy Carter, 220 Granite St., Map 8, Lot 4, Discussion

Ms. Britt said she met with Ms. Carter the other morning and had a walk around the property at 220 Granite St. Paul Orlando, Building Inspector left two photographs of the property showing before and after the clearing of parts of the property.. Mr. Betts said that the Planning Board does not think that Ms. Carter and Mr. Levine should do an SPR.

4. 10:10 p.m. Public Hearing SPR – David Lane, 162 Thatcher Rd., Map 21, Lot 67

Ms. Britt said she has had emails back and forth with Mr. Nazarian. Ms. Britt then read the changes that she had made in the final decision pertaining to the stormwater permit. After a short discussion Mr. Tarr made a motion to accept this SPR. Mr. Smith seconded the motion. All in favor.

5. Members Sign SPR Final Document – 17 Railroad Ave., Map 18, Lot 169

All the Board members signed the final Decision on an Application for Site Plan Review document that the Board had approved at the August 2, 2012 meeting.

6. Downtown Master Plan Updates

No discussion.

7. Any items not anticipated before preparation for the agenda (requires vote)

None

8. Citizens Query

No discussion.

9. Continuing Business, Liaison Reports, and Updates

- **Liaison Reports.** No reports.
- **Updates from Planner or Members.** No reports.

10. Planning Board administration

- **Approval of Minutes of August 2, 2012.** Mr. Smith made a motion to approve the minutes of August 2, 2012. Ms. Edgerton seconded the motion. All in favor.
- **Approval of Bills.** Mr. Smith made a motion to approve payment of bills from the Eagle Tribune Publishing Co. and from W. B. Mason Co. Ms. Edgerton seconded the motion. All in favor.

11. Adjournment 10:50 p.m. Mr. Smith made a motion to adjourn. Ms. Edgerton seconded the motion. All in favor.

Henry T. Betts, Chairman

Date

Article O

Mr. Parisi, DPW Director, explained the article as an effort to comply with the DEP requirements for mapping.

Mr. Tarr said he feels deep rock well further development is completely unnecessary, but does feel the watershed should be protected. Zoning Article O amended as necessary should pass.

Other Articles Amending SPR

Mr. Betts started discussing the proposed changes in the SPR process. He stated that the citizens have put in a petition for several changes pertaining to a SPR. Those articles go to Town Meeting just as they are. The PB has some Articles that we are putting the warrant, which the Board can decide to change, leave in, or modify right up to TM time.

Mr. Betts went on to explain SPR's. How under **Article P** the gross floor area of 6,000 sq ft would be lowered to 4,500 sq. ft.

Mary Francis, Realtor. Ms. Francis noted that one thing she is trying to get a handle on is how she can tell her clients what they can expect if they are buying property in Rockport. Someone who buys property and in five years intends to take down that old property because it is not that functional. What are we talking about in terms of money and time? How long does a SPR take and how much does it cost? These questions are being asked of us, the realtors, and we do not know what to expect.

Michael Kenyon, 4 Landmark Lane, described the Citizens Petitions that was presented. Why the petitions were submitted, what the petitions do and what they don't do. The petitions grew out of a number of discussions this last winter and spring and a couple workshops that the Planning Board had last spring. Mr. Kenyon went on to explain the design of these petitions. He then read the three articles the Citizens submitted. **Article P, Article Q and Article R.**

Mr. Betts said **Article K** needs to be corrected. The wording "including without limitation, single and two-family dwelling in place thereof" will be removed from this Article before being submitted to Town Meeting.

Mr. Betts read **Article P.** (To replace 6,000 sq. ft with 4,500 sq. ft.) Then Mr. Betts read **Section B (Applicability)** from Paul Orlando's document regarding this topic submitted to the public hearing.

Eric Hutchins, 13 Applecart Rd. stated that SPR is very much not about what something is going to look like long term; SPR is about the impact of the construction and the activity. SPR is not what it looks like, it's about the impact associated with it happening.

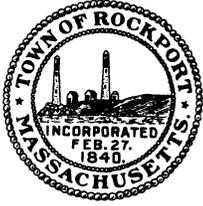
Mr. Smith made the comment if anyone wants the detail of what the SPR entails all they have to do is look at the Zoning Bylaw, there is a section called Procedures. It has everything, so once you read you know what it is.

Hildy Feuerbach, 15 Pigeon Hill St. suggested that where the Planning Board feels that 6,000 sq. ft. is too high and that 4,500 sq. ft. is too low for SPR, maybe they should have some further study, maybe come up with another number.

