

<b>NAME</b>	<b>ATTEND</b>
Michelle Hannan, Chair	
Mark Kelley, Vice-Chair	
Eric Boucher	
Jim Annis	
Denise Munger	
Jonathan Duke, Town Manager	
Rockport AV Staff	
General Public	
Jan Rosenbaum	
Lee Goss	

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**November 14, 2022 – 6:00 p.m.**

**Geoffrey C. Parker Room – Rockport Opera House**

**- PUBLIC MEETING -**  
**Rockport Select Board**  
Monday, November 14, 2022  
Geoffrey C. Parker Meeting Room, 6:00 p.m.  
Streamed at [vimeo.com/rockportmaine](https://vimeo.com/rockportmaine)

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**AGENDA**

**I. Call Meeting to Order**

**II. Town Manager's Report/Update**

**III. Public Input on Non-Agenda Items**

**IV. Amendments to the Agenda**

**V. Consent Agenda**

- a. Approve Meeting Minute(s):
  - October 11, 2022 (2)
  - October 24, 2022

**VI. Action Items**

- a. Act on Committee Application(s):
  - Lee Goss – Rockport Parks and Beautification
  - Jan Rosenbaum – Planning Board
- b. Act on Committee Workplan(s):
  - Conservation Commission
- c. Act on Peddlers Permit Extension – Native Sauna
- d. Act on Planning Board Bylaws
- e. Act on Village Improvement Task Force Bylaws

**VII. Discussion Items**

- a. Discuss Reduction in Mowing/Alternate Landscaping
- b. Discuss Village Partnership Initiative Task Force Letter of Application

**VIII. Select Board Liaison Reports**

**IX. Adjourn**

**Future Meetings, Office Closures, Etc.**

Thursday, November 24, 2022 – Thanksgiving Day  
Friday, November 25, 2022 – Thanksgiving Friday  
Monday, December 12, 2022 – Regular Select Board Meeting  
Friday, December 23, 2022 – Christmas Eve (observed)  
Monday, December 26, 2022 – Christmas Day (observed)  
Monday, January 2, 2023 – New Years' Day (observed)

## Consent Agenda

- a. Minute(s):  
October 11, 2022 (2)  
October 24, 2022

### *Suggested Motion:*

*I move the Board Approve the Consent Agenda as presented (or amended)*

NAME	MOTION	SECOND	ABSTAIN	YES	NO	Time
Michelle Hannan, Chair						
Mark Kelley, Vice-Chair						
Eric Boucher						
Jim Annis						
Denise Munger						

Start 1800 Finish

NAME	ATTEND
Michelle Hannan, Chair	
Mark Kelley, Vice-Chair	✓
Eric Boucher	✓
Jim Annis	✓
Denise Munger	✓
Jonathan Duke, Town Manager	✓
Rockport AV Staff	
General Public	6
Crion	✓

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**October 11, 2022 – 6:00 p.m.**

**Geoffrey C. Parker Room – Rockport Opera House**

Ems Mtg Oct 27  
Lincolnton 6pm

## **Consent Agenda**

- a. Committee Resignation(s):  
Rick Cowan and Andrea Hungerford – Rockport Parks and Beautification
- b. Minute(s):  
September 6, 2022

4-0

### ***Suggested Motion:***

***I move the Board Approve the Consent Agenda as presented (or amended)***

## Action Item

- a. Act on Committee Workplan(s):  
➤ ORC

### Manager's Comments: Action item

The proposed ORC workplan for the first half of 2022. Most notable of the items to be discussed by the ORC is the implementation of LD2003 which was approved by the Legislature last summer in an attempt to resolve the affordable housing crunch in Maine. Unfortunately, this law steamrolls over the concept of home rule and the ability for Maine residents to make decisions for their own communities what might be responsible standards for housing. The proposed workplan creates a small subcommittee of the ORC which will explore changes to the town ordinances to implement this new law.

Orion will be present to answer questions concerning the ORC work plan.

### *Suggested Motion:*

*I move the Board approve the ORC workplan as presented (or amended).*

NAME	MOTION	SECOND	ABSTAIN	YES	NO	Time
Michelle Hannan, Chair			✓			
Mark Kelley, Vice-Chair				X		
Eric Boucher				X		
Jim Annis		✓		X		
Denise Munger	✓			X		

Additional Comments:


## Action Item

- b. Act on Committee Appointment(s):
- Geoff Parker – Budget Committee
  - Lynn Rutter – Alternate Parks and Beautification

### Manager's Comments: Action item

Due to the resignation of Jerod Cronkite, it will be up to the Board to appoint a replacement until June where the remainder of Jerod's term will be up for election. Geoff Parker has served on the Budget Committee for many years and is interested in serving out this interim position.

Lynn Rutter has submitted an application to serve as an alternate member of the Parks and Beautification and she would fill vacancy of Andrea Hungerford, whose term ends June 2025

### Suggested Motion:

*I move the Board appoint Geoff Parker to the Budget Committee to fill the vacancy created by Jerod Cronkite's resignation, with Parker's term ending in June 2023 when this committee seat's remaining tenure will be up for election*

*I move the Board appoint Lynn Rutter to the alternate member position with a term ending in June 2025.*

NAME	MOTION	SECOND	ABSTAIN	YES	NO	Time
Michelle Hannan, Chair			X			
Mark Kelley, Vice-Chair				X X		
Eric Boucher		✓		X X		
Jim Annis		✓		X X		
Denise Munger	✓ ✓			X X		

Additional Comments:


## Action Item

c. Act on GA Ordinance and Appendices

### Manager's Comments: Action item

Following the completion of the public hearing at the outset of Tuesday's meeting, the Board will need to approve the General Assistance Maximums for Knox County for the Town to use these figures in our calculations for general assistance eligibility.

### Suggested Motion:

*I move the Board adopt the 2022 General Assistance Maximums for Knox County as presented.*

NAME	MOTION	SECOND	ABSTAIN	YES	NO	Time
Michelle Hannan, Chair			X			
Mark Kelley, Vice-Chair				X		
Eric Boucher		✓		X		
Jim Annis				X		
Denise Munger	✓			X		

Additional Comments:




## Action Item

d. Act on School Warrant

### Manager's Comments: Action item

The school committee returned to the voters last Friday evening to consider a revised budget due to errors in the budget presented to voters in June. Thankfully, none of the adjustments required impact the commitment of taxes.

### *Suggested Motion:*

*I move the Board approve the school warrant as presented.*

NAME	MOTION	SECOND	ABSTAIN	YES	NO	Time
Michelle Hannan, Chair			X			
Mark Kelley, Vice-Chair				X		
Eric Boucher		✓		X		
Jim Annis				X		
Denise Munger	✓			X		

Additional Comments:


## Action Item

e. Act on Peddlers Permit Extension – Native Sauna

### Manager's Comments: Action item

At the Board's last meeting in September, Native Sauna was granted a peddler's permit which would expire on October 31<sup>st</sup> and they wish to extend the time they wish to use this location until March 31, 2023

Josh from Native Sauna will be present to answer any questions.

### Suggested Motion:

*I move the Board approve the extension of the Peddlers Permit to Native Sauna until March 31, 2023.*

NAME	MOTION	SECOND	ABSTAIN	YES	NO	Time
Michelle Hannan, Chair			X			
Mark Kelley, Vice-Chair						
Eric Boucher						
Jim Annis						
Denise Munger						

*Tabled till Nov 14<sup>th</sup>*

Additional Comments:


## Action Item

f. Act on Tricia Dixon and Sally Cook to move from Alternate to Regular Members on the Parks and Beautification Committee

### Manager's Comments: Action item

This matter is a simple elevation from alternate members to regular members for Sally and Tricia.

### Suggested Motion:

*I move the Board approve the appointment of Sally Cook and Tricia Dixon as regular members of the Parks and Beautification Committee.*

NAME	MOTION	SECOND	ABSTAIN	YES	NO	Time
Michelle Hannan, Chair			X			
Mark Kelley, Vice-Chair						
Eric Boucher						
Jim Annis	✓					
Denise Munger		✓				


## Discussion Item

- a. Discuss EMS Provider Update – North East Mobile Health Services

**Manager's Comments:**

Jon Powers, station chief for North East Mobile Health Services in Rockport, asked to attend tonight to provide an update to the community regarding their service. Additionally, the Town of Camden has recently begun an effort to establish their own EMS provider but they will be collaborating with NEMHS and allowing North East to continue transporting patients. There was some suggestion at the Camden Select Board meeting this week that Rockport, and other neighboring communities, had signed on to support Camden's efforts. That is not presently the case, but certainly it is an interesting concept that deserves conversation with all of the communities currently under contract with NEMHS.

Additional Comments: (Time: )


Moved up  
after consent agenda

## Discussion Items

- b. Discuss Utility Easement Authorization – Special Town Meeting

### Manager's Comments: Discussion item

The Town has been approached in recent days by Central Maine Power to authorize a utility easement on Town property. This is not an uncommon practice in other communities, but for some reason we do not allow the Select Board to authorize such easements. I would suggest we set up a special town meeting in the near future to ask the voters to authorize the Board to approve such easements.

Additional Comments: (Time: )

Special Town Mtg. / Motion D/M Oct 24 <sup>th</sup> 6pm.
Second JA

4-0

## Discussion Items

- c. Thank our Deputy Harbormasters for the Summer

### Manager's Comments: Discussion item

Drew McMullan and Rob Parent have completed their time working for the Town at the harbor after a long and busy summer.

