

A regular meeting of the Bath Planning Board was called on 4-4-00 for the purpose of conducting regular business.

MEMBERS PRESENT

Bob Oxton, Chair
Jim Harper, Vice Chair
Margy Lowe, Secretary
Paul Karass
Marjorie Hawkes
David King, Associate Member

MEMBERS ABSENT

George Pollard, Associate Member

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 MARCH 21, 2000 REGULAR MEETING

There being no discussion on the March 21, 2000 meeting minutes, Bob Oxton, Chair asked for a motion.

PAUL KARASS MADE A MOTION; SECONDED BY MARGY LOWE TO APPROVE THE MARCH 21, 2000 MEETING MINUTES AS SUBMITTED.

UNANIMOUS AGREE.

Old Business: **Site Plan Review** – Addition to Bath Middle School located at Old Brunswick Road, (Map 22, Lot 17); Bath School Department, Applicant. Tabled from March 21, 2000 meeting.

David Wallace for the Bath School Department stated that they were before the Board seeking its input. He said that the plan for the Middle School was not yet ready for formal review by the Board because the negotiations with the Army National Guard over leasing land for the parking lot was still ongoing. He outlined the two different plans they had for parking areas both if the school would come to an agreement with the National Guard and if no agreement could be reached between the parties. He also discussed the traffic flow from Old Brunswick Road as well as Congress Avenue, the exterior appearance of the building, pedestrian traffic patterns, landscaping, construction materials, lighting, drainage and color schemes for the site.

Rob Frank with WBRC, consultant for the School Department, described in detail the proposed design and changes to the existing structures. He highlighted safety improvements and improvements to classrooms and common areas. He

pointed out changes made to enhance the super buffer between one of the parking lots and Old Brunswick Road.

Jim Upham, City Planner, stated that City staff have reviewed the plan and except for the current difficulties in negotiations with the Army National Guard have recommended the plan. He added that the changes to the planting in the super buffer were made upon recommendation by the Forestry Committee.

The Board held discussion on traffic flow patterns, bus drop off and pick up, parent/visitor parking, lighting, materials used in the curbing, changes to the landscaping, and possible ways to assist with the negotiations with the Army National Guard. The Board felt that the parking area located on Armory property is important to the project. They also discussed allowing two-way traffic on the roadway by the former salt shed location.

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 TABLE THE APPLICATION OF BATH SCHOOL DEPARTMENT FOR AN ADDITION TO BATH MIDDLE SCHOOL LOCATED AT OLD BRUNSWICK ROAD FOR AN INDEFINITE PERIOD OF TIME.

UNANIMOUS AGREE.

New Business: **Site Plan Review** – Dental Clinic construction located at Congress Avenue, (Map 24, Lot 8); Catholic Charities, Maine, Applicant.

Jim Upham, City Planner stated that the site being given to Catholic Charities, Maine, in exchange for complete City use of the train station. He told the Board that the sewer line to which the Clinic building would connect is a private line. The owner of the line (John G. Morse & Sons) will permit a connection to the line, but expects either the City to take over the line or that some sort of sharing of maintenance costs would be agreed to.

Bill Nemmers for Catholic Charities outlined the need to update the Dental Clinic in Bath in order to improve delivery of services. He described the process of how the decision to vacate the train station in exchange for land came about. He described the studies on the wetlands and the impact this structure would have on those wetlands, the discussion over whether the sewer will remain private or become the responsibility of the City of Bath, uses of the building, landscaping recommendations by the Forestry Committee, proposed lot lines which should be 20 feet from the Cancer Center's parking lot and 10 feet from the Dental Clinic's, the super buffer, the access easement for the Cancer Center and lighting. He said that they would need a permit from DEP to impact the wetland, but since it

was not a part of the creek DEP saw no difficulty giving the permit. He added that the building would conform in appearance to that of its neighbor the cancer treatment center. He stated that they might put an office of the Catholic Charities, not a part of the Dental Clinic, in the basement.

Jim Harper stated that he was uncomfortable with the fact that public property is being given away without having property lines delineated, a proposed second use that was presently unknown, undefined easement issues with the Cancer Treatment Center and the sewer issue not being resolved.

The Board held discussion on the uses which would be appropriate for this application, the unresolved sewer situation, easements, protection of wetlands, parking lot size and configuration, and type and location of trees in the super buffer.

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

PAUL KARASS MADE A MOTION, SECONDED BY MARJORIE HAWKES, TO APPROVE THE APPLICATION OF CATHOLIC CHARITIES, MAINE, FOR THE CONSTRUCTION OF A DENTAL CLINIC LOCATED AT CONGRESS AVENUE, INCLUDING THE SUPER BUFFER AS DESCRIBED IN THE SITE PLAN, WITH THE FOLLOWING CONDITIONS:

1. **DELINATION OF THE LOT LINE BEING 20 FEET FROM THE CANCER CENTER'S PARKING LOT.**
2. **FINALIZATION OF THE LAND TRANSFER AGREEMENT WITH THE CITY OF BATH.**
3. **ACCESS EASEMENT WITH THE CANCER TREATMENT CENTER BEING FINALIZED.**
4. **THE ISSUE OF THE SEWER LINE EITHER BEING TAKEN OVER BY THE CITY OR AN AGREEMENT FOR SHARED COST OF MAINTENANCE BEING FINALIZED.**

UNANIMOUS AGREE.

New Business: **Request for One Year Extension of Required Parking Lot Improvements** – Property bordered by Front, Oak, Commercial and Summer Streets (Map 26, Lots 260, 262, 263, 269 & 270); Sagadahock Real Estate Association and the Estate of John G. Morse, Jr., Applicants.

Roy Ordway stated he was before the Board to request an extension on the

parking lot improvements. He explained that Ocean Properties, who has asked for a three-month extension on their lease, intends to construct a hotel on the site and to landscape and pave the parking lot now would be unnecessary.

The Board asked that the present agreement for maintaining the lot be continued.

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 APPLICATION OF SAGADAHOCK REAL ESTATE ASSOCIATION AND THE ESTATE OF JOHN G. MORSE, JR., FOR A ONE YEAR EXTENSION OF REQUIRED PARKING LOT IMPROVEMENTS ON PROPERTY BORDERED BY FRONT, OAK, COMMERCIAL AND SUMMER STREETS IN ACCORDANCE WITH THE CRITERIA AS APPROVED PREVIOUSLY IN THE TWO YEAR REQUEST FOR EXTENSION.

UNANIMOUS AGREE.

Other Business: Site Plan Review Process for the Jessie Albert Dental Clinic

The Planning Board expressed dismay over the fact that such a worthy project as the Dental Clinic was presented to the Board in such an incomplete manner. They stated that there was significant concern over the apparent disregard by the City for the review process as set forth in the Land Use Code, and with regard to the transfer of public lands and had a great deal of trouble over the City Council conveying public lands without defining what was being conveyed. The Board wished to stress that the desire to accommodate applicants, whether due to time restraints or other factors, should not outweigh the need to comply with the approval process.

JIM HARPER MADE A MOTION, SECONDED BY MARJORIE HAWKES, TO ADJOURN THE MEETING AT 8:15 P.M.

UNANIMOUS AGREE.

Minutes prepared by Marsha Hinton, Recording Secretary