Mr. Betts read **Article R**. The Planning Board proposed something different on the same Issues. Mr. Betts then read Article L. He then stated that Paul Orlando, Building Inspector wrote in his submission to the public hearing under his comments on proposed changes SPR bylaw, Section D. Procedures, 1.6 that he is strongly opposed to this amendment.

Mr. Betts read **Article J**. No changes.

Mr. Betts read **Article N** saying that under 1.3 the words “residentially used or zoned” should be removed.



Rockport Planning Board

Rockport, Massachusetts

Minutes of Meeting, September 6, 2012
Rockport Town Hall Annex, 7:30 p.m.

Present: General Meeting, and Discussion, Town Hall Annex, 7:30 p.m. Meeting comes to order with Hank Betts (Chairman), Cameron Smith (Vice- Chairman), Mary Ruth Sole, Frederick H. Tarr, Patty Edgerton. Carolyn Britt (Consulting Planner) present. Minutes are recorded by Mary Bourguignon, Secretary.

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

2. 7:35 p.m. Citizen Query None

3. Discussion of Warrant Articles for Fall Town Meeting

Article A Carryover funds for Planning Board Training

Ms. Britt said the Board encumbered and carried over about \$870.00 from last year to have a trainer from the Citizen Planner Training Collaborative come on September 13, 2012 to provide training to both the Planning Board and the Board of Appeals. The remaining funds to pay the \$1,000 invoice is included in Article A.

Next Mr. Betts read The Proposed Planning Board Introduction to Site Plan Review Articles, J,K,L,M,N,P,Q,R that he will be reading at Town Meeting September 10, 2012. (copy attached).

Article J – After Mr. Betts read this article he stated there was an amendment that Mr. Smith proposed that is changing the word “retain” to” restrict” on the end of Section IX.A.

Article K – Mr. Smith made a motion that the text of Article K be added the following words “This provision shall apply only to projects that result in the demolition greater than 60% of a structure’s gross floor area”. Ms. Edgerton seconded the motion All in favor.

Article L - To amend Section IX.D by adding a new section 1.6. Mr. Smith made a motion to amend section 1.6 as follows: “upon completion of a project for which the Planning Board has approved the site plan, a site plan certificate of compliance form shall be drafted by the applicant indicating how the site plan elements and conditions are met by the project. The Planning Board shall review this submission and issue a certificate of compliance to the applicant. Ms. Sole seconded the motion. All in favor.

Article M – To amend Section IX.E.1 by adding a new section “f”. Mr. Smith made a motion to change the last sentence, section “f” to the following: a schedule shall be identified for the demolition, reclamation of the site and any rebuilding that may be implemented within twelve months of the demolition. Mr. Tarr seconded the motion. All in favor.

Article N - To amend Section IX.H by DELETING sections H.1. 3. and H.1.4; by re-numbering existing subsections 1.5 as 1.7 , 1.6 as 1.9 and 1.7 as 1.11 and by inserting new subsections 1.3,1.4,1.5, 1.6,1.8 and 1.10. Mr. Smith made a motion to eliminate Section 1.6 from Article N and correct the numbers. Ms. Edgerton seconded the motion. 4 in favor. 1 opposed.

Article P - To amend Section IX by deleting Section IX.B.1.5 of section IX.B and substituting 1.5. Mr. Smith made a motion for the Planning Board not to take a stand on this and work through Article P. Ms. Sole seconded the motion. 3 in favor. 2 opposed.

Article Q – To amend Section IX by adding new Section IX.B. 1.8 to Section IX.B. Adding new subsection 1.f to IX.E

Article R - To amend Section IX by adding new Section IX.D.1.6.

Mr. Smith made a motion that the Planning Board move to support as amended Articles J, K, M, N. Ms. Edgerton seconded the motion. 4 in favor. 1 opposed.

Article O. Miss Britt said she spoke with Jeff Amero regarding the updating of the Zoning Map showing the new well and the watershed boundaries. A discussion regarding changes followed. Ms. Britt proposed the Board vote to support acceptance of this Zoning Map and recognize there are further improvements to be made at the next Town Meeting. Mr. Smith made a motion to approve this suggestion. Ms. Edgerton Seconded the motion. All in favor.