Additional Comments: (Time: )


**Discussion Items**

d. Discuss Traffic Ordinance Updates

**Manager’s Comments:**

Chief Gagne and I have set a goal for an update to the traffic ordinance to be put before you this winter so that changes can be put into effect prior to the arrival of tourists next summer. In addition, Town Attorney Phil Saucier is working on his draft for the ordinance which would restrict panhandling on medians in Rockport.

Additional Comments: (Time: )


Discussion Items

- e. Discuss Route 90 Sewer Project

Manager’s Comments:

The Route 90 sewer project remains on course with the bulk of this project funding being focused on TIF proceeds from development within this district. The potential developments at Ingrahams Corner and throughout the Route 90 corridor have been explored by the Bernstein Shur and thus the structure of the TIF is tilted heavily toward wastewater.

Additional Comments: (Time: )


Clean Water 1.8-2million  
Gov Mills 1 million  
EDA  
INBRC.



## Discussion Items

- f. Discuss RES Site Progress in June vote

### Manager's Comments:

Following the Board's workshop in July to discuss the NewHeight Group's presentation in June, the Economic Development Committee was tasked with exploring the financial viability of the proposal. While that work remains in the process, it was clear there was a strong sentiment by attendees to both meetings that the level of housing density was too much for Rockport in that location.

I've asked Town Attorney Phil Saucier to provide an email to you on Tuesday which explains the Town's responsibilities in regards to the sale of the property. Also, the Economic Development Committee should be returning to the Board for the consideration of their workplan and this may be a good opportunity for further discussion.

Additional Comments: (Time: )


**Discussion Items**

g. Discuss Winter/Summer maintenance new Rt 1 sidewalk

**Manager’s Comments:**

The collaborative project between Maine DOT and the towns of Camden and Rockport to construct a sidewalk along Route 1 from Quarry Hill to Loyal Biscuit is now complete. There will be some maintenance required along this stretch, from mowing the esplanade to removing snow in the winter. To my knowledge no agreement exists to ensure this sidewalk is maintained.

Additional Comments: (Time: )


## Discussion Items

- h. Discuss ARPA Fund Availability

### Manager's Comments:

Last August, the Board voted to commit the first half of the ARPA funds received by the Town to MIDC's efforts to expand broadband in Rockport. In the spring, the Town received its second, and final, allocation of ARPA funds. The total between these two evenly split allocations is \$354,000. As a reminder these funds can be used a series of narrowly defined purposes including broadband, wastewater treatment, and public health.

Additional Comments: (Time: )


## Discussion Items

- i. **Discuss Route 17 Foreclosure**

**Manager's Comments:**

The Town of Rockport has long been concerned with the status of a property on Route 17 which has been eligible for foreclosure by the Town for unpaid taxes, but the Town has reserved its right to not accept ownership due to issues with the title. Code Officer Scott Bickford, Town Attorney Phil Saucier, Police Chief Randy Gagne and I have discussed this matter. We are exploring all options available to the Town some of which may involve action by the Board as soon as your November meeting.

Additional Comments: (Time: )

[illegible]

## Discussion Items

- j. Discuss Maine DOT lot

### Manager's Comments:

There are a number of challenges with this lot considering the salt pollution which has made much of it unusable to the requirement by Maine DOT that if they were asked to move from this lot, they would require another lot of substantial size they could use in a similar fashion.

Additional Comments: (Time: )


**Discussion Items**

k. Discuss Reduction of Mowing/Alternate Landscaping

**Manager’s Comments:**

At present the Town is in the midst of a 3 year agreement for mowing services with Farley Inc. However, with the forthcoming workplan of the Parks and Beautification Committee, this might be a good place for the Board to discuss these options.

Additional Comments: (Time: )


## Discussion Items

1. Discuss Salary Surveys/Incentive Plans

### Manager's Comments:

A committee consisting of employees, department heads, both unions, representation from the Select Board and the Budget Committee met two weeks ago to begin work on the salary surveys we had discussed in the budget process. The committee chose 23 communities from which it wishes to receive data on salaries, benefits and any other incentives offered to retain and attract employees. I expect we will receive this information in early November when it will be collated and reviewed by the committee prior to making recommendations for alterations to the personnel policy and inclusion in the FY '23 budget process.

Additional Comments: (Time:       )


**Discussion Items**

m. Discuss Environmental Issues/Storms

**Manager’s Comments:**

The Board adopted the Community Resilience Partnership in July which allows the Town to pursue grant funding in the amount of \$50,000 to address issues in the community relating to the type of storm impacts we are seeing of late. The Conservation Commission is working on this effort and will be working with Orion to submit a grant application for this purpose to inventory the weak points in Rockport’s defenses from climate matters. This inventory and study should help the commission and the Town to invest wisely in areas which can have the most impact to our bottom line and our environment.

The Conservation Commission will be returning to the Board in the next two months for the adoption of their workplan and more specific details can be focused in the adoption of that plan.

Additional Comments: (Time: )




## Adjourn

*Suggested Motion:*

*I move the Board adjourn the meeting.*

NAME	MOTION	SECOND	ABSTAIN	YES	NO	Time
Michelle Hannan, Chair						9:30
Mark Kelley, Vice-Chair				✓		
Eric Boucher		✓		✓		
Jim Annis				✓		
Denise Munger	✓			✓		

## Select Board Minutes

Members Present: Vice-Chair Mark Kelley, Eric Boucher, Denise Munger, Jim Annis

Members Absent: Michelle Hannan

Staff Present: Town Manager - Jonathan Duke, Planning and Development Director - Orion Thomas,  
Videographer – Geoff Parker

Vice-Chair Kelley brought meeting to order at 6:00pm

## **Public Hearing**

Vice-Chair Kelley started with the Public Hearing portion of the meeting.

Public Hearing to give interested members of the public an opportunity to comment on the Amendments to the General Assistance Ordinance

Vice-Chair Kelley opened the public hearing for Amendments to the General Assistance Ordinance and Appendices A-H effective October 1, 2022 at 6:01pm.

There was no public comment on this item.

Vice-Chair Kelley closed the public hearing at 6:02pm

### *Public Hearing for the Downtown TIF Amendment*

*The Chair opened the public hearing for the Downtown TIF at 6:02pm.*

*There was no public comment on this item.*

*The Chair closed the public hearing at 6:03pm.*

### *Public Hearing for the Route 90 TIF*

*The Chair opened the public hearing for the Downtown TIF at 6:03pm.*

*The Select Board received written comment from the Camden/Rockport Pedestrian and Bicycle Pathways Committee supporting the TIF. The written comments are attached hereto.*

*There was no additional public comment at the meeting on this item.*

*The Chair closed the public hearing at 6:03pm.*

### Public Hearing for all other items on November 7, 2022, Referendum Election Ballot

The Chair opened the public hearing for the referendum election ballot at 6:03pm

There was no public comment on this item.

The Chair closed the public hearing at 6:04pm

## **Town Manager's Report/Update**

Vice-Chair Kelley moved to the third item on the agenda, the Town Manager's Report.

Town Manager, Mr. Jon Duke, gave his seven (7) page report to the Board.

## **Public Input on Non-Agenda Items**

## **Amendments to the Agenda**

Vice-Chair Kelley arranged the agenda to have Discussion item A to come after the Consent Agenda, and then to proceed with the Action Items.

## **Consent Agenda**

**Ms. Munger moved, seconded by Mr. Annis, to approve the Consent Agenda as presented.**

The Select Board thanked the Rick Cowan and Andrea Hungerford for their participation on the Parks and Beautification committee.

**4-0-0**

**Approved**

## **Discussion item A:**

Vice-Chair Kelley arranged the agenda to have the “Discuss EMS Provider Update – North East Mobile Health Service” be moved forward.

The Board did not have an issue with the arrangement of the agenda.

Jonathan Powers, Division Chief of North East Mobile Health Services, and the local EMS director for Rockport. Mr. Powers gave a presentation to update the Town of Rockport on the work done over the last contract year.

The Board thanked Mr. Powers for the update and his service to the community.

55:00

## **Action Items:**

### **Ordinance Review Committee Workplan**

Vice-Chair Kelley moved back to the Action Items on the agenda.

Vice-Chair Kelley asked for the run down of the Ordinance Review Committee’s (ORC) workplan.

Mr. Duke asked Mr. Thomas to weigh in since Mr. Thomas is the staff for this committee.

Mr. Thomas gave the Select Board the reason for the workplan, and the timetable for June ballot 2023.

**Ms. Munger moved, seconded by Mr. Annis, to approve the ORC workplan as presented.**

**No Discussion.**

**4-0-0**

**Approved**

### **Committee Appointment(s)**

Geoff Parker – Budget Committee

**Ms. Munger moved, seconded by Mr. Annis, that the Board appoint Geoff Parker to the Budget Committee to fill the vacancy created by Jerod Cronkite's resignation, with Parker's term ending in June 2023 when this committee seat's remaining tenure will be up for election.**

**No Discussion**

**4-0-0**

**Approved**

Lynn Rutter – Parks and Beautification Committee

Ms. Rutter gave overview of why she is interested in joining this committee.

