

A regular meeting of the Bath Planning Board was called on 2-1-00 for the purpose of conducting regular business.

MEMBERS PRESENT

Margy Lowe
Paul Karass
George Pollard, Associate Member
David King, Associate Member

MEMBERS ABSENT

Bob Oxtan, Chair
Jim Harper, Vice Chair
Marjorie Hawkes

STAFF PRESENT

Jim Upham, City Planner
Marsha Hinton, Recording Secretary

Margy Lowe, Acting Chair, called the meeting to order at 6:15 p.m.

Margy Lowe, Acting Chair, appointed George Pollard and David King as a full-voting members for purposes of this meeting.

MINUTES OF THE JANUARY 4, 2000 AND JANUARY 18, 2000, REGULAR MEETINGS

There being no discussion on the January 4, 2000 meeting minutes, Margy Lowe, Acting Chair asked for a motion.

PAUL KARASS MADE A MOTION; SECONDED BY GEORGE POLLARD TO APPROVE THE JANUARY 4, 2000 MEETING MINUTES AS SUBMITTED.

UNANIMOUS AGREE.

There being no discussion on the January 18, 2000, meeting minutes, Margy Lowe, Acting Chair, asked for a motion.

DAVID KING MADE A MOTION; SECONDED BY PAUL KARASS TO APPROVE THE JANUARY 18, 2000 MEETING MINUTES AS SUBMITTED.

UNANIMOUS AGREE.

Old Business: No old business.

New Business: Public Hearing on Proposed Land Use Code

Jim Upham, City Planner, explained that as part of the process of development of a new land use code, several informal meetings have been held to gather input

from the community on the proposed land use code. Tonight was a more formal public meeting. While all comments from the public will be gladly accepted, he stated that there is a memorandum before the Board which outlines some of the more common concerns and statements. He read through the January 31, 2000 memorandum (attached hereto and made a part hereof) specifically pointing out the set backs (number one of the memorandum) and home occupation issues (number 6 of the memorandum). He pointed out that the memorandum could be discussed by the Board after the public portion of the meeting had been closed.

Margy Lowe, Acting Chair, opened the floor for comments from the members of the public present.

William Truesdell, 165 Whiskeag Road, read comments on the proposed land use code as they relate to the Zoning Board of Appeals and set backs as it relates to the Waterfront Setback (attached hereto and made a part hereof).

Ann Hammond, 1 Grove Street, representing the Lower Kennebec Valley Land Trust. She wished to address the treatment of Trufaunt Marsh. It was her desire that the marsh continue to be protected as it is now. She pointed out the study commissioned by Bath Iron Works. She discussed how the river, lakes and marshes of the Kennebec River benefit not just the wild life and fish it supports, but the residents of the City of Bath both as an ecosystem and as a economic benefit.

Bill Myer, Upper Washington Street, asked if there was a drawing showing the change from the existing set back requirements to the proposed setback requirements.

Jim Upham, explained that there was no drawing showing this change, but that the maps on display combined with Article 8 would explain any setback changes. He added that the R1, R3, Water Front Residential District, Downtown Commercial District, Marine Business District and the Industrial District would have no change from the current code. The R2 zone need to be reexamined because as it is currently proposed, many building in that area would have a non-conforming setback. The Water Front Activity District has setback, space and bulk requirement like the R1 zone, but allowing water dependant activities. The C2 zone is a mixed residential and commercial with a greatly increased set back with the option for a request for reduction. The C3 zone is a new zone with very different requirements and composes the Wing Farm development allowing a setback reduction to 20 feet if approved by the Planning Board. The C4 zone is Route 1 and allows contract zoning which would allow some reduction in setback if there is a benefit to the public also gained in some way, such as landscaping or reduction in curb cuts.

Patrick Snyder, Ridge Road, asked if the setback reduction plan included landscaping.

Jim Upham stated that a landscaping plan would be a part of the approval process for a request for reduction in setback.

Patrick Snyder asked if a fence would be acceptable.

Jim Upham said that a fence is acceptable, but it is recommended by the Board that a fence be located so that it could be maintained and painted without impinging on the neighboring property.

Patrick Snyder asked if these changes to the land use code were something that the Planning Board would be voting on this evening.

Jim Upham, City Planner, explained the process for adoption of a new land use code. He stated that the public would have the opportunity to hear what the Planning Board recommended to the City Counsel before it was finalized.

There being no further comment from the members of the public present, Margy Lowe, Acting Chair, closed the public portion of the meeting.

Paul Karass stated that he would like to discuss the comments on the home occupations in the City Planners January 31, 2000 memorandum. Specifically he stated that he believed that a person who has a home in a residential area should not be subjected to noise. He said that he felt strongly that instead of limits on noise there should be no noise allowed.

David King said that care needed to be taken in defining "noise" and suggested that it should be no noise other than that commonly found in residential areas.

The Board held discussion on home occupation noise in residential areas.

Jim Upham, City Planner, stated that he would draft language for review by the Board on home occupation noise in residential areas.

The Board held discussion on whether it would be more useful to wait until all members could be present to continue discussion on changes to the proposed land use code.

Margy Lowe, Acting Chair, polled the members of the Board and it was decided to table discussion until the next meeting.

New Business: Election of Officers

Margy Lowe, Acting Chair, polled the members of the Board and it was decided to table election of officers until the next meeting.

City of Bath Planning Board Meeting Minutes
February 1, 2000

As approved February 15, 2000

There being no further discussion, Margy Lowe, Acting Chair, asked for a motion.

**GEORGE POLLARD MADE A MOTION, SECONDED BY PAUL KARASS, TO
ADJOURN THE MEETING AT 7:15 P.M.**

UNANIMOUS AGREE.

Minutes prepared by Marsha Hinton, Recording Secretary