**Article J through N are Planning Board Articles
Articles G, H, I are Community Preservation Articles**

4. Discussion – Planning for Planning Board training sessions.

Mr. Betts mentioned the training session to be held on September 13, 2012 with the Zoning Board of Appeals from 5:00 p.m. to 9:30 p.m. Training to be provided by Bob Mitchell of the Citizen Planner Training Collaborative.

5. Planning Board Goals for FY 2013 – Timeline

Not Discussed.

6. Continuing Business, Liaison Reports, and Updates

- **Liaison Reports** No report presented.
- **Updates from Planner or Members** No updates presented.

7. Planning Board administration

- **Approval of Minutes of August 16, 2012.** Ms. Sole made a motion to approve the minutes of August 16, 2012. Mr. Smith seconded the motion. All in favor.
- **Approval of Bills.** No bills presented for payment.

8. Adjournment 10:25 p.m. Mr. Smith made a motion to adjourn. Ms. Sole seconded the motion. All in favor.

Henry T. Betts, Chairman

Date Approved



Rockport, Massachusetts Planning Board

Minutes of Meeting September 20, 2012
Town Hall Annex, 7:30 p.m.

Present: General Meeting, and Discussion, Town Hall Annex, 7:30 p.m. Meeting comes to order with Hank Betts (Chairman), Cameron Smith, (Vice Chairman), Mary Ruth Sole, Frederick H. Tarr, present. Patty Edgerton absent. Carolyn Britt (Consulting Planner) present. Minutes are recorded by Mary Bourguignon, Secretary.

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

2. 7:35 p.m. Citizen Query

None

3. Discussion Mr. Betts recorded the following on a tear sheet and this was discussed:

Mechanics of Town Meeting – Lessons learned

- **Timing on Articles**
- **Making minor changes last minute**
- **Better Hand outs or Power Point**
- **To lead the people:**
 - Purpose of Article**
 - What it does for us**
 - Article and Changes**
- **Timing of Rockport Town Meeting (4 ½ months)**
- **Run through of presentation at Public Hearing by Planning Board**
- **Pre-meeting with Moderator, Selectmen & Planning Board**
- **Historic commission input**
- **Moderator “point of order”**
- **Anyone can move an article**

4.. Planning Board Goals for FY 2013 – Timeline

Not discussed

5.. Continuing Business, Liaison Reports, and Updates

- **Liaison Reports**
Not discussed
- **Updates from Planner or Members**
Not discussed

6. Planning Board administration

Approval of Minutes. No minutes submitted for approval.

- **Approval of Bills.** Mr. Smith made a motion to pay bills from the Eagle-Tribune, W.B. Mason and Community Investment. Mr. Tarr seconded the motion. All in favor.

7. Adjournment 9:55 p.m. Mr. Smith made a motion to adjourn. Mr. Tarr seconded the motion. All in favor.

Henry T. Betts, Chairman

Date



Rockport, Massachusetts Planning Board

Minutes and Hearing of Meeting October 4, 2012 Town Hall Annex, 7:45 p.m.

Present: General Meeting, and Discussion, Town Hall Annex, 7:45 p.m. Meeting comes to order with Cameron Smith, (Acting Chairman), Mary Ruth Sole, Frederick H. Tarr, present. Patty Edgerton and Hank Betts absent. Carolyn Britt (Consulting Planner) present. Minutes are recorded by Mary Bourguignon, Secretary.

1. 7: 45 p.m. General Meeting and Discussion

2. 7:52 p.m. Citizen Query

Zenas Seppala, 92 Granite St. commented that some parts of the Master Plan need updating. Ms. Sole said the Commonwealth of Massachusetts suggests updating the Master Plan at least every five years.

3. 8:00 p.m. Hearing - SPR – Jacques Gordon & Betsy Wiltshire, 5 Penryn Way, Map 32, Lot 61- Open, Continue and Extend.

Ms. Sole made a motion that the public hearing for 5 Penryn Way be continued until the October 18, 2012 meeting. The abutter notification was sent out two weeks before the public hearing but the application materials were not available two weeks before the public hearing, as it is required in Section IX, G of the Rockport Zoning Bylaw. Mr. Tarr seconded the motion. All in favor.

A site visit, by the Planning Board members, is scheduled for Tuesday, October 9, 2012 at 9:30 a.m.