**Ms. Munger moved, seconded by Mr. Boucher, the Board appoint Lynn Rutter to the alternate member position with a term ending in June 2025.**

**No Discussion**

**4-0-0**

**Approved**

### **Act on General Assistance Ordinance and Appendices**

Vice-Chair Kelley asked Jon for information regarding this action item. Mr. Duke reminded the Board, and Public, that the legal requirements of the public hearing has already been fulfilled and this is the final step in the process to adopt these maximums.

**Ms. Munger moved, seconded by Mr. Boucher, that the Board adopt the 2022 General Assistance Maximums for Knox County as presented.**

**No Discussion**

**4-0-0**

**Approved.**

### **Act on School Warrant**

Mr. Duke provided information for what this item is. The school committee returned to the voters last Friday evening to consider a revised budget due to errors in the budget presented to voters in June. Thankfully, none of the adjustments required impact the commitment of taxes.

**Ms. Munger move, seconded by Mr. Boucher, that the Board approve the school warrant as presented.**

**No Discussion**

**4-0-0**

**Approved**

#### **Act on Peddlers Permit Extension – Native Sauna**

Vice-Chair Kelley asked applicants for explanation of why extension is needed. Josh and Beth, of Native Sauna responded with their need. Beth explained that September was warmer than expected, and they are getting their schedule figured out. Beth explained that their hours are conflicting with some peoples work schedules. Beth asked for permission to extend hours of operations to not be a confinement on sunset. Beth expressed that they will not operate past 8pm. Beth gave example of local resident who wants to use the service, but can't due to work complications.

Vice-Chair Kelley asked if any Board members have questions.

Ms. Munger stated that she has received a lot of complaints, not about the business but about the policy of how to use the Town Harbor Park, and parks in general.

Vice-Chair Kelley stated that the Town does not yet have a policy in place and thinks it should be in place. Vice-Chair Kelley suggested starting on a policy now to have ready for start of year 2023.

The Select Board discussed the harbor committee weighing in.

Mr. Boucher brought up that the Town does not have a harbor master during the winter, no staff, no security in the winter. The docks will be stored in the park, which limits the space. Mr. Boucher said this use could be closer to the building but brought up the steepness of the road and safety concerns. Mr. Boucher stated he wants the whole picture put into consideration, and thinks the Harbor Committee should weigh in on.

Mr. Duke agreed a policy needs to be in place for the uses of the Harbor Park, and for Parks in general. The Select Board discussed who's responsible for the Harbor Park.

Ms. Munger stated that the Select Board is not against the company, and that the Select Board needs to consider the whole picture and to deliberate on the use.

Mr. Annis added that he also received complaints about the use of the Harbor Park, and agreed with the Policy of Parks.

The Select Board discussed further the monetary benefits of renting the space out and compared Native Sauna to this and how it plays into the revenue generated.

The Select Board brought up the existing food truck, and crane truck for sail boats.

**Vice-Chair Kelley moved, seconded by Mr. Annis, to table this decision until the November 14th Select Board meeting to collect considerations from the Harbor Master and committees for these uses at the Harbor Park, while allowing Native Sauna to continue operating during this interim.**

No discussion

**4-0-0**

**Approved**

**Act on Tricia Dixon and Sally Cook to move from Alternate to Regular Members on the Parks and Beautification Committee**

**Mr. Annis moved, seconded by Ms. Munger, that the Board approve the appointment of Sally Cook and Tricia Dixon as regular members of the Parks and Beautification Committee.**

No Discussion

**4-0-0**

**Approved**

**Discussion Items entered, no motions or votes were taken into consideration.**

- a. Discuss EMS Provider Update - North East Mobile Health Services
- b. Discuss Utility Easement Authorization – Special Town Meeting
- c. Thank our Deputy Harbormasters for the summer
- d. Discuss Traffic Ordinance Updates
- e. Discuss Route 90 Sewer Project
- f. Discuss RES Site Progress in June vote
- g. Discuss Winter/Summer maintenance new Rt.1 sidewalk.
- h. Discuss ARPA Fund Availability
- i. Discuss Route 17 Foreclosure
- j. Discuss Maine DOT lot
- k. Discuss Reduction in Mowing/Alternate Landscaping
- l. Discuss Salary Surveys/Incentive Plans
- m. Discuss Environmental Issues/Storms

**Select Board Liaison Reports**

No Select Board had an update to provide.

**Select board entered into Executive Session**

**Ms. Munger motioned, seconded by Vice-Chair Kelley, to enter into Executive Session pursuant to [article number].**

**No discussion**

**4-0-0**

**Adjourn**

(Who motioned and seconded to adjourn meeting? )

**[name] motioned, seconded by [name], to adjourn the meeting at 8:30pm.**

**No discussion**

**4-0-0**

**Approved**

<b>NAME</b>	<b>ATTEND</b>
Michelle Hannan, Chair	X
Mark Kelley, Vice-Chair	X
Eric Boucher	X
Jim Annis	X
Denise Munger	X
Jonathan Duke, Town Manager	X
Rockport AV Staff	
General Public	

**October 24, 2022 – 6:00 p.m.**

**ZOOM/Livestream**



**- PUBLIC MEETING -**  
**Rockport Select Board**  
Monday, October 24, 2022  
6:00 p.m. ZOOM/Livestream

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**AGENDA**

**I. Call Meeting to Order**

**II. Amendments to the Agenda**

**III. Action Items**

- a. Act on Special Town Meeting Warrant

**IV. Adjourn**

**Future Meetings, Office Closures, Etc.**

Tuesday, November 1, 2022 – Special Town Meeting

Tuesday, November 8, 2022 – Election Day – Town Office Closed for Business

Thursday, November 11, 2022 – Veterans’ Day

Monday, November 14, 2022 – Select Board Meeting

Thursday, November 24, 2022 – Thanksgiving Day

Friday, November 25, 2022 – Thanksgiving Friday

## Action Items

- a. Act on Special Town Meeting Warrant

### Motion:

I move the Board accept the Special Town Meeting Warrant.

NAME	MOTION	SECOND	ABSTAIN	YES	NO	Time
Michelle Hannan, Chair				X		
Mark Kelley, Vice-Chair	X			X		
Eric Boucher				X		
Jim Annis		X		X		
Denise Munger				X		

Meet Adjourned at 6:05 p.m.  
Mark Kelley- Motion  
Denise Munger- 2nd  
All in favor

**TOWN OF ROCKPORT**  
**SPECIAL TOWN MEETING WARRANT**  
**Tuesday, November 1, 2022**

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To: Randy Gagne, Constable of the Town of Rockport, in the County of Knox, State of Maine

*Greetings:*

In the name of the State of Maine, you are hereby required to notify and warn the voters of the Town of Rockport in said County, qualified by law to vote in Town affairs, to meet at the Rockport Opera House, of the said Town of Rockport, on Tuesday, the 1st day of November, 2022 at 6:00 o'clock in the forenoon to vote on Articles 1 through 2 at which time the meeting will adjourn.

**Article 1.** To elect a moderator to preside at said meeting.

**Article 2.** To see if the Town will vote to authorize the Select Board to convey and accept those utility easements which the Select Board deem appropriate in the name of the Town of Rockport.

Date: October 24, 2022

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Delores Michelle Hannan, Chair

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Mark Kelley, Vice-Chair

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Eric Boucher

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James Annis

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Denise Munger

ROCKPORT SELECT BOARD

Attest:

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Linda M. Greenlaw, Town Clerk

## Action Item

- a. Act on Committee Applications(s):
- Lee Goss – Rockport Parks and Beautification
  - Jan Rosenbaum – Planning Board

### Manager's Comments: Action item

Both will be present to answer any questions you may have.

### *Suggested Motion:*

*I move the Board appoint Lee Goss to the Rockport Parks and Beautification Committee with a term ending in June 2023, for the remainder of Janice Baldwins term.*

NAME	MOTION	SECOND	ABSTAIN	YES	NO	Time
Michelle Hannan, Chair						
Mark Kelley, Vice-Chair						
Eric Boucher						
Jim Annis						
Denise Munger						

### *Suggested Motion:*

*I move the Board appoint Jan Rosenbaum as a regular member position with a term ending in June 2023, for the remainder of Mark Haley's term.*

NAME	MOTION	SECOND	ABSTAIN	YES	NO	Time
Michelle Hannan, Chair						
Mark Kelley, Vice-Chair						
Eric Boucher						
Jim Annis						
Denise Munger						

Additional Comments:


# APPLICATION FOR COMMITTEE SERVICE

Town of Rockport • 101 Main Street • Rockport, ME 04856

Name: Lee Goss

Home Address: 25 Amsbury St Work Address: Retired

Mailing Address (if different): PO Box 777, Rockport, ME 04856

Phone Number: (Home) 2075429361 (C) (Work) N/A

E-mail Address: clgossamer@gmail.com

Committee you wish to serve on: Parks & Beautification Committee

Why do you want to serve on this committee?

Doug Cole asked if I would consider joining this committee and recommended that

I complete an application for the current Alternate  
committee member opening.

Do you have any background that would be helpful to this committee?

Novice gardening experience, and a love of Rockport and our parks.

Land Use philosophy: (if applicable)

N/A

## APPLICATION FOR COMMITTEE SERVICE – continued

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Are there objectives you wish to see accomplished?

Continue to maintain our beautiful parks and recreational opportunities.

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Are you interested in serving on other committees?

I currently serve on the Rockport Public Library Committee.

