

## BATH PLANNING BOARD MINUTES

DECEMBER 7, 1999  
**As approved December 14,  
1999**

A meeting of the Bath Planning Board was called on 12-7-99 for the purpose of conducting regular business.

### **MEMBERS PRESENT**

Bob Oxtan, Chair  
Jim Harper, Vice Chair  
Margy Lowe  
Paul Karass  
George Pollard, Associate Member

### **MEMBERS ABSENT**

Marjorie Hawkes  
David King, 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, appointed George Pollard as a full voting member for purposes of this meeting.

### **MINUTES OF THE NOVEMBER 16 AND NOVEMBER 23, 1999, REGULAR MEETINGS**

There being no discussion on the November 16 and November 23, 1999, meeting minutes, Bob Oxtan, Chair, asked for a motion.

**PAUL KARASS MADE A MOTION; SECONDED BY JIM HARPER TO APPROVE THE NOVEMBER 16 AND NOVEMBER 23, 1999 MEETING MINUTES AS SUBMITTED.**

**UNANIMOUS AGREE.**

**Old Business:** No old business.

**New Business:** **Site Plan Review** – Leaps & Bounds Preschool, 3 Dike's Landing Road (Map 20, Lot 123-2); Kathy Henrickson, applicant.

Kathy Henrickson, applicant, stated that she was hoping to open a preschool which would be in operation in the mornings during school hours or approximately 8:30 a.m. to 11:30 p.m. and two afternoons a week until 2:30 p.m. The school would operate on the Bath school's calendar. She stated that she has a bachelor's degree in early childhood education up to 3<sup>rd</sup> grade. The plans are for about 18 to 20 children. There are plans to transport children to the school from daycare facilities in a privately owned minivan. She has with her the exterior light fixture to show to the Board for their approval. She also stated that

the structure would not be utilized as a residence. However, it could easily be converted into a handicapped accessible single family dwelling at a later time. There will be a 20-foot by 30-foot driveway for use by the parents to drop off and pick up students. She is also proposing a sign that will be 2 feet by 3 feet.

Jim Upham, City Planner, stated that this was a conditional use for this zone and would be before the Zoning Board later this month. He pointed out an amended site plan that addresses an issue with drainage. The Public Works Director has reviewed the drainage issues and the new plan and believes that the proposed treatment would improve the drainage not only to this property but abutting properties. The Police Department and the Fire Department as well as Public Works have reviewed this plan and recommend it for approval.

Discussion was held by the Board on notification of abutters, conversion to a single family dwelling, making approval of the Zoning Board a condition of Planning Board approval, the proposed building schedule, exterior lighting and parking.

There being no further discussion from the Board, Bob Oxton, Chair, opened the meeting to members of the public who wished to comment or ask questions.

Sharon Sunberry and Mary Hammond asked that the term "conditional use" be explained.

Jim Upham, City Planner stated that the City of Bath ordinance for each zone provides for permitted uses and conditional uses. Conditional uses need to come before the Zoning Appeals Board for review to determine whether the use meets the approval criteria and is appropriate to that zone. The Planning Board as a body has no authority to rule on that.

Sharon Sunberry stated that Ms. Hammond and herself own the property beside the lot that is the subject of tonight's review. She has spent approximately \$1,200.00 to correct problems that are caused by a severe drainage problem. They are concerned as their number one issue that any construction will only increase the drainage problem. Ms. Sunberry also stated that the parking for drop off and pick up is a concern. They did not feel that the size of the driveway was sufficient for this need and felt that their driveway as well as others along the street would be blocked by people utilizing the preschool. Ms. Hammond wanted to point out the inappropriateness of using the Bath Housing turn around as a public street.

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

Jim Harper stated that two civil engineers have reviewed this plan and found it to be an improvement to the existing drainage problem. He added that as an

engineer, he also felt that this plan would resolve much of the drainage problem. He said that he understands the concerns of the abutters, but that this drainage plan would be an improvement for their property as well. He also stated that the parking is adequate and even goes beyond what is required by the Land Use Code. He has been on Dike's Landing Road to examine this property and agrees that the natural tendency is to use the turn around at Bath Housing to reverse direction. He asked the applicant if she would be willing to have a newsletter or other method of informing parents of parking requirements.

Kathy Henrickson stated that she would have a handbook and as part of the application the parents would have to sign a form stating that they understand the drop off and pick up requirements, the hours of operation and other appropriate rules.

Bob Oxton, Chair, stated that the types of exterior lighting required by the board for commercial buildings were lighting fixtures which were shielded to prevent light spillage to abutting properties.

Kathy Henrickson stated that she would be able to get exterior light fixtures that were shielded.

Sharon Sunberry stated that she had worked in social services for 29 years and did not have any issues with a preschool or children at the proposed location. However, she was seeking to protect her property and assure that she was not inconvenienced in anyway.

Margy Lowe stated that she felt the parking issues would resolve themselves and that the size of the parking lot more than met the Land Use Code requirements.

The Board held discussion on the effectiveness of the draining system to be used, the traffic flow for Dike's Landing Road and how snow removal impacted the drainage issue.

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

**JIM HARPER MADE A MOTION, SECONDED BY PAUL KARASS TO APPROVE THE SITE PLAN OF LEAPS & BOUNDS PRE SCHOOL, 3 DIKE'S LANDING ROAD (MAP 20, LOT 123-2) WITH THE UNDERSTANDING THAT THE APPROVAL CRITERIA OF THE LAND USE CODE HAS BEEN MET AND CONDITIONED UPON THE PLAN BEING AMENDED TO CONTAIN AN ADDITIONAL DRAINAGE PLAN; THE ZONING BOARD OF APPEALS GRANTING A CONDITIONAL USE PERMIT; AND THE USE OF CUTOFF LIGHTING TO AVOID LIGHT SPILLAGE ON ABUTTING PROPERTIES.**

**UNANIMOUS APPROVAL.**

**Other Business:** No other business.

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

**PAUL KARASS MADE A MOTION, SECONDED BY JIM HARPER, TO  
ADJOURN THE MEETING AT 6:45 P.M.**

**UNANIMOUS AGREE.**

Minutes prepared by Marsha Hinton, Recording Secretary