

BATH PLANNING BOARD MINUTES

MAY 22, 2001

A regular meeting of the Bath Planning Board was called on 5-22-01 for the purpose of conducting regular business.

MEMBERS PRESENT

Bob Oxtan, Chair
Jim Harper, Vice Chair
Marjorie Hawkes
George Pollard
Robin Haynes

MEMBERS ABSENT

David King
Paul Karass

STAFF PRESENT

Jim Upham, Planning Director

Bob Oxtan, Chair, called the meeting to order in the third floor Council Chambers at 6:00 p.m.

MINUTES OF THE APRIL 3, 2001, MEETING

JIM HARPER MADE A MOTION, SECONDED BY ROBIN HAYNES, TO APPROVE THE MINUTES OF THE APRIL 3, 2001, MEETING AS WRITTEN.

UNANIMOUS APPROVAL.

Old Business None

New Business

Request for Site Plan Approval – Construction of a bus garage; 12 Lenfest Lane (Map 17, Lot 6); Open Bible Baptist Church, Applicant.

JIM HARPER MADE A MOTION, SECONDED BY GEORGE POLLARD, THAT THE APPLICATION BE DEEMED COMPLETE.

UNANIMOUS APPROVAL.

Ken Lamoreaux, Director of Permitting for Sheridan Corporation, representing the applicant, told the Board that the Open Bible Baptist Church was requesting Site Plan Approval to construct a 60' x 40', 18' tall garage to house their buses which are presently stored on site. He told the Board that the original plan was to have an unheated garage, but now they are planning to heat the garage. He also told the Board that while no routine maintenance would be taking place in the garage, emergency maintenance such as changing a flat tire would take place inside. All oil changing is done off site.

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Bob Oxton, Chair, opened the meeting to the public. There being no public wishing to speak on this agenda item, he then closed the public portion.

Robin Haynes asked Mr. Lamoreaux how they were proposing to heat the garage.

Mr. Lamoreaux said that there would be a propane-fired heater and that there was an existing propane tank beside the existing gymnasium.

Robin Haynes said that while the white pine buffer on the east side of the garage will do a good job buffering from that side, she suggested that a buffer on the north and west side would also be appropriate.

Jim Upham, Planning Director, said that he had asked the applicant to show the white pine buffer on the east side and should have asked for the buffer on the north and west sides as well.

Mr. Lamoreaux said that the applicant could plant two more pines on the north side of the garage and four more on the west side.

Jim Upham, Planning Director, pointed out that he had reviewed the application to determine if it meets the applicable standards in Article 10. He said that according to the checklist, contained in the Planning Board packets, all applicable standards were met by this application.

JIM HARPER MADE THE MOTION TO APPROVE THE SITE PLAN FOR THE CONSTRUCTION OF A BUS GARAGE AT 12 LENFEST LANE, OPEN BIBLE BAPTIST CHURCH, APPLICANT, WITH THE CONDITION THAT TWO EVERGREENS BE PLANTED ON THE NORTH SIDE OF THE GARAGE AND FOUR EVERGREENS PLANTED ON THE WEST SIDE OF THE GARAGE; AND THAT WITH THESE CONDITIONS THE PLAN MEETS THE REQUIREMENTS OF ARTICLE 10. MARJORIE HAWKES SECONDED THE MOTION.

UNANIMOUS APPROVAL.

Request for Site Plan Approval – Construction of a parking lot at the Thorne Head Preserve; Thorne's Head (Map 12, Lot 3); Lower Kennebec Regional Land Trust, Applicant.

Jim Upham, Planning Director, told the Board that he believed the application was complete if a waiver was granted for the required soil survey and topographic survey.

JIM HARPER MADE A MOTION TO WAIVE THE REQUIREMENT FOR A SOIL

SURVEY AND A TOPOGRAPHIC SURVEY AND THAT WITH THESE WAIVERS THE APPLICATION IS COMPLETE. THE MOTION WAS SECONDED BY ROBIN HAYNES.

UNANIMOUS APPROVAL.

Tom Barrington, representing the Lower Kennebec Regional Land Trust, introduced Phil DeLeon, their consultant on this project.