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Interview comments: - This application is now complete, and  
Submitted by Sue Goss 10/27/22

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Appointment Date: \_\_\_\_\_

# APPLICATION FOR COMMITTEE SERVICE

Town of Rockport • 101 Main Street • Rockport, ME 04856

Name: Jan Rosenbaum

Home Address: 9 Summer St Work Address: \_\_\_\_\_

Mailing Address (if different): PO Box 305, Rockport 04856

Phone Number: (Home) 2072363508 (Work) 2076918829

E-mail Address: jan.rosenbaum@icloud.com

Committee you wish to serve on: planning board

Why do you want to serve on this committee?

i am applying at the suggestion of John Viehman. I know both  
him and Joe Sternowski from our time together on various  
committees, including the Budget Committee. I trust  
both of them, so I take the suggestion seriously

Do you have any background that would be helpful to this committee?

25 years in town, have served in other town  
matters, have a decent sense of the people here.  
I am studious, try to be prepared going into a situation,  
am trained in math and science

Land Use philosophy: (if applicable)

I believe that the decision process should  
respect the intent of the law, take into account future  
generations, and teh expressed wishes of the  
residents according to a comprehensive plan

## **APPLICATION FOR COMMITTEE SERVICE – continued**

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Are there objectives you wish to see accomplished?

I wold like to work toward a well-considered future of Rockport

---

Are you interested in serving on other committees?

not at the moment

---

Interview comments:

---

Appointment Date: \_\_\_\_\_



## Action Item

- b. Act on Committee Workplan(s):  
➤ Conservation Commission

### Manager's Comments: Action item

The proposed Conservation Commission workplan for the calendar year 2023.

Bill Bow and Meggan Dwyer, co-chairs of the Conservation Commission will be present to answer questions concerning the work plan.

### *Suggested Motion:*

*I move the Board approve the Conservation Commission workplan as presented (or amended).*

NAME	MOTION	SECOND	ABSTAIN	YES	NO	Time
Michelle Hannan, Chair						
Mark Kelley, Vice-Chair						
Eric Boucher						
Jim Annis						
Denise Munger						

Additional Comments:


## CONSERVATION COMMISSION – WORK PLAN (Calendar Year 2023)

### PROJECT 1: Climate Vulnerability/GHG Emissions Assessment

#### Project Objective(s)

1. Identify climate-related risks to our community, including at-risk residents and physical assets
2. Consistent with the State’s “Maine Won’t Wait” program, develop and inventory Rockport’s Greenhouse Gas emissions from both public and private sources, with the goal of developing a strategy to meet the State’s goal of net-zero emissions by 2045

#### Brief Description

Through funding from State of Maine’s Community Resilience Partnership (CRP), the Conservation Commission will work with retained consultants, as needed, to:

1. Identify climate-related risks (*e.g.*, high-intensity precipitation events, sea level rise, etc.) to Rockport’s physical infrastructure, including storm and sanitary sewers systems, buildings, pump stations, roads, and harbor assets.
2. Identify climate-related vulnerabilities to at-risk populations. As a working premise, Rockport’s disproportionately elderly population is subject to increased health risk from extreme temperatures (especially summer maximums), decreased ability to prepare for severe weather (*e.g.*, blizzards), and greater susceptibility to illness due to worsening air quality.
3. Identify risks to ecosystem function under different climate hazards or land use policies. The assessment will focus on Rockport’s wetlands and upland (*i.e.*, forested) areas, which are key assets in their ability to buffer freshwater and harbor ecosystems against threats from fugitive contaminants (*e.g.*, fecal-indicated bacteria), disease (*e.g.*, Emerald ash borer), commercial or residential development, and invasive species. Vulnerability will be assessed using the ecosystem’s level of exposure, sensitivity to local conditions, and adaptive capacity.
4. Completion of a Greenhouse gas (GHG) inventory for both (i) municipal operations and (ii) community-wide emissions, including, but not limited to: vehicle usage, residential and commercial heating and cooling, impacts from Route 1, impacts from tourism, and emissions from harbor activities.
5. Gayle Bowness of the Gulf of Maine Research Institute (GMRI) in Portland met with RCC in April 2022 to discuss GMRI’s training opportunities, which includes guidance for municipal departments and staff. RCC proposes to engage GMRI for a municipal training for TOR staff on resilience for Town assets as well as general training in climate resilience for any committee interested in participating. The program is described [here](#); costs are to be determined.

#### Benefits

1. Identify high replacement cost infrastructure risk that can be mitigated in the short term
2. Develop long term plans to address risks to assets from sea level rise, increasing temperature extremes, and ecosystem shifts.
3. Using the established GHG inventory, develop plans to address emissions from Town-owned assets (*e.g.*, gradual purchase electric vehicles) in a manner consistent with State of Maine objectives.
4. Increased awareness by Town staff to climate-related risks and mitigation strategies.

## CONSERVATION COMMISSION – WORK PLAN (Calendar Year 2023)

### PROJECT 2: Community Speaker Series and Educational Outreach

#### Project Objective(s)

1. Increase the knowledge base of Rockport's residents with respect to climate, resilience, and conservation topics, consistent with the Rockport Conservation Commission's (RCC) charter
2. Support the Rockport Public Library's educational outreach efforts

#### Brief Description

The RCC Speaker Series will be a monthly, hour-long speaker series at the Public Library dedicated to bringing local climate, resilience, and conservation topics to the citizens of Rockport. The series will focus on actions we can take locally to adapt to, as well as mitigate, climate impacts in Rockport. Proposed topics include Native Plants and Climate Resilience; Climate Effects on Water Quality; Regenerative Soil Practices; Community Solar; Ocean Acidification and Kelp Remediation; Sea Level Rise; and Efficiency Maine Opportunities. The series will culminate with a larger event at the Opera House in July that is a follow-up to the June 2022 Citizen Engagement Event. This will be a celebration of Rockport's Climate Resilience accomplishments and may include music and/or a noted speaker. The goal will be to include summer residents in the process and generate buy-in for municipal climate resilience/mitigation efforts.

As we did in 2022, the RCC will, as the budget may allow, again work with Library staff to identify and purchase books or other materials related to conservation topics.

#### Benefits

1. Provides a local forum and educational source for conservation and climate-related challenges to our community
2. Offers library patrons of all ages the opportunity to learn about current conservation issues.
3. Promotes dialog about current conservation issues.

### PROJECT 3: Water Quality Monitoring/Management

#### Project 3A: Chickawaukie Lake

#### Project Objective(s)

1. Monitor lake water quality
2. Encourage formation of a lake association

#### Brief Description

Algal blooms were noted during the summer of 2020 and 2022; this is potentially an indication that the *in-situ* phosphorus treatment completed in June of 1992 may be diminishing in effectiveness (roughly 30-year life was anticipated). To further investigate, the RCC will supplement Lake Stewards of Maine (LSM) sampling with five in-situ profile samplings, and collection of epilimnetic core and near bottom water samples for chemical analyses. Collaborate with the City of Rockland and Maine DEP to encourage watershed residents to form a lake association to address the potential source(s) of fugitive phosphorus.

## **CONSERVATION COMMISSION – WORK PLAN (Calendar Year 2023)**

### **Benefits**

1. Allows an ongoing assessment of water quality conditions and the identification of trends
2. Provides a watershed-based advocacy organization to better address environmental, social and recreational concerns specific to Chickawaukie Lake

### **PROJECT 3B: Rockport Harbor, Goose River, and Selected Streams**

#### **Project Objective(s)**

1. Assess current water quality conditions in Rockport Harbor and its tributary streams in the context of applicable State of Maine standards and criteria
2. Identify existing or potential threats to water quality
3. Establish a baseline for assessing potential future changes in water quality
4. Support efforts of the Maine Coastal Observing Alliance (MCOA) to identify regional trends in coastal and estuarine water quality

#### **Brief Description**

Routinely collect seasonal (May through Sept) water quality information and water samples at three sites in Rockport Harbor, one site in West Penobscot Bay, and one site on each of four streams, including Goose River, that drain to Rockport Harbor. Physicochemical parameters recorded in the field include temperature, dissolved oxygen and either specific conductance (freshwater) or salinity (coastal waters). Laboratory analyses of water samples include fecal indicator bacteria, total phosphorus, and total nitrogen. In addition, coastal water samples are analyzed for algal pigments. Commission volunteers are trained and certified annually by Maine DEP staff as part of the Volunteer River Monitoring Program (VRMP). VRMP staff provides quality assurance of Information submitted by the Commission for inclusion in the statewide Environmental and Geographic Analysis Database. The Commission also coordinates data collection efforts with other members of the MCOA.

### **Benefits**

1. Provides the informational basis for informing the public and the Town Office of current water quality conditions, as well as alerting each to adverse changes
2. Provides informational context should new water quality issues emerge
3. Adds information to statewide and regional efforts to assess the quality of Maine's fresh and coastal waters

## **CONSERVATION COMMISSION – WORK PLAN (Calendar Year 2023)**

### **PROJECT 3C: Rockport's Lakes and Ponds**

#### **Project Objective(s)**

1. Support the efforts of Rockport's Lake Stewards of Maine volunteers in monitoring Rockport's lake and pond water quality, including Chickawaukie, Maces, Rocky, Lily, and Grassy

#### **Brief Description**

Provide support to Rockport's Lake Stewards of Maine (LSM) volunteers, to include training expenses, reimbursement for sample delivery logistics and laboratory analyses for total phosphorus.