4. 8:05 p.m. Cameron Smith – Presentation- Plan for Spring Meeting

Mr. Smith presented a slide show covering the proposed Planning Board activities October, 2012 to April, 2013. His presentation covered the following topics:

- The number of PB meetings between now and the Spring Town Meeting (STM) doesn't allow us to both inform residents and other town organizations of what our motions will be AND to develop plans that address our statutory responsibilities plus further our present work with SPR and demolition issues. So we must choose.
- Our statutory responsibilities are much broader than the present concentration on ANR, SPR and subdivision hearings and related bylaw changes.
- Any work we decide to take on must flow through the phases of problem definition, visualization of benefit statement, and choice of mechanisms for implementing the chosen improvements.
- An acceptable timeline for our work between now and STM must include ample contact with the public and other town organizations, plus preparation of an understandable and persuasive presentation of our recommendations to STM.

- An example of a town-wide problem that's within the "economic-development" part of our mandate is addressing the town's population and demographic problems by helping to improve among other things the affordable housing and start-up office space situations. We'd have to do this working closely with other organizations.
- There are several specific example houses related to the above and to the following problems that are more traditional to us:
 - Inharmonious siting and setback on lots
 - Inappropriate size vs. the neighborhood norm
 - Inharmonious design
- Which problems should the PB take on over this period? What areas should result in bylaw changes, and which should be part of a report/presentation of work in progress?

5.. Continuing Business, Liaison Reports, and Updates

- **Liaison Reports.**
Mr. Tarr reported there was a meeting recently covering 40B, but he was unable to attend. There is a Metropolitan Planning Organization meeting coming up on October 10, 2012. The Planning Board does not have any representative on that committee.
- **Updates from Planner or Members**
Ms. Britt mentioned there is a workshop in a couple of weeks. It is from the Downtown Partnership Program and is for attracting retail business for the downtown. There is also a North Shore Clean Energy Forum next Wednesday morning.

6. Planning Board administration

Approval of Minutes of September 6, 2012, September 20, 2012. Mr. Smith made a motion to approve the minutes of September 6, 2012 and September 20, 2012. Mr. Tarr seconded the motion. All in favor.

- **Approval of Bills** Mr. Smith made a motion to pay the invoice from CPTC (U of Mass). Mr. Tarr seconded the motion. All in favor.

7. Adjournment 9:55 p.m. Mr. Smith made a motion to adjourn. Mr. Tarr seconded the motion. All in favor.

Cameron Smith, Acting Chairman

Date



Rockport, Massachusetts Planning Board

Minutes and Hearing of Meeting October 18, 2012 Town Hall Annex, 7:30 p.m.

Present: General Meeting, and Discussion, Town Hall Annex, 7:30 p.m. Meeting comes to order with Henry T. Betts, (Chairman), Cameron Smith, (Vice-Chairman), Mary Ruth Sole, Frederick H. Tarr and Patty Joy Edgerton present.. Carolyn Britt (Consulting Planner) present. Minutes are recorded by Mary Bourguignon, Secretary.

1. 7: 35 p.m. General Meeting and Discussion

2. 7:35 p.m. Citizen Query

Toby Arsenian, 95 Granite St. said the Board of Selectmen received plans of a proposed brick building to be built on the Blue Gate Gardens property. Zenas Seppala, 92 Granite St., said it was reported in the Gloucester Daily Times that the Cape Ann Tool Co., has been sold for \$1.5 M dollars. The Times also reported that the new owner is going to have a meeting with the neighbors, and Mr. Seppala would like to attend.

3. 7:40 p.m. Continuation of Hearing - SPR – Jacques Gordon & Betsy Wiltshire, 5 Penryn Way, Map 32, Lot 61-

Timothy Thurman, Architect, Tree House Design, Inc., showed the new plans of the proposed house and garage. After discussing proposed lighting of the driveway, location of the generator, the moving of plants into a nursery and then at a later date relocating them on the property and the size of the well. John Judd, Professional Engineer, Gateway Consultants then addressed concerns of the drainage, surface runoff and removal of impervious soil. Mr. Thurman stated that the applicants plan to have the garage built in a few years. Ms. Britt said in that case the Planning Board could put in the condition that the applicants would have to come back before the garage is built for an amendment. Then the Planning Board could make a determination if whether that was a major or minor modification. If it was major, then the Planning Board would have a public hearing, go through a smaller version of the process again for the garage. Ellen Levine, Architect, Tree House Design, indicated that they wanted the garage to be part of the site plan review. Pending issues include additional information required by the Board of Health and the Conservation Commission. Mr. Tarr made a motion to continue the hearing until the November 2, 2012 Planning board meeting. Mr. Smith seconded the motion. All in favor. Mr. Tarr made a motion that work on the driveway may continue without further delay. Mr. Smith seconded the motion. All in favor.