Mr. DeLeon explained that the Lower Kennebec Regional Land Trust was asking permission to construct a parking lot at the Thorne Head Preserve. The parking lot would allow parking for 5 cars and a school bus or for 11 cars. He explained that the parking lot would not be lighted and that they were asking that it not be paved. Parking will be in as natural a setting as possible. Buffering will be done by existing natural vegetation which will be maintained. The parking lot would only be used from dawn to dusk.

Bob Oxton, Chair, opened the meeting up for public comment.

Eric Sterling, 616 High Street, spoke in favor of the application. He said that he was very supportive of the Thorne Head Preserve and that he felt parking was needed. He told the Board that without a parking lot when he used Thorne Head he felt unwelcomed because he had to park in the street.

Cathy Patterson, 1620 High Street, neighbor to the Thorne Head Preserve, suggested that a parking lot for only 5 cars would not be adequate. She said that on an average day's use there are 5 to 6 cars in her yard.

There were no other public comments and Bob Oxton, Chair, closed the public portion of this agenda item.

Jim Upham, Planning Director, said that there is a difficult balance between keeping the site as natural as possible and providing enough parking.

Mr. DeLeon said that the Land Trust was trying to keep the site as natural as possible. Plus, creating a large parking lot was also a budgetary issue.

Tom Barrington said that if the parking lot is not large enough the Land Trust will consider expanding it.

Robin Haynes asked whether using the bus parking for cars would allow for 11 spaces as Mr. DeLeon has suggested or only 9 as indicated in his memorandum.

Mr. DeLeon said that using the bus turnaround slot that probably 11 cars could be parked.

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Robin Haynes asked if the parking lot would be plowed in the winter time.

Mr. DeLeon indicated that it would not be plowed.

Mr. DeLeon was asked to explain how stormwater would flow off the parking lot.

He said that it would flow from right to left as one looks at the plan (east to west). The woods to the left of the parking lot would act as a filter for any oil from the site before the water gets to a small stream to the west of the parking lot. He indicated that the Land Trust hopes to build the parking lot in early fall.

Jim Upham, Planning Director, asked if the Thorne Head Preserve would be open for hunting in the fall.

The applicant indicated that hunting would be allowed.

Jim Upham, Planning Director, told the Board that the checklist in their packet indicated that all of the required items of Article 10 with the exception of Section 10.06, B, 3 (requirement for paving) had been met by this application. He said that leaving the parking lot gravel is more appropriate than paving it and he would recommend a waiver of Section 10.06, B, 3.

Jim Harper asked what would be used for a gate for the parking lot.

Mr. DeLeon said that the existing stone posts would stay and that they had not decided the exact type of fence that would be used. He did indicate that rocks would be located along an existing path north of the parking lot so vehicles could not access the hiking trails and a gate along the other trail so only a maintenance vehicle could access the site. He also said that 3 existing wells on the site would be filled for safety purposes.

JIM HARPER MADE THE MOTION TO APPROVE THE SITE PLAN FOR CONSTRUCTION OF A PARKING LOT AT THE THORNE HEAD PRESERVE, LOWER KENNEBEC REGIONAL LAND TRUST, APPLICANT; AND THAT THE PLANNING BOARD FINDS, THAT DUE TO SPECIAL CIRCUMSTANCES, MEETING THE STANDARD OF SECTION 10.06, B, 3 IS NOT REQUIRED IN THE INTEREST OF PUBLIC HEALTH, SAFETY AND THE GENERAL WELFARE AND THAT ALL OF THE OTHER APPLICABLE STANDARDS OF ARTICLE 10 HAVE BEEN MET. THE MOTION WAS SECONDED BY MARJORIE HAWKES.

UNANIMOUS APPROVAL.

Planning Board Review – Community Development Block Grant Projects.

1. Public Facilities Grant - \$42,000 grant for a playground at Hyde Park Neighborhood.

Jim Upham, Planning Director, explained that one of the Community Development Block Grant (CDBG) requirements was for the Planning Board to review CDBG projects to determine if they are compatible with the City's Comprehensive Plan.

