

BATH PLANNING BOARD MINUTES

SEPTEMBER 21, 1999

A meeting of the Bath Planning Board was called on 9-21-99 for the purpose of conducting regular business.

MEMBERS PRESENT

Bob Oxtan, Chair
Jim Harper, Vice Chair
Margy Lowe
Marjorie Hawkes
David King, Associate Member

MEMBERS ABSENT

Paul Karass
George Pollard, Associate Member

STAFF PRESENT

Jim Upham, City Planner
Marsha Hinton, Recording Secretary

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

Bob Oxtan, Chair, named David King as a full voting member for the purposes of this evening's Planning Board meeting.

MINUTES OF THE AUGUST 31, 1999, REGULAR MEETING

There being no discussion on the August 31, 1999, meeting minutes, Bob Oxtan, Chair, asked for a motion.

MARGY LOWE MADE A MOTION; SECONDED BY JIM HARPER TO APPROVE THE AUGUST 31, 1999 MEETING MINUTES AS READ.

UNANIMOUS AGREE.

Old Business: No old business.

New Business: **Public Hearing** -- Amendments to the Bath Comprehensive Plan.

Jim Upham, City Planner described the processes involved with taking the broad concepts outlined in the Comprehensive Plan and translating those into the refined ordinances of the Land Use Code. He explained that as part of the process of rewriting the Land Use Code, the zoning for some areas did not seem to fit. Meetings were conducted for residents of those areas to help the Board decide how to treat those in the Land Use Code. This is the final public hearing before the Board makes a recommendation to the City Council for adoptions of the proposed amendments. He briefly went through the proposed Amendment to the Bath Comprehensive Plan pointing out the different areas under discussion on a map of Bath.

Bob Oxtan, Chair, opened the floor to members of the public who wished to ask questions or comment.

Joseph Seigh, 1505 Washington Street, asked why the east side of Washington Street was being treated differently than the west side of Washington Street.

Jim Upham, City Planner, explained that the east side is residential water front because it is located along the river and there are different environmental considerations.

Tom Watson, 1565 Washington Street, asked what Medium Density Residential meant in terms of square footage.

Jim Upham, City Planner stated that minimum lot size was 12,000 square feet with sewer services and without sewer services is was 20,000 square feet.

Robert Pellegrini asked what the difference between Highway and Light Commercial Mixed Use. He said that he did not want to discourage such things as larger commercial uses such as a chain grocery store going in the Court Street area.

Jim Upham explained that highway use would include the types of business that we now see along Route One, such things as fast foods, gas stations and other similar uses. Light commercial mixed use would include apartments, retail, single family homes and other similar types of uses.

Chris Seigh, 1505 Washington Street, said she was concerned about adding more business whose entrances and exits are on Leeman Highway. She pointed out that the situation there is already hazardous and adding more traffic would only increase this already dangerous situation.

Jim Upham, City Planner, stated that there are a lot more performance standards that related to access, limitations on capacity, and deceleration lanes.

John Rothwell asked if there was a handout which shows the allowed uses in each of these zones. Mr. Rothwell expressed interest in learning more about Mixed Use Light Commercial zoning.

Jim Upham, City Planner, stated that there is one that is in a draft form, but that Mr. Rothwell would be welcome to have one and that Mr. Upham would provide him with one tomorrow if he wanted it. Mr. Upham explained what Mixed Use Light Commercial entailed.

Franklin Howe, 1561 Washington, asked what a home occupation was.

Jim Upham, City Planner, stated that it was someone who operated a business out of their home. He explained that there were three levels identified by the proposed Land Use Code. The first would be like a bookkeeper who kept the books for a business or a knitter who took their work to a pick up site instead of having customers come to their home. The second would be someone with limited customers like a architect. The third level would be a small staff of non-family employees.

There being no further comments from the public present, Bob Oxton, Chair closed the public portion of the meeting.

The Board held discussion on the proposed amendments.

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

DAVID KING MADE A MOTION, SECONDED BY MARGY LOWE, TO RECOMMEND THE PROPOSED AMENDMENT TO THE CITY OF BATH COMPREHENSIVE PLAN AS CORRECTED BY CHANGING THE WORDS "NEIGHBOR" TO "NEIGHBORHOOD" AND "PROPOSES" TO "PURPOSES" ON PAGE FOUR, THE THIRD PARAGRAPH, THE FIRST SENTENCE.

UNANIMOUS AGREE.

New Business: Site Plan Approval -- Construction of a parking lot at 70 Office Drive (Map 19, Lot 145); City of Bath Recreation Department, applicant.

Jack Hart, City Recreation Director, stated that he is before the Board to request site plan approval for a parking lot. He explained that the old dilapidated structures at the Community Center had been removed. This left an area that became used by parents as a parking lot. Mr. Hart stated that it was not his intention to use this area in this manner, but now that it is being used this way he need to comply with the code and make it legal. He described the plan and showed specific improvements including buffering and added that they planned to use reclaimed asphalt until they pave the lot. He pointed out that the Zoning Board of Appeals had granted approval with the condition that the lot be paved within two years.

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

Dan Plant, abutter, stated that the plan he was seeing tonight is not one that he has seen before or that the Zoning Board approved. He expressed concern that each board was approving a different plan. He added that he was not necessarily opposing this parking lot, he was just surprised that he had not seen

it before. He also asked for accommodations with regard to the placement of the fence to reduce the noise.

Jack Hart presented another plan which the Zoning Board of Appeals had approved and stated that this new plan was a "concept" plan that if they were able to raise the money they would construct. It included a community center building and two curb cuts instead of one.

Eileen McNeill, Noble Avenue, stated that that entrance has been there since 1942 and has been used as an entrance/exit since then.

The Board held discussion on these two different plans, the impact of approving something different than the Zoning Board of Appeals had approved, curb cuts, fencing which allowed visibility for exiting traffic, insuring that there are appropriate Yard Areas and conditions for approval.

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

DAVID KING MADE A MOTION, SECONDED BY JIM HARPER, TO GRANT APPROVAL OF THE SITE PLAN IN ACCORDANCE WITH THE SITE PLAN REVIEWED BY THE PLANNING BOARD THIS EVENING WITH THE FOLLOWING CONDITIONS:

1. **THAT THE STOCKADE FENCE BE REDUCED IN HEIGHT FROM 6 FOOT TO 3 FOOT FOR 20 FEET BACK FROM THE ROAD FOR VISIBILITY;**
2. **THAT THE FENCES BE SETBACK 5 FEET FROM THE PROPERTY LINE;**
3. **THAT THERE BE 10 FEET OF GRASS AREA IN FRONT OF THE PARKING LOT WITH SUITABLE CURBING;**
4. **THAT THE SINGLE ENTRANCE BE APPROVED FOR TWO YEARS AND AFTER THAT TIME THERE BE TWO ENTRANCES AS SHOW ON THE CONCEPT PLAN, AND;**
5. **THAT THERE BE 8 FOOT CEDARS ON THE EASTERN SIDE OF THE PARKING LOT AS SHOWN ON THE PLAN.**

UNANIMOUS AGREE.

There being no further business before the Board, Box Oxton, Chair, asked for a motion to adjourn.

**JIM HARPER MADE A MOTION, SECONDED BY MARJORIE HAWKES, TO
ADJOURN THE MEETING AT 7:55 P.M.**

UNANIMOUS AGREE.

Minutes prepared by Marsha Hinton, Recording Secretary