4 Continuing Business, Liaison Reports, and Updates

Continuing Business The Planning Board reviewed the draft stages of the Site Plan Review as presented by Carolyn Britt. The Board offered suggestions for further

modifications. Carolyn will present an upgrade of her draft at the next Planning Board meeting.

- **Liaison Reports** Ms. Edgerton stated that CPC asked people on other Town Boards to go back to their Boards and ask them where they would like to see CPC money used, and let CPC know.
- **Updates from Planner or Members**
Ms. Britt said Wally Hess stopped by and said the Fin Com is going to take on a major study of the Town's assets.
Mr. Betts said he needs to talk to the Selectmen as to how the Parking Committee is to go forward with the next step concerning the parking meters.

5. Planning Board administration

Approval of Minutes of October 4, 2012. Mr. Smith made a motion to approve the minutes of October 4, 2012. Ms. Sole seconded the motion. All in favor.

- **Approval of Bills.** No bills presented for payment.

6. Adjournment 10:30 p.m. Mr. Tarr made a motion to adjourn. Ms. Edgerton seconded the motion. All in favor.

Henry T. Betts, Chairman

Date



Rockport, Massachusetts Planning Board

Minutes and Hearing of Meeting November 1, 2012 Town Hall Annex, 7:30 p.m.

Present: General Meeting, and Discussion, Town Hall Annex, 7:30 p.m. Meeting comes to order with Henry T. Betts, (Chairman), Cameron Smith, (Vice-Chairman), Mary Ruth Sole, Frederick H. Tarr and Patty Joy Edgerton present.. Carolyn Britt (Consulting Planner) present. Minutes are recorded by Mary Bourguignon, Secretary.

1. 7: 32 p.m. General Meeting and Discussion

2. 7:35 p.m. Citizen Query

Toby Arsenian, 95 Granite St. said that last November at the Board of Selectmen's meeting during their public comment period he mentioned the subject of an affordable housing committee. The Town used to have one then dispensed with it in favor of the Rockport Housing Partnership of which the Town had no control. After which the Town said they were to receive regular reports from them and that the meetings would be posted and open to the public. Neither of those things turned out to be true. Francis Fleming, Selectwoman said after the Board returned after the Christmas holidays they would take it up. It is now November and nothing has been done. Mr. Arsenian suggests that the Planning Board write to the Selectmen asking them to re-appoint a new Affordable Housing Committee, also planning to have a workshop with the Board of Selectmen and the Planning Board. Mr. Tarr made a motion that the Planning Board prepare a letter regarding affordable housing and send it to the Board of Selectmen. Mr. Smith seconded the motion. All in favor.

3. 7:40 p.m. Continuation of Hearing - SPR – Jacques Gordon & Betsy Wiltshire, 5 Penryn Way, Map 32, Lot 61-

Tim Thurman, Architect opened by saying that a matter came up with Leslie Whalen, Board of Health who had reviewed the septic system saying that this house is larger than a normal house therefore the design of the house is incompatible with the size of the septic system and will not be allowed as designed and suggested that they resubmit plans with fewer rooms for review. Paul Orlando, Building Inspector cannot sign off on a building permit without the Board of Health signing off on their line on _____ a building permit form. Ms. Britt stated that if the Planning Board wants to vote on conditions at the end of the night, it can. Then come back and sign the document when matters resolved at this meeting have been corrected. A short discussion followed covering recessed lighting on the porch and yard lighting. Mr. Thurman and Ms. Levine went over the new plan on the foundation. Mr. Smith made a motion to adopt the SPR pending the minor modifications identified at the meeting. Ms. Edgerton seconded the motion. 4 in favor. 1 opposed. Mr. Betts made a motion to close the public hearing for 5 Penryn Way. 4 in favor. 1 opposed.

4. Continuing discussion of Site Plan Review modifications for Spring Town MeetingMr. Betts told the Board members that he wants to go forward with the Site Plan Review modifications that the Board might propose for the Spring Town Meeting. At the last meeting the Board took Ms. Britt's comments and worked on that document.

5. Liaison goals with other Town Committees.Mr. Smith said it would be a good idea to look at the Planning Board's operations in the long term. The State law has listed the formal functions of Planning Boards. are supposed to do. Mr. Smith proposed that he take the lead in assembling various town committees to address how Rockport should address its declining permanent population and what the path forward should be. The Board agreed that Mr. Smith should go forward with his efforts. The Board also agreed to review how to go forward with older home demolitions and look at trigger points for SPR of single family homes.