#### **Benefits**

1. Allows for an ongoing assessment of water quality conditions and the identification of trends
2. Provides information relative to local planning and development efforts
3. Adds information to statewide and regional efforts to assess the quality of Maine's lakes

### **PROJECT 3D: Rockport Harbor Supplemental Bacteria Sampling**

#### **Project Objective(s)**

1. Further refine probable source area(s) of the Fecal Indicator Bacteria (FIB) impacts noted at Goodies Beach
2. Revise, as indicated by the data, Best Management Practices (BMPs) currently in place
3. Support Maine Healthy Beaches and Rockport Harbormaster efforts as required
4. Establish a baseline for the distribution of FIB in the lower reaches of the Goose River

#### **Brief Description**

1. Assess the spatial distribution of FIB in Rockport Harbor following a rainfall/runoff event
2. Identify FIB reservoirs with the potential to adversely impact Goodies Beach water quality

#### **Benefits**

1. Supports ongoing assessments of water quality conditions at Goodies Beach
2. Provides information relative to public safety
3. Provides important background data regarding concentrations of FIB in the Goose River prior to construction of the proposed wastewater treatment facility
4. Adds information to statewide and regional efforts to assess the quality of Maine's beaches

## Action Item

### c. Act on Peddlers Permit Extension – Native Sauna

At the Board's last meeting in September, Native Sauna was granted a peddler's permit which would expire on October 31<sup>st</sup> and they wish to extend the time they wish to use this location until March 31, 2023. The Board discussed this at its last meeting on October 12<sup>th</sup> and tabled this discussion until tonight so that further information could be gathered by the Harbor Committee and the Harbormaster. Abbie has prepared a memo which outlines her recommendation for the use of the Marine Park relative to Native Sauna's request.

Josh from Native Sauna will be present to answer any questions.

#### *Suggested Motion:*

*I move the Board approve the extension of the Peddlers Permit to Native Sauna until March 31, 2023.*

NAME	MOTION	SECOND	ABSTAIN	YES	NO	Time
Michelle Hannan, Chair						
Mark Kelley, Vice-Chair						
Eric Boucher						
Jim Annis						
Denise Munger						

Additional Comments:




## OFFICE OF PLANNING AND COMMUNITY AND ECONOMIC DEVELOPMENT

101 Rockport Main St  
Rockport, ME 04856  
rockportmaine.gov/planning\_communitydevelopment  
207-236-0989 x 2

Orion Thomas, MCRP  
Planning and Development  
Director  
othomas@rockportmaine.gov

Shenley Neely, MUP  
Administrative Assistant  
sneely@rockportmaine.gov

Scott Bickford,  
Code Enforcement Officer,  
Plumbing Inspector, Health  
Officer  
sbickford@rockportmaine.gov

Reference # MPP-26-0025

Date Entered: 09/26/2022

### Property Information

<u>Property Type</u>	<u>Property Address</u>	<u>Parcel ID #</u>	<u>Subdivision</u>
Harbor Village	111 PASCAL AVE	ROCT M:029 B:091	

### Owner Information

<u>Name</u>	<u>Business</u>	<u>Phone #</u>	<u>Email</u>
ROCKPORT TOWN		(207) 295-4948	aleonard@rockportmaine.gov
<u>Address</u>	<u>City, State, ZIP</u>		
101 MAIN ST	ROCKPORT ,ME 04856		

### Applicant Information

<u>Name/Business Name</u>	<u>Phone #</u>	<u>Address</u>	<u>City, State, ZIP</u>
Joshua P. Goodman/Native Sauna	(207) 295-4948	54 South Ridge Drive	,

### Contact Person (For Inspections)

<u>Contact Person is</u>	<u>Title</u>	<u>Phone #</u>
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### Primary Contractor Information

<u>Contractor Same as Owner?</u>	<u>Type of Contractor</u>	<u>Business Name</u>	<u>Contractor Name</u>
			Joshua P. Goodman
<u>Address</u>	<u>City, State, ZIP</u>	<u>Phone #</u>	<u>Email</u>
54 South Ridge Dr	Lincolnvile, ME 04849	(207) 295-4948	Josh@NativeSauna.com

### Additional Contractors

Name of Contractor	Type of Contractor	Business Name	Address	City	State	ZIP	Phone #	Email
--------------------	--------------------	---------------	---------	------	-------	-----	---------	-------

### Responsible Person Information

<u>Name</u>	<u>Phone #</u>	<u>Email</u>
-------------	----------------	--------------

**Engineer Information****Name****Phone #****Email****Address****City, State, ZIP****Proposed Activity****Work Type:** Accessory Structure**Property Type:**{ MERGEFIELD cf[65cc4]}

**Work Description** We request to continue to operate our propane-fueled Original mobile sauna in Rockport Marine Park for Sauna Sessions: 75 minute block per session. Serves 4-6 people per session. Business Owner/Employe is continuously present while sauna is in service. Our request is to extend the days of operation from October 31, 2022 (end date of previous approval) to March 31, 2023.

We request to also operate our Wood-Fired mobile sauna at times in which the Original sauna is unavailable. Serves 4-6 people per session. Business Owner/Employe is continuously present while sauna is in service.

Both saunas and the business are fully insured.

**Information about Proposed Project****Zoning District****Size of Parcel****Type Water Supply****Type Wastewater Disposal**

Harbor Village

**Road Frontage****Foundation Type****Subdivision****# of Proposed Lots****# of Proposed Dwelling Units****Mobile Home?**

No

**Mobile Home Model****Mobile Home Year****1st Floor**

No

**2nd Floor-6' of Headroom-Finished (sq. ft.)****2nd Floor-6' Headroom-Unfinished (sq. ft.)****Decks (sq. ft.)**

48

**Porches (sq. ft.)****Proposed Lot Coverage (%)****Building Height (ft.)****Crawl Space (sq. ft.)**

10

**Garage/Accessory Building (sq. ft.)****Cellar Finished 6' Headroom (sq. ft.)****Cellar Unfinished 6' Headroom (sq. ft.)**

112

**Estimated Fees****Total Fee:****Application Fee:**\$100.00



MAP/LOT:  
029-091

# TOWN OF ROCKPORT BUILDING/USE PERMIT

BP-ID: 7241  
DATE: 09/07/2022

PERMIT TYPE: Vender & Peddler

DISTRICTS: 901 - Harbor Village District

DETAILS:

911E ADDR: 111 Pascal Avenue

Peddler & Vendor---Sauna Sessions at Marine Park September 8 through October 31st as paid in full

OWNER: Town of Rockport - Abbie Leonard

APPLICANT: Goodman Josh (DBA Native Sauna)

PHONE: 236-0676

PHONE:

ADDR: P.O. Box 10, Rockport, ME 04856

ADDR: 54 South Ridge Drive Lincolnville, ME.  
04849

LOT USE: Municipal

SQ FT FOR BUILDING:

WASTE: Town Sewer

HEIGHT:

WATER: unknown

REQUIREMENTS:

- 1) Meet all requirements of the Rockport LUO with particular focus on the standards of Section #901- Harbor Village District
- 2) State permits if applicable such as but not limited to D.E.P. & State Fire Marshal is the applicants responsibility to obtain if applicable
- 3) Site may be inspected by Code Enforcement Officer
- 4) Proof of insurance is required before permit is valid
- 5) Remove all trash at the end of each day.
- 6) Signs shall not block any of the official Rockport Signs
- 7) The Harbor Master has final authority about use of the harbor areas
- 8) Vehicular traffic line of sight shall not be impeded at any time by signage

NOTES:

- 1) Application and supporting documentation is on file at the Planning Office
- 2) Select Board Approved use until the end of October 2022

Good luck with your sauna!

FEE: \$530.00

Fee Paid: Check #:

CEO: Scott E. Bickford CE

ConsCost:

**NOTE: MUST MEET ALL STATE AND LOCAL REQUIREMENTS**

*All parties to this process including applicants, owners, architects, engineers, surveyors, and all contractors working on this site must ensure that the land use standards of the Town of Rockport and the State of Maine are met.*

PLEASE POST PERMIT FROM R.O.W. - THIS PERMIT MAY BE APPEALED W/I 30 DAYS

## Action Item

d. Act on Planning Board Bylaws

### Manager's Comments: Action item

*The proposed changes reflect the change in ordinance approved by voters on November 8<sup>th</sup> which clarifies the role of the Planning and Community Development Director in the agenda setting process, including the review of applications for completeness.*

### Suggested Motion:

*I move the Board approve the Planning Board Bylaws as presented. (Or amended)*

NAME	MOTION	SECOND	ABSTAIN	YES	NO	Time
Michelle Hannan, Chair						
Mark Kelley, Vice-Chair						
Eric Boucher						
Jim Annis						
Denise Munger						

Additional Comments:




## **Bylaws of the Rockport Planning Board of the Town of Rockport, Maine**

### **Section 1. Purpose and Scope**

These Bylaws are established by the Rockport Planning Board to aid in the fulfillment of its responsibility under the Maine Constitution, the Statutes of Maine and the Municipal Ordinances, all of which have precedence. The Board should also consider the guidance provided by the Rockport Comprehensive Plan in guiding its review of applications. These Bylaws are intended to ensure fair and equitable treatment in all proceedings of the Rockport Planning Board.

