

## BATH PLANNING BOARD MINUTES

AUGUST 17, 1999

A meeting of the Bath Planning Board was called on 7-20-99 for the purpose of conducting regular business.

### **MEMBERS PRESENT**

Bob Oxton, Chair  
Jim Harper, Vice Chair  
Margy Lowe  
Paul Karass  
George Pollard, Associate Member  
David King, Associate Member

### **MEMBERS ABSENT**

Marjorie Hawkes

### **STAFF PRESENT**

Jim Upham, City Planner  
Marsha Hinton, Recording Secretary

Bob Oxton, Chair, called the meeting to order at 6:00 p.m.

### **MINUTES OF THE JULY 20, 1999, REGULAR MEETING**

Jim Harper stated that on the second page the sentence which reads "Jim Harper complemented the applicant on the wonderful job he has done in improvements to this site" should be deleted. He explained that while he did complement the applicant, he didn't want to leave the impression on the record that he was in support of this project because he was not.

There being no further discussion on the June 15, 1999, meeting minutes, Bob Oxton, Chair, asked for a motion.

**MARGY LOWE MADE A MOTION; SECONDED BY JIM HARPER TO APPROVE THE JULY 20, 1999 MEETING MINUTES AS AMENDED.**

**UNANIMOUS AGREE.**

Bob Oxton, Chair, named George Pollard as a full voting member for the purposes of this evening's Planning Board meeting.

Bob Oxton, Chair, welcomed and introduced the Planning Board's newest associate member, David King.

**Old Business:** No old business.

**New Business:**     **Request for Access Waiver** -- 938 Old Brunswick Road (Map 17, Lot 17-1); Nora Brewster, applicant.

Nora Brewster stated that she was seeking an access waiver to extend a road to

allow access into property that currently does not have such access. She added that the property is her grandfather's. She stated that the proposed access road is an existing wood road and could accommodate trucks so there would be no need for roadwork.

Jim Upham, City Planner, stated that it was his opinion that this application met all the necessary criteria for approval. He provided the Board with a brief history of this site. He read the approval criteria for access waivers. He said that he felt the Board needed to discuss how to insure that there be no further subdivisions on this property.

The Board held discussion on ways in which the limitation on further subdivisions could be documented.

There being no further discussion from the Board, Bob Oxton, Chair, asked for a motion.

**JIM HARPER MADE A MOTION, SECONDED BY MARGY LOWE, TO APPROVE THE REQUEST FOR ACCESS WAIVER FOR 938 OLD BRUNSWICK ROAD WITH THE CONDITIONS THAT:**

- 1. THE PARCEL BE DEEDED TO THE APPLICANT AND PROOF OF RECORDING OF THE DEED BE GIVEN TO THE PLANNING OFFICE;**
- 2. THAT THERE BE NO FURTHER SUB-DIVISION OF THIS PARCEL OF LAND AND CERTIFICATE OF THIS REQUIREMENT BE RECORDED AT THE REGISTRY OF DEEDS.**

**UNANIMOUS AGREE.**

**New Business: Subdivision Amendment --** Seekins Drive, S & S Developers, applicant.

David King stated that because of his involvement with this application prior to his appointment to the Planning Board, he needed to excuse himself from the Board's consideration of this application.

Jim Upham stated that Seekins Drive has never been accepted by the City Council as a public way. After the subdivision was approved the developer never completed the road drainage as required. This has now been completed. A few months ago the developers requested that the City Council take action to accept Seekins Drive as a public way. The Council asked the developers to have the edges of the right-of-way staked out so the Council could see where they would fall relative to the homes built on Seekins Drive. It was discovered that on the east side of the road a sixty foot wide right-of-way would make all of the homes non-conforming structures. It was suggested, therefor, that the subdivision be

amended to have a fifty foot wide right-of-way. The applicant is before the Board this evening to request a waiver to the sixty foot wide standard and to have the amended subdivision plan approved. He added that in his opinion this is an application which should be approved tonight and the plan signed.

Bob Oxton, Chair, opened the floor to members of the public who wished to comment.

Councilman Tibbetts stated that on the east side of the road there would be an 8-foot set back while on the west side of the road it would be larger.

Dave Weatherbee, 11 Seekins Road asked that the Board consider a further reduction to 40 feet so that he would not be as impacted as he would be with the proposed 50-foot reduction.

Seeing no further discussion from the public present, Bob Oxton, Chair, closed the public portion of the meeting.

The Board held discussion on location of utility poles, reduction of the right-of-way to 40 feet, reasons for delays with this project and impact on property owners.

There being no further discussion from the Board, Bob Oxton, Chair, asked for a motion.

**PAUL KARASS MADE A MOTION, SECONDED BY JIM HARPER, TO GRANT A WAIVER FROM THE SUBDIVISION ORDINANCE'S REQUIREMENT FROM A 60 FOOT RIGHT-OF-WAY TO A 50 FOOT WIDE RIGHT-OF-WAY FOR SEEKINS DRIVE AND TO APPROVE THE AMENDED SEEKINS DRIVE SUBDIVISION PLAN.**

**UNANIMOUS AGREE.**

**JIM HARPER MADE A MOTION, SECONDED BY GEORGE POLLARD, TO ADJOURN THE MEETING AT 6:35 P.M.**

**UNANIMOUS AGREE.**

Minutes prepared by Marsha Hinton, Recording Secretary