6 Continuing Business, Liaison Reports, and Updates

- **Liaison Reports**
- **Updates from Planner or Members**

7. Planning Board administration

Approval of Minutes of October 18, 2012. Mr. Smith made a motion to approve the minutes of October 18, 2012. Ms. Sole seconded the motion. All in favor.

- **Approval of Bills.** No bills presented for payment.

8. Adjournment 10:18 p.m. Mr. Tarr made a motion to adjourn. Ms. Edgerton seconded the motion. All in favor.

Henry T. Betts, Chairman

Date



Rockport, Massachusetts Planning Board

Minutes and Hearing of Meeting November 15, 2012 Town Hall Annex, 7:30 p.m.

Present: General Meeting, and Discussion, Town Hall Annex, 7:30 p.m. Meeting comes to order with Henry T. Betts, (Chairman), Cameron Smith, (Vice-Chairman), Mary Ruth Sole, Frederick H. Tarr and Patty Joy Edgerton present. Carolyn Britt (Consulting Planner) present. Minutes are recorded by Mary Bourguignon, Secretary.

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

2. 7:35 p.m. Citizen Query No comments

3. 7:35 p.m. ANR - Julia Robinson, 188 Granite St., Map 9, Lot 23 & 29

Paul J. Donohoe of Donohoe & Parkhurst, land surveyors, spoke for Ms. Robinson advising the Board that she wishes to create three building lots and one open space parcel which is not a building lot from the two existing parcels of land with two dwellings. After having a discussion about the unbuildable lot, the Board decided to approve this ANR. Ms. Sole made a motion to approve this ANR. Ms. Edgerton seconded the motion. Four in favor. 1 Opposed. Mr. Smith made a motion that the Planning Board approach the appropriate Town authorities to clarify and discuss the stability of the status of Parcel A. Mr. Tarr seconded the motion. All in favor. Mr. Tarr made a motion he would like to get the Town Attorney's opinion whether the Planning Board must approve a lot with inadequate frontage. Mr. Smith seconded the motion. All in favor.

4. 8:15 p.m. Subdivision – Ralph Budrow, Summer St., Map 23, Lot 23 & 29, Continued Public Hearing

Ralph (Tim) Budrow explained that he wants to make two house lots and one open lot out of the 2.42 acres and put a single house on each house lot and not sell Lot 3 for development. Ms. Britt then read a letter from Tim Olson, Assistant Director of Public Works who brought up three comments. One being that the proposed Budrow Court should be considered a private and laid out roadway and shall be defined with meets and bounds and should include the turnaround area separate from Lot 3 as shown on the marked up Plan. Lot 1-3 of the proposed subdivision shall have equal ingress and egress, utility rights, maintenance responsibilities including snow plowing, etc. as a requirement of the approval of the Planning Board. No additional work needed on the water main. On sheet 3 of 3, please revise the Force Main Connection DETAIL to read "Force Main Connection to Transition Manhole". Please revise all references to "Existing descriptions to read "NEW". Ms. Britt then went on to state that she had a discussion with a couple of people and they felt that there should be a wetlands delineation on Lot #3. Since the Board is doing a sub division and looking at the characteristics of the entire parcel getting a wetlands delineation makes sense. Also, when the Planning Board takes on a sub division we have to consider providing waivers, such as for the road surface, lighting etc, so that can reduce costs overall for planning and building the subdivision. The Board decided against a wetlands delineation. The Board decided to base the fee for this sub division on the actual frontage of the building lots, not the length of the road. Ms. Edgerton made a motion to approve the fee of \$1,234.00. Mr. Smith seconded the motion. All in favor. In closing Mr. Smith made a motion to continue this hearing until the meeting of December 6, 2012. Ms. Edgerton seconded the motion. All in favor.

5. Continuing discussion of Site Plan Review modifications for Spring Town Meeting

Ms. Britt is working on how to change the SPR so that it will allow for greater clarification and allow the members of the Planning Board to give more guidance to the applicants. This was discussed briefly.

6. Liaison goals with other Town Committees.

Mr. Smith reviewed the path forward effort and developing a comprehensive economic development report. This includes liaisons with various town officials and committees.