### **Section 2. Planning Board Responsibility**

The Rockport Planning Board shall be responsible for reviewing and acting upon land use applications as designated in the Rockport Land Use Ordinance and Subdivision Reviews in accordance with the Rockport Subdivision ordinance. The Board shall further perform such duties and exercise such powers as are provided by the Rockport Planning Board, Land Use Ordinance and the laws of the State of Maine.

### **Section 3. Board Membership**

- A. The Planning Board consists of seven (7) regular members and up to two (2) alternate members who shall be residents of the Town of Rockport. The members shall serve without pay and shall be appointed by the Select Board to serve for staggered three (3) year terms expiring on June 30. The maximum length of continuous service shall be nine (9) years.
- B. All Planning Board members shall attend and participate in all meetings. If a member fails, without good cause, to attend four (4) consecutive regular meetings, or at least 75% of all meetings during any twelve-month period it shall result in a recommendation to the Select Board for removal of that member from the Planning Board.

## **Section 4. Officers; Duties**

- A. A Chair and a Vice-Chair shall be elected annually by majority vote of the regular members present at the first Planning Board meeting following Annual Town Meeting in June and shall assume their duties after the adjournment of the meeting when the vote was taken.
- B. In the absence of the Chair, the Vice-Chair shall assume the duties of the Chair.
- C. Should both the Chair and the Vice-Chair be absent from a Board meeting, a temporary Chair shall be appointed by the Chair prior to the meeting or, if necessary, elected by a majority of the Board present at the meeting.
- D. The Chair shall call all meetings of the Planning Board or designate an appropriate appointed official to carry out this responsibility.
- E. The Chair shall preside at all meetings of the Board. The Vice-Chair, at the Chair's discretion, may preside over selected applications. The Chair, however, remains ultimately responsible for the meeting's proper and orderly conduct.
- F. The Chair shall represent the Planning Board and be its official spokesperson in all matters.
- G. The Chair shall be responsible for ensuring that new members receive an orientation.
- H. The Town shall employ a secretary, who shall be responsible for supervising the maintenance of accurate records of the Planning Board meetings, including all official actions.
- I. Records, correspondence, and meeting minutes of the Planning Board shall be maintained in the Town Office and made available for inspection during municipal business hours.
- J. Minutes of the Planning Board meetings should be officially approved at the next regular meeting of the Board, subject to corrections, and made publicly available. Such approved minutes shall constitute the official record of the meetings of the Board. Video or audio recordings produced by the Town shall be considered supplemental to the official record.

## **Section 5. Meetings**

- A. A regular meeting of the Planning Board shall be held once a month in the Rockport Opera House. The day and time of the meeting shall be posted on the Town website. Additional meetings may be called when warranted. The date, time, and place of any regular meeting may be changed by a motion passed at the previous meeting of the Board.
- B. A quorum of the Board necessary to conduct official business shall consist of four (4) members. No official action of the Board may be taken unless it receives at least four (4) affirmative votes.

- C. The date, time, place and agenda for meetings shall be set by the Board Chair established by the Planning and Development Director in coordination with the ~~Board Chair~~Planning and Development Director, made available to all Board members and posted for the public at least six days prior to the meeting. Application materials and related work products provided by staff shall be made available to Planning Board members no later than 3:00 pm Friday prior to the next meeting.
- D. Site walks may be scheduled as deemed necessary by the Chair and, if so, public notice of the time and place shall be included on the agenda for the Board's next scheduled meeting. Members of the public may attend site walks, but no public comment shall be considered by the Board and the Board shall not keep a record of any comments heard during a site walk. Future Planning Board action may be based on observations made on site, but only after such observations are discussed during a regular meeting.
- E. Workshops may be scheduled as deemed necessary by the Chair and, if so, public notice of the time and place shall be posted at least two (2) days in advance. Members of the public may attend workshops, but no public comment shall be considered by the Board and the Board may, at the discretion of the Chair, choose whether to keep a record of any comments made during a workshop. Future Planning Board action may be based on discussion in Workshops, but only after such discussion is reviewed during a regular meeting.
- F. Such meetings may be held in person or if allowed by state law or town policy, via electronic conference call or similar means if for some reason it is impractical for the Board to meet in person.

## **Section 6. Rules of Procedure**

### **A. General**

1. Meetings shall be conducted in accordance with Maine Statutes, Town Ordinances, and these Bylaws. The Board may establish special rules for the conduct of any business provided such establishment of rules does not violate state or municipal law or ordinance.
2. Information relating to a request for land use approvals shall be considered by the Planning Board only in one or more of the following manners:
  - a. As a Pre-Application presentation;
  - b. As a part of a formal request for approval by the Planning Board submitted in accordance with the local land use and/or subdivision ordinances and application procedures established by the Planning and Development Department;
  - c. As verbal or written testimony during a public hearing;
  - d. Or at the request of a majority of the Board present and eligible to vote. In the event that a minimum quorum of four (4) voting members are present, four (4) affirmative votes are required to take action.

## B. Procedure

1. If a quorum is present, the Chair shall call the meeting to order at the appointed time.
2. The Chair shall declare all votes. If any member doubts a vote, the Chair shall order a recount of the affirmative and negative votes without debate. The secretary shall record all votes.
3. Prior to consideration of any agenda item before the Board, each Board member shall declare any potential conflict of interest to the Board with respect to that item. A Board member may voluntarily refrain from participation on an agenda item. If a possible conflict of interest is raised and the Board member in question asserts that there is no conflict that will influence his or her conduct, the Board shall determine whether a conflict exists by majority vote. A member thus found to have a conflict of interest shall be ineligible to vote on that item.
4. Prior to consideration of any agenda item before the Board, the Chair shall determine which members shall be eligible to vote. The Chair may appoint an alternate member for this purpose so long as the total number of members eligible to vote does not exceed seven (7).
5. A presentation by an applicant shall not exceed fifteen (15) minutes in length without permission of the Chair.
6. The Chair shall preserve decorum and decide all questions of order and procedure, including the extent to which a member who is not eligible to vote on a request for land use approvals may participate in or be removed from the Board's deliberations on that item.
7. The agenda may be rearranged at the Chair's discretion.
8. The Board shall not begin to hear any new agenda item commencing after 9:30 p.m. except by unanimous vote of members present and eligible to vote on that item.
9. No meeting of the Board shall continue beyond 10:00 p.m. except upon unanimous vote of members present and eligible to vote at that time.

## C. Public Participation

1. All public hearings held by the Planning Board as required by law or ordinances of the Town of Rockport, in addition to meeting special requirements of such law or ordinances, shall provide all interested parties with an opportunity to be heard. However, the Chair may limit discussion to new and pertinent information.
2. Members of the public wishing to address the Board concerning an agenda item shall wait until the Chair asks for public comment. When recognized by the Chair, the speaker shall state the speaker's name and address in an audible tone for the record.

3. The speaker shall limit remarks to the issue under discussion and a single speaker's comments shall be limited to 3 minutes. The total time for public comment on a single application shall be limited to 45 minutes in one meeting. The Chair can use its discretion to extend these time limits.
4. Persons wishing to address the Board on an item not appearing on the agenda may do so only after disposition of all items appearing on the agenda, and only at the discretion of the Chair.
5. The Chair may reopen a closed public hearing with the consent of most of the members present and eligible to vote.
6. Members of the public may attend Planning Board workshops and site walks. Public comment at workshops shall be permitted solely at the discretion of the Chair.
7. The public can provide their comments in writing to the Planning Board, either digitally to the specified Town email address or in writing at the Rockport Town Office, at least 72 hours in advance of a meeting, for those comments to be considered by the Board at that meeting. Comments provided to the Board later than 72 hours prior to a meeting, may not allow sufficient time for this material to be fully reviewed and considered by the Board at the next meeting.

The Chair shall be empowered, in consultation with the Town Manager, to consult Town Counsel for the purpose of clarifying any legal concerns including, but not limited to, procedure and process. Further, the Chair may request the attendance of the Town Attorney at any given Planning Board meeting.

## **Section 7. Voting Procedures**

- A. The Board shall vote only by motion, second and discussion, except on the question of whether to adjourn a meeting. A vote shall be called immediately, without discussion, as soon as a motion to adjourn and a second are made. Each motion shall be confined to one subject, which shall be clearly expressed.
- B. To form a decision on an application for land use approval, the Board may adopt selected findings of fact, by vote and in writing, using a checklist or similar work product to be prepared by Planning and Development staff.
- C. The Planning Board may reconsider any decision on a request for land use approvals within forty-five (45) days of the decision. In such cases, a motion to reconsider shall be made by a member who voted in the majority on the decision in question.

## **Section 8. Waivers; Amendments**

These bylaws, or any provision thereof, may be waived but only if they remain consistent with applicable law. These bylaws may be amended at any time in writing by majority vote of the Board after notice on the proposed amendment but shall not be effective until approved by the Select Board.