Al Smith, Community Development Director, explained that the City had been offered a \$42,000 grant to construct a playground at Hyde Park. He said that the Community Development office and the Recreation Department had been working with the Hyde Park Community Council and the City's Community Policing Program. The Hyde Park Community Council had indicated that a playground was a very high priority for the neighborhood.

Mr. Smith told the Board that Wilbur Smith Associates had been hired to prepare a site plan and that this plan would be presented to the Planning Board at a later date.

The Board was told that the playground area would be approximately 150 feet by 80 feet in size and that the grant was for equipment not for parking or site preparation.

JIM HARPER MADE THE MOTION THAT SECTION 10.3 OF THE COMPREHENSIVE PLAN INDICATES AN UNFAVORABLE RATIO OF RECREATION FACILITIES AND THAT THIS PROJECT WOULD HELP REDUCE THIS, THEREFORE, THE PROJECT IS CONSISTENT WITH THE COMPREHENSIVE PLAN. THE MOTION WAS SECONDED BY GEORGE POLLARD.

UNANIMOUS APPROVAL.

2. Housing Assistance Grant - \$200,000 grant to implement Housing Assessment Plan.

Al Smith explained to the Board that the City received a \$200,000 Housing Assistance Grant and that with money from existing revolving loan fund there might be \$300,000. The strategies were to encourage home ownership, upgrade buildings, acquire and demolish buildings if appropriate, and employ concentrated code enforcement in target neighborhoods.

He said that since August of 1998 the City had helped to improve close to 100 properties.

George Pollard said that he was very pleased with the program, which has helped to improve neighborhoods.

Marjorie Hawkes asked if there was an element of self help required by the property owners.

Al Smith indicated that this was strongly encouraged.

Jim Harper asked if something was done to address long term maintenance of properties by land owners.

Al Smith told the Board that first time homebuyers were required to attend home ownership courses, which were conducted, by Coastal Enterprises, Inc., Bath Housing Development Corp., and/or Coastal Economic Development.

JIM HARPER MADE THE MOTION THAT THIS PROJECT COMPLIES WITH THE COMPREHENSIVE PLAN GOAL OF REDUCING DENSITIES. THE MOTION WAS SECONDED BY MARJORIE HAWKES.

UNANIMOUS APPROVAL.

Planning Board Discussion – Discussion of zone change or Land Use Code text change – schools in C3 zone.

Jim Upham, Planning Director, explained that the back (west) portion of the Hyde School property is in the C3 zone. The Front, main portion is in the R1 zone. The use, Public or Private Elementary or Secondary School is a permitted use in the R1 zone, but not in the C3 zone. Hyde School would like to expand into the C3 portion of their property to have a garden or small farm as a teaching program.

Eric Sterling, teacher at Hyde School, explained the small farm-teaching concept to the Planning Board. He said that this would be a hands-on teaching program for Hyde School students. He said that he had discovered a site that appeared to have been a garden in the past. It is a small plot of land southwest of the soccer field and is partially grown up by pasture-pine and scrub growth.

Jim Upham, Planning Director, suggested that if the Board believes this activity is appropriate there are 2 ways to amend the Land Use Code so that it would allowed. Either the text of the Code could be amended to allow Public or Private Elementary or Secondary Schools as a permitted use in the C3 zone or the C3-R1 zoning boundary could be moved.

Mr. Sterling indicated that the Hyde School has no interest in commercial-type development of the west portion of their land. The west portion presently is where athletic fields and cross-country ski trails are located.

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After some additional discussion the Planning Board recommended that Hyde School be the applicant of a Zoning Map Amendment, which would move the zone boundary. They suggested moving it to the south to the CMP property and to the west to a small stream that shows up on the aerial photograph.

Marjorie Hawkes indicated that she would like to see this parcel and suggested a site walk.

It was decided to hold a special meeting site walk at 5:15 PM on Wednesday, May 30, 2001. The Board would meet Mr. Sterling at the end of Redlon Road.

With no other meeting to conduct, the Planning Board adjourned at 7:54 PM on a motion by George Pollard and seconded by Robin Haynes.

Minutes prepared by Jim Upham, Planning Director.