7 Continuing Business, Liaison Reports, and Updates

- **Liaison Reports.** Mr. Smith said he attended a meeting with the EDC and the new consultant is going to try to help with things to get tourists or new residents to Rockport. Mr. Tarr said he attended a couple of meeting of the MAPC. The MPO met, they are in charge of transportation. However the Planning Board is not a member of the MPO but should peruse this so they can try to get something moving with the train station. Ms. Edgerton attended a meeting of the CPC and they stated they want to do some work with Millbrook Meadow and the skateboard park.
- **Updates from Planner or Members**
No comments.

8. Planning Board Administration

Approval of Minutes of November 1, 2012. Mr. Smith made a motion to approve the minutes of November 1, 2012. Ms. Sole seconded the motion. All in favor.

- **Approval of Bills.** Mr. Tarr made a motion to approve the bill from Community Investment Associates. Mr. Smith seconded the motion. All in favor.

9. Adjournment. 10:21.p.m. Ms. Sole made a motion to adjourn. Mr. Smith seconded the motion. All in favor.

Henry T. Betts, Chairman

Date



Rockport, Massachusetts Planning Board

Minutes and Hearing of Meeting December 6, 2012 Town Hall Annex, 7:30 p.m.

Present: General Meeting, and Discussion, Town Hall Annex, 7:30 p.m. Meeting comes to order with Henry T. Betts, (Chairman), Cameron Smith, (Vice-Chairman), Frederick H. Tarr and Patty Joy Edgerton present. Carolyn Britt (Consulting Planner) present. Mary Ruth Sole absent. Minutes are recorded by Mary Bourguignon, Secretary.

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

2. 7:35 p.m. Citizen Query

Toby Arsenian, 95 Granite St. said he had run into Senator Bruce Tarr and had asked Mr. Tarr if he would come speak to the Board regarding the 40A. Mr. Tarr said he would be glad to come. After discussing this matter Mr. Tarr made a motion to write Mr. Tarr a letter inviting him to attend a Planning Board meeting in the future. Mr. Smith seconded the motion. All in favor. Mr. Betts said a letter from the Board will be sent to Mr. Tarr in the near future.

3. 7:35 p.m. Subdivision – Continued Hearing Ralph Budrow, Summer St., Map 23, Lot 23 & 29

Mr. Budrow brought in new plans with the final corrections. Ms. Britt said she met with Mina Sheedy-Moores, Mr. Budrow's attorney and they worked on the covenant and the Subdivision decision. Next Ms. Britt and Mr. Budrow went over some of the changes to the plans and covenants that Ms. Britt and Ms. Sheedy-Moores talked about. The Board then decided to continue the hearing until the meeting of December 20, 2012.

4. 8:32 p.m. ANR - Kristen Fox, 50 Beach St., Map 18, Lot 218

John Judd, Gateway Consultants represented Ms. Fox. Mr. Judd said this is a division of an existing property. After the Board members had a short discussion Mr. Tarr made a motion to approve this ANR. Mr. Smith seconded the motion. All in favor.

5. 8:40 p.m. ANR – Kristen Whalen, 52 Thatcher Rd., Map 28, Lot 66

Ms. Whalen stated that she wants divide the lot at 52 Thatcher Road into two lots, both with frontage on Thatcher Road. After reviewing this proposal, the Board members found the submission are the requirements for an ANR. Mr. Smith made a motion to approve this ANR. Mr. Tarr seconded the motion. All in favor.

6.. Discussion

Bylaw Motions for Spring Town Meeting Mr. Betts said the Board does not propose to have any bylaws ready for the Spring 2013 Town Meeting.

Update SPR study – trip point for single family homes Ms. Britt will work on house and lot size.

Update Demolition Delay report Mr. Smith said the Planning board has had a workshop on this topic before and that there are a lot of things going on. There are major issues in this whole area of demolition delay and so the way we should treat that is to produce a report or study on this issue and that will take care of our obligations to look at this before the spring Town Meeting

Upate Economic Development report. Mr. Smith said one of the statutory requirements that the Planning Board has is to do is an Economic Development study. One major issues that concerns economic development is the population decrease in the last census period and the demographics of a much older profile. What we are looking here is a report that would identify things that could be done so that the population demographic problem would be addressed. .

7.. Liaison goals with other Town Committees.

Ms. Edgerton reported that at the last CPC meeting they held a preliminary meeting where people came in to fill out applications. Ball field, town owned art and skate board park applications would be considered.

