

A regular meeting of the Bath Planning Board postponed from 3-6-01 due to a storm was rescheduled for 3-13-01 for the purpose of conducting regular business.

MEMBERS PRESENT

Bob Oxtan, Chair
Jim Harper, Vice Chair
Marjorie Hawkes
Paul Karass
David King
George Pollard

STAFF PRESENT

Jim Upham, Planning Director
Mary Jane Sullivan, Recording Secretary

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

MINUTES OF THE FEBRUARY 6, 2001 REGULAR MEETING

JIM HARPER MADE A MOTION, SECONDED BY PAUL KARASS, TO APPROVE THE MINUTES OF THE FEBRUARY 6, 2001, MEETING AS WRITTEN.

UNANIMOUS APPROVAL

Old Business: None

New Business:

Public Hearing – Proposed amendments to the Land Use Code and the Zoning Map.

Jim Upham explained the proposed amendments to the Zoning Ordinance by explaining the existing and proposed zoning maps. Most of the changes were requested by the Department of Environmental Protection in response to reviewing the City Council-adopted land use code of July 19, 2000. The Shore Land Zone boundary (250 feet upland from the highwater line and 75 feet from certain freshwater wetlands) was added to the map, drafting errors were corrected, and the R6 Zone was added. The R6 zone, he said, is the area east of Washington Street, south of the South End Boat Launch.

Some discussion followed. Then Bob Oxtan opened it to the public for comment. There was none at this time, and Bob Oxtan, Chair, closed the public discussion on the Zoning Map.

There was some discussion about taking the entire package of amendments to the City Council. Jim Upham said the city attorney recommend the Planning Board go to the City Council with a workshop before going to them with the full package. David King

said that if we had a workshop, and there were certain changes, another public hearing might be required.

At this point Bob Oxton, Chair, recognized David and Peter Flaherty who had questions regarding Section 10.26 - Access to Back Lots. New back lot development is permissible, but only in the R3 Zone. Access drives to existing back lots must be passable by emergency vehicles. Jim Upham stated that once there are a certain number of homes, the access road needs to be built so that it could be a public street. Eventually the people on the access drive will ask for it to become a public street. This is happening now in West Chops Point.

Jim Harper said that the focus in the R1 zone is to not increase the density and Bob Oxton agreed. Marjorie Hawkes said that the R2 zoned areas in the South End are not all alike. The area on public sewer are different from the areas not on public sewer. The R2 zone states that a lot not on public sewer must be 60,000 sq. ft. David King stated that changing some R2 to R3 was far beyond tonight's issue.

Jim Upham reminded the Board that the R2 zone is a growth area. It is set up so developers with land in the R2 zone can have a higher number of lots if the developer runs a sewer line. A growth zone should have public streets. George Pollard said we didn't want to get into situations where we have houses where fire trucks and ambulances can't get to.

Bob Oxton recognized, Rhonda Frothingham, real estate agent for Marion Oliver who has property frontage on High St. with backland that goes to Fairview Lane. She said that she is trying to determine how Mrs. Oliver can sell a lot to raise money so she can stay in her home.

Bill Furber who owns land in North Bath said he is generally in favor of the proposal.

Jim Upham told the Board of instances where a city has had to use urban renewal funds to eliminate a rural slum because it had developed with inadequate infrastructure. He said he doesn't want to see it happen here.

Marjorie Hawkes asked how wide does a road need to be to meet city standards. Jim Upham said he is working with Peter Owen on this and will bring it back to the Board. Article 13 requires 24 feet of pavement with 60 feet for the right-of-way. This may be way beyond what is really needed for a small street in Bath. Marjorie Hawkes favored looking at a secondary road standard. Counselor Gordon Reed said a changed road standard could change the footprint of the land. Peter Flaherty said Article 10 and Article 13 standards are too stringent. He would like to come back and figure out how to develop property appropriately.

There was no more substantive comments or discussion about the proposed Code changes.

DAVID KING MADE A MOTION THAT THE PLANNING BOARD RECOMMEND THE CHANGES TO THE CITY COUNCIL WITH THE AMENDMENT TO ARTICLE 10.26 TO READ:

“IF AN ADDITIONAL LOT IS CREATED FROM EITHER OF THE LOTS EXISTING AFTER THE FIRST DIVISION, THE ACCESS DRIVE MUST MEET THE STREET STANDARDS OF ARTICLE 13.

D. IN ALL DISTRICTS OTHER THAN THE R3 DISTRICT, LOTS THAT ARE CREATED AFTER JULY 19, 2000, MUST HAVE FRONTAGE, WHICH IS EQUAL TO THE LOT WIDTH REQUIREMENT OF THE DISTRICT, ON A STREET.”

PAUL KARASS SECONDED THE MOTION, WHICH CARRIED UNANIMOUSLY.

Jim Upham said he had one more thing to bring up. The City is about to embark on a project that will look at the “public realm” of the area south of Route 1, north of Pine Street, west of Washington Street, east of High Street. The public realm is the street, curbing, sidewalks, street trees, overhead wires, and so forth. He said he would like a couple Planning Board members to volunteer to be part of a Steering Committee, which will meet 3 to 5 times during a six-month period. The first meeting will probably be in two weeks. Jim Harper will come to the first meeting, but can’t promise beyond that. George Pollard will be the second volunteer.

JIM HARPER MADE THE MOTION TO ADJOURN, SECONDED BY MARJORIE HAWKES.

UNANIMOUS APPROVAL.

Submitted by Mary Jane Sullivan, Recording Secretary