Approved by the Planning Board October 2018

Approved by the Planning Board August 2019

Approved by the Select Board on September 23, 2019

Approved by the Planning Board May 14, 2020

Approved by the Select Board May 26, 2020

Approved by the Planning Board on October 28, 2021

Approved by the Select Board on December 13, 2021

Approved by the Planning Board on August 25, 2022

Approved by the Select Board on November 14, 2022



## Action Item

- e. Act on Village Improvement Task Force Bylaws

### Manager's Comments: Action item

*The change in these draft bylaws reflect the adoption of the Remote Participation Policy for this group.*

### Suggested Motion:

*I move the Board approve the Village Improvement Task Force Bylaws as presented (or amended).*

NAME	MOTION	SECOND	ABSTAIN	YES	NO	Time
Michelle Hannan, Chair						
Mark Kelley, Vice-Chair						
Eric Boucher						
Jim Annis						
Denise Munger						

Additional Comments:




## **Bylaws for Village Partnership Initiative Task Force of the Town of Rockport, Maine**

### **Section 1. Purpose and Scope**

The purpose of these bylaws is to establish reasonable rules of procedure for task force meetings and to promote the fair, orderly and efficient conduct of the task force's proceedings and affairs in accordance with the mission statement. These bylaws shall govern the task force's practices and procedures except as otherwise provided by law and shall be liberally construed to accomplish their purpose.

The task force's work shall be in service to the direction provided by the Select Board in the task force's creation.

***The Task Force shall be comprised of ten members, three of which shall be the public works director, planner, and town manager. The mission of the task force shall be to establish an improvement plan for the village, assist Maine DOT as the Bridge Advisory Committee relating to the repair or replacement of the Goose River Bridge, and seek out federal, state, and private funds to support village improvements within the plan. – Select Board meeting May 16, 2022***

### **Section 2. Officers; Duties**

Officers of the Task Force shall consist of a Chair, Vice Chair and Secretary to be chosen annually at the first regular meeting in each year by and from among task force members unless otherwise provided by law. The Chair shall preside at all task force meetings and shall have authority to rule on questions of procedure, to maintain order and determine their course of proceedings, and to take such other action as may be necessary and not inconsistent with these bylaws or other law to enable the task force to perform its duties and conduct its affairs.

The Chair also shall, set the agenda for each meeting. In the absence of the Chair, the Vice-Chair shall preside and shall have the same authority as the Chair. The Secretary shall

maintain a permanent record of all task force meetings and all correspondence of the task force.

## **Section 4. Meetings**

Regular meetings of the task force shall be held at least monthly. Special meetings may be called at the discretion of the Chair or upon request by a quorum of the Task Force, provided, however, that notice thereof shall be given to each member at least 48 hours in advance.

Notice of all task force meetings shall be given as required by law, and all such meetings shall be open to the public except as otherwise provided by law.

No business may be conducted by the task force except at a duly called and noticed meeting or without a quorum.

Meeting minutes shall be recorded and publicly available.

~~If the task force chooses to adopt a Remote Participation policy, meetings of the task force may not be held with remote components (video conferencing or conference call), in full or in part, until the policy has been adopted following a public hearing.~~

Such meetings may be held in person or if allowed by state law or town policy, via electronic conference call or similar means if for some reason it is impractical for the Task Force to meet in person.

## **Section 5. Voting**

Any action of the task force shall require an affirmative vote of a majority of those present and able to vote.

No member may participate or vote in any matter in which the member has a conflict of interest or other disqualification as defined by law. Any question of whether a member has a conflict of interest or other disqualification shall be decided by a majority vote of the remaining members.

All members who are present and not disqualified as provided herein shall vote in every matter to be voted upon unless excused by the Chair for good cause shown.

## **Section 6. Waivers; Amendments**

These bylaws, or any provision thereof, may be waived but only if they remain consistent with applicable law. These bylaws may be amended at any time in writing by majority vote of the task force after notice on the proposed amendment but shall not be effective until approved by the Select Board.

Adopted by the Town Manager September 13, 2021

Approved by the Select Board on September 13, 2021

Approved by the VPI Task Force on July 19, 2022

Approved by the Select Board on August 8, 2022

Approved by the VPI Task Force on October 17, 2022

Approved by the Select Board on November 14, 2022

## Discussion Item

a. Discuss Reduction in Mowing/Alternate Landscaping

### Manager's Comments:

Following your last meeting, you had requested to continue the conversation concerning reducing the amount of mowing of grass on town properties. To further that discussion, the chairs of the Parks and Beautification Committee (Doug Cole) and the Conservation Commission (Meggan Dwyer and Bill Bow) are invited to attend.

Additional Comments: (Time:       )


## Discussion Item

b. Village Partnership Initiative Letter of Application

### Manager's Comments:

At the Special Town Meeting on November 1<sup>st</sup>, there were concerns raised relative to the transparency of the effort from the VPI Task Force. This letter is a summation of the work of the task force thus far and describes in some detail the goals and efforts to seek out further planning grants to complete the application.

Additional Comments: (Time:        )


# Town of Rockport



**Letter of Intent for Planning Partnership Initiative through MDOT**

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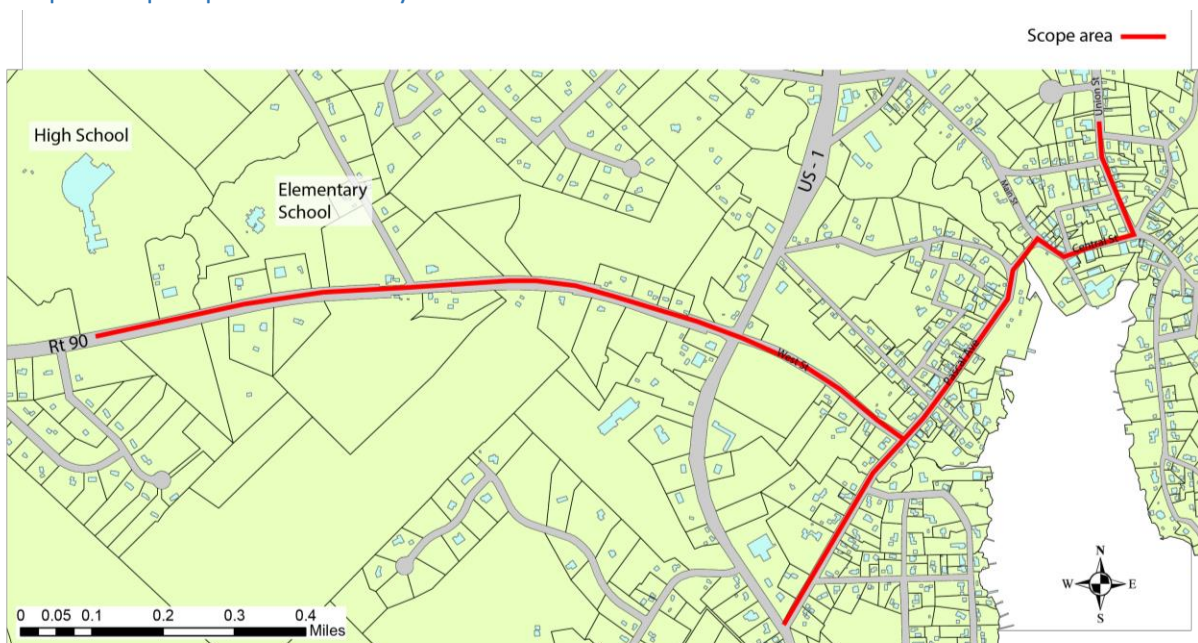
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## Introduction

The small village of Rockport, Maine is located on the steep banks of Rockport Harbor, where the Goose River empties into the harbor. Over 127 of its stately Greek Revival, Italianate and other historic houses and buildings located on 12 picturesque streets that hug the head of the Harbor, were designated as the Rockport Historic District by the National Register of Historic Places in 1976. In 1990, the Maine State Planning Office nominated Rockport's Harbor and viewshed for designation as a "critical area", characterizing it as, "One of Maine's most visually cohesive villages with a strong orientation to its deep, well-defined harbor."

Rockport's small "downtown" is located between the public library at the northeastern end of Central St and the Goose River bridge at the beginning of Pascal Ave. In between are multiple restaurants, parks, a hotel, gallery, and business offices. This revitalization of the downtown district has occurred over the past 10 years, but the infrastructure to support parking, vehicular, bike, and pedestrian flow have not kept pace with this growth. The village is centered on the bridge that crosses the river and which has seen multiple revisions over its long history resulting in some unusual and awkward situations for vehicular, pedestrian, and cyclist traffic. Compounding the current awkward arrangement is the pending repair/replacement of the bridge by the MDOT for the 4<sup>th</sup> time in its history, which presents both complexities as well as opportunities for the improvement of our downtown district. The opportunity to participate in the PPI program will enable us to make improvements to our village infrastructure that will benefit local businesses and residents, as well as the tourism industry on which our village depends.

## Scope of proposed Study





## Description of Problematic areas.

### 1) Pascal Avenue

As this avenue approaches and crosses the bridge from the southwest, it encounters a number of confusing crosswalks, pedestrian pathways, parking, tight curves and intersections that contribute to poor sightlines. The safety issues posed for pedestrians, cyclists and motorists by these poor sight lines are compounded by a speed limit of 30 mph on Pascal Avenue. Although Pascal is residential, its speed limit is inexplicably 5 miles higher than a similar stretch on Elm Street, just beyond Camden's downtown, which is actually Route 1. Many local residents feel that 30 mph is too fast for both the residential area as well as the complex of intersections at the bridge. The Town believes a PPI study for this area is vital.