8. Continuing Business, Liaison Reports, and Updates

- **Budget Discussion – 2014.** Ms. Britt read the proposed budget report for 2014. 1% increase allowed in expenses. 1 ½ % allowed for labor.
- **Liaison Reports** Ms. Edgerton said there is a CPC meeting next Tuesday night, December 11, 2012 at the Police Station at 7:00 p.m. They have invited members from all different Boards to attend.
- **Updates from Planner or Members** No reports.

9. Planning Board administration

Approval of Minutes of November 15, 2012. Mr. Smith made a motion to approve the minutes of November 15, 2012. Mr. Tarr seconded the motion. All in favor.

- **Approval of Bills.** No bills presented for approval.

10. Adjournment 10:10 p.m. Mr. Tarr made a motion to adjourn. Mr. Smith seconded the motion. All in favor.

Henry T. Betts, Chairman

Date



Rockport, Massachusetts Planning Board

Minutes and Hearing of Meeting December 20, 2012 Town Hall Annex, 7:30 p.m.

Present: General Meeting, and Discussion, Town Hall Annex, 7:30 p.m. Meeting comes to order with Henry T. Betts, (Chairman), Cameron Smith, (Vice-Chairman), Mary Ruth Sole, Frederick H. Tarr and Patty Joy Edgerton present. Carolyn Britt (Consulting Planner) present.. Minutes are recorded by Mary Bourguignon, Secretary.

1. 7: 32 p.m. General Meeting and Discussion

2. 7:35 p.m. Citizen Query

None

3. 7:35 p.m. Subdivision – Continued Hearing Ralph Budrow, Summer St., Map 23, Lot 23 & 29

Mr. Budrow brought in new plans with corrections. Next Ms. Britt said she had met with Mina Sheedy-Moores, lawyer for Mr. Budrow, and they went over the document and what they did was incorporate comments that Town Counsel, John Goldrosen, Kopelman & Paige had made on the documents sent to him from Ms. Britt. She then read from this document saying what has to be done next is make up a punch list of the last couple of things that need to be integrated into the document. So, the Planning Board won't be able to sign anything tonight but the Planning Board can close the Public Hearing, they can vote on all the waivers, they can vote on the approval. Mr. Tarr made a motion to close the public hearing. Mr. Smith seconded the motion. All in favor. Mr. Tarr made a motion to approve each waiver in turn. Mr. Smith seconded each motion. Each vote for each waiver was unanimous. Mr. Tarr made a motion to approve this subdivision application. Ms. Edgerton seconded the motion. All in favor. Ms. Britt will finalize the documents, email them to Ms. Bourguignon who will then give them to Pat Brown, Town Clerk who in term will have the Board members sign them and notarize them in front of her. After the 20 day appeal period, the Planning Board should be notified by the Town Clerk regarding whether any appeals were received or not. At that point, Mr. Budrow can take the required copies to the Registry for recording.

4. Blue Gate Gardens – Bob Visnick representing client. Informal presentation.

Mr. Visnick's client withdrew his offer on the above property.

6.. Discussion

Bylaw Motions for Spring Town Meeting

Ms. Britt said she looked over some comments that Mr. Smith and Ms. Sole had made on the Site Plan Review since the last meeting. However, she has not integrated the changes they suggested yet on her documents. Mr. Betts said that he thinks that these documents are almost ready to be sent out for other people to look at.

Update Demolition Delay report

Mr. Smith said at the Fall Town Meeting the Planning Board agreed with the Citizens Group to work at Demolition Delay to produce something with the Board's opinions – study before spring Town Meeting.

Update Economic Development report

Mr. Smith reported that the Economic Development is going great. At the Selectmen's meeting last Tuesday which was mostly about the schools. The Selectmen agreed that the biggest problem that the Town has is the demographic and population problem.

7. Liaison goals with other Town Committees.

There were no liaison goals discussed.

8. Continuing Business, Liaison Reports, and Updates

- **Budget Discussion – 2014** The budget needs to be finalized at the next meeting.
- **Liaison Reports**
Mr. Betts will contact Senator Bruce Tarr to come to a future meeting.
- **Updates from Planner or Members**
No updates.

9. Planning Board administration

Approval of Minutes of December 6, 2012 No minutes presented for approval.

- **Approval of Bills.** Mr. Smith made a motion to approve payment of two bills from W. B. Mason.
Mr. Tarr seconded the motion. All in favor.

10. Adjournment: 9:30 p.m. Mr. Tarr made a motion to adjourn. Mr. Smith seconded the motion. All in favor.

Henry T. Betts, Chairman

Date