The pedestrian pathways to and from the harbor allow access to the bridge and the business district, avoiding having to walk on the steep narrow Marine Park access road where there are no sidewalks. The pathways, however, are in need of improvement and deliver the pedestrians to the side of the bridge where there is no sidewalk to guide them to the business district. Rather, they need to use 3 crosswalks and go up a short flight of stairs that are not ADA compliant which can be quite daunting in view of the traffic on Pascal Avenue.

### 2) Bike lanes

Pascal Avenue does not have a bike lane as it approaches the bridge. At the bridge, the biker has to negotiate a sweeping uphill turn to the right with an Armco barrier on their immediate right-hand side which creates a blind corner due to the steep hill up from the Harbor.

The parking problem in the central village has been examined on an ad-hoc basis for the purpose of previous Planning Board applications. This data needs to be collectively analyzed to look for possible solutions and identify any areas that need to be studied further.

### 3) Goose River Bridge

Rockport is in the unique position of being scheduled to have its bridge renovated or possibly replaced, at the same time that the town is exploring possibilities for participation in the VPI/PPI program. As noted above the bridge is located in the middle of the area designated as encompassing the VPI/PPI project. In addition to any structural deficiencies the bridge may have, it also has many functional obsolescence deficiencies from vehicular, pedestrian, bicyclist, safety, lighting, and aesthetic viewpoints. The town's Task Force envisions a sidewalk/bike path along the side of Main Street as it curves uphill from the bridge to join Central Street at the main business district. For this to be accomplished however, the new bridge will need to accommodate the bike lane/sidewalk on its southern side. Shoulders for bikes and sidewalks for pedestrians should be considered on both sides of a new bridge. Conversations with the MDOT Bridge section are currently underway but there is some concern about the ability to coordinate the bridge and the VPI/PPI projects.

#### 4) ADA compliance

Due to the steep nature of the Goose River banks several sidewalks need to have stairs incorporated into them which pose obstacles to those with mobility handicaps.

#### 5) Stop sign on Rte.1 at intersection with Union St.

This unique situation encourages traffic to use Pascal Avenue, Union Street, and Russell Avenue as a bypass to the Route 1 traffic that backs up from the stop sign on Route 1.

### Recommendations:

- Rockport would like to work with MDOT on a PPI study that considers safety and mobility improvements for all modes of transportation within the scope area and including the bridge area. Provisions and recommendations for pedestrians, bicycles, on street parking, traffic calming, access to businesses should be considered in this study.
- Rockport would like to work with MDOT to provide bike and pedestrian provisions on both sides of Pascal Avenue including across the Goose River bridge and extending to Central Street. This would include lighting for safety on the bridge. These improvements would also include upgrades to the harbor pathways (and lighting for safety) and integrating the harbor pathways traffic flow into the new south side sidewalk on the bridge.
- The PPI study should consider provisions for a sidewalk along West Street connecting the downtown area with the elementary and regional high schools.
- Rockport would also like to review existing parking studies with the MDOT to identify areas suitable for additional parking, opportunities for improved use of existing parking, and additional study if needed.
- Rockport supports the attached schematic design for the Goose River Bridge.

## Appendix

Letter of support from Representative Victoria Doudera

Schematic of bridge design



**Victoria Doudera**

18 Trim Street  
Camden, ME 04843  
Residence: (207) 542-1990  
[Victoria.Doudera@legislature.maine.gov](mailto:Victoria.Doudera@legislature.maine.gov)

**HOUSE OF REPRESENTATIVES**

2 STATE HOUSE STATION  
AUGUSTA, MAINE 04333-0002  
(207) 287-1400  
TTY: MAINE RELAY 711

October 8, 2022

Dear Members of Maine DOT:

I am writing to express my full support for the town of Rockport's application for Village Partnership Initiative funding.

For many months now, I have sat in on meetings in which town officials and residents have hosted robust discussions about their vision for Rockport Village. Living in a neighboring town for close to four decades, I have also attended countless events held in this historic spot – from summer concerts to holiday fireworks, to celebratory dinners to commemorative boat launchings – and have had the pleasure of seeing the whole town turn out to experience community in its historic center.

With a recently rebuilt library, several new businesses, and an increase in population, the town of Rockport is growing, and nowhere is this growth more apparent than in the village center. Along with this revitalization of the town's core comes an urgent need to improve pedestrian, bicycle and vehicular safety. This need is at the heart of the town's request for Village Partnership Initiative funding.

I have witnessed the work this community has undertaken to identify significant and serious safety challenges, and I fully support their vision and application. Please reach out to me should you have any questions.

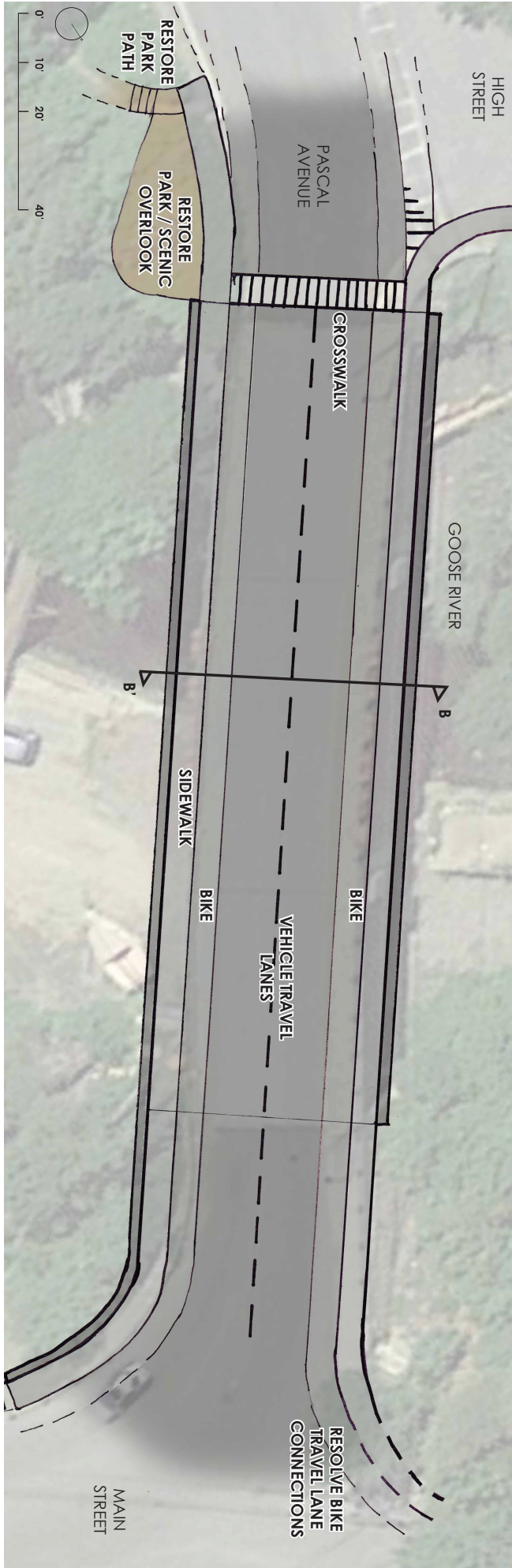
With my full support,

A handwritten signature in black ink that reads "Victoria W. Doudera". The signature is stylized, with the first letters of the first and last names being capitalized and prominent.

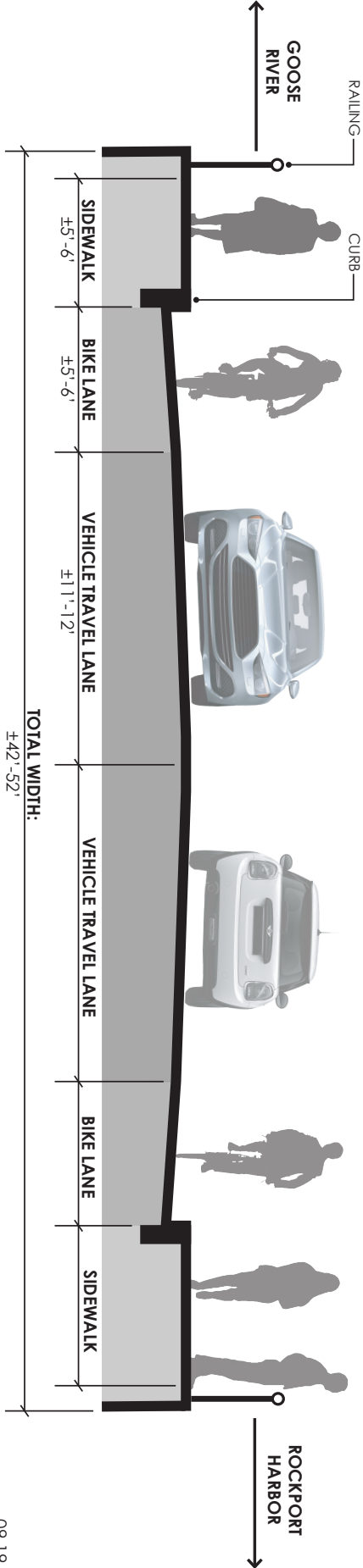
Victoria Doudera

GOOSE RIVER BRIDGE: SCHEMATIC

Goose River Bridge: Schematic



PLAN



09.19.2022

## Adjourn

*Suggested Motion:*

*I move the Board adjourn the meeting.*

NAME	MOTION	SECOND	ABSTAIN	YES	NO	Time
Michelle Hannan, Chair						
Mark Kelley, Vice-Chair						
Eric Boucher						
Jim Annis						
Denise Munger						