

A regular meeting of the Bath Planning Board was called on 6-5-01 for the purpose of conducting regular business.

MEMBERS PRESENT

Bob Oxtan, Chair
Jim Harper, Vice Chair
Robin Haynes
Paul Karass
David King
George Pollard

MEMBERS ABSENT

Marjorie Hawkes

STAFF PRESENT

Jim Upham, Planning Director
Mary Jane Sullivan, Recording Secretary

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

MINUTES OF THE MAY 22, 2001, MEETING

JIM HARPER MADE A MOTION, SECONDED BY GEORGE POLLARD, TO APPROVE THE MINUTES OF THE MAY 22, 2001, MEETING AS WRITTEN.

UNANIMOUS APPROVAL

Old Business: None

New Business:

Public Hearing – Request for Site Plan Approval and Contract Rezoning Amendment – Amendment to drainage plan and access road; Bath Shopping Center; Chandler Drive (Map 28, Lots 51 and 52); Eastern Development, LLC, Applicant.

Jack Mettee of Appledore Engineering addressed the changes needing approval to amend the original site plan in order to meet the requirements of the DEP and DOT. He reviewed the drawings given to the Board Members. Additions include the stockade fence behind the current chain link fence which provides a barrier between the shopping center and the residential area; enclosure for the dumpster, a guardrail and four-foot high fence near where the new bank and store will be which protects from the more than four-foot drop behind it, and also buffers lights. He also addressed the grading and erosion plan, which includes modified treatment swales and closed drainage. The Congress Avenue entrance will have a longer median strip, a longer deceleration area, a lengthened turning lane, and a wider entrance for trucks.

Bob Oxtan invited public comment, but there was none.

Robin Haynes asked if there was a gate in the fence. The answer was no, but there is supposed to be an opening to the west of the walkway.

Mr. Mettee said that for some reason the opening seems to have been removed from the plan, however, it would be put back.

The dimensions of the sign for the Congress Avenue median strip were discussed. It is 28"x 30", three feet off the ground, and it will be lit.

Jim Harper asked if the DOT made any changes to the other entrance. The answer was no.

Jim Upham reminded the Board that the C4 zone allows flexibility with the Contract Rezoning process. Should Planning Board approve the amendment tonight the Contract Rezoning amendment will be on the Council agenda for tomorrow night. He did say that he had met with the City Solicitor this afternoon trying to see if there was a way to amend the Land Use Code so minor amendments could be approved administratively if the amendments did not pertain to space and bulk standards. This is something we will need to address in the near future.

DAVID KING MADE A MOTION, SECONDED BY JIM HARPER, TO APPROVE THE AMENDMENTS TO THE PLAN OF THE BATH SHOPPING CENTER, EASTERN DEVELOPMENT, LLC, APPLICANT, WITH THE CONDITION THAT THERE BE AN OPENING IN THE FENCE IN ITS CURRENT LOCATION, WHICH IS TO THE NORTHWEST OF SHAWS, AND THAT THE PLANNING BOARD RECOMMENDS CONTRACT REZONING AMENDMENT APPROVAL TO THE CITY COUNCIL.

UNANIMOUS APPROVAL

Request for Site Plan Approval – Construction of a warehouse building; 25 Wing Farm Parkway (Map 24, Lot 6); R.M. Tate, Applicant.

Bob Oxtan said first we must decide whether the Site Plan is complete.

Jim Upham referenced the memo to the Board, and reported the missing items have now been completed.

DAVID KING MOVED, AND JIM HARPER SECONDED, THAT THE APPLICATION AS SUBMITTED IS COMPLETE.

UNANIMOUS APPROVAL

Bob Oxtan asked for an applicant to speak to this project.

Chris Martin, representing R. M. Tate, said he was requesting Site Plan Approval and approval of a setback reduction plan. He is expecting only light traffic to the site with a maximum of five employees. The building will be heated just above freezing. It has a sprinkler system, concrete floor, and four-foot frost walls, with two bathrooms. It will be made of textured, natural colored CMU masonry blocks. The front wall is solid, no windows. It is 22 feet high and 51 feet long, with a flat roof.

Paul Karass asked there would be any retail. The answer was no.

David King asked if there was any reason it could not be moved back on the site. The answer was that the elevation of grades drops off and it would require a lot more cost and would cause more environmental disruption. It is in the best spot for its usage, changes the natural landscape the least.

David King asked how close the Kennebec Company's access drive is to the property line. Bob Oxtan said that it is fairly close, perhaps 30 feet away. It was asked if there would be a dumpster on-site, and Mr. Martin said that they have no intention of having a dumpster. Any waste storage would be inside.

Jim Upham commented that the checklist in their packet shows that not all of Article 10 has been complied with. However, the second plan mailed to the Board seems to address all of the items with the possible exception of erosion control. A silt fence should be required to the east of the building during construction so it won't affect the creek. He also said that the adequacy of the landscaping for the Setback Reduction Plan is something the Board will have to decide.

Robin Haynes said she has two reservations: The two red maples won't have leaves for six months of the year, and the date for completing the landscaping is not on the plan.

Mr. Martin expects the building to be done in early fall and it could be planted within 30 days after completion.

David King agreed that two trees was inadequate to qualify for a setback reduction when the front of the building is 51 feet long. He needs to see something to soften the view of the building.

Mr. Martin said that they are willing to add evergreens, or whatever the Planning Board deems adequate. David King responded that the Board must have landscape architect's plan.

Jim Harper said that a plan from a landscape architect might not be necessary, but that elevation is a must regardless of who does it.

Paul Karass observed that coming back to the Planning Board would delay the start of building. Jim Upham said maybe if instead of rocks and flowers, six-foot high arborvitae was substituted. Robin Haynes suggested a variety of evergreens, quite tall.

Paul Karass suggested that we table this for two weeks since our next meeting is June 19, and ask them to bring in a complete plan.

Bob Oxtan asked about lighting. And was told that there aluminum hoods to direct the light down.

PAUL KARASS MOVE, AND DAVID KING SECONDED, THAT THE ITEM BE TABLED UNTIL THE JUNE 19TH MEETING.

UNANIMOUS APPROVAL.

Request for Site Plan Approval – for a setback reduction plan in the C2 zone; 11 Edgett Street (Map 28, Lot 239); Michael Goodine, Applicant.

Jim Upham reported that applicable submission requirements have been met. The Code Enforcement Office says it is a permitted use and meets space and bulk requirements provided the Board approves the setback reduction plan.

DAVID KIND MADE A MOTION, SECONDED BY JIM HARPER, TO ACCEPT THE APPLICATION AS COMPLETE.

UNANIMOUS APPROVAL

Mike Goodine spoke about building a family room on his home to match the exterior of the house.

There was no comment from the public. The Board asked some questions and discussed the adequacy of the existing landscaping. David King said that because this is a residential use in a residential area the landscaping for the setback reduction are different that if it were a commercial use building.

PAUL KARASS MOVED, SECONDED BY GEORGE POLLARD, THAT THE BOARD GIVE APPROVAL TO THE SITE PLAN OF THE LANDSCAPING FOR THE SETBACK REDUCTION PLAN AND WAIVE SECTION 10.31, C, 1.

UNANIMOUS APPROVAL.

Request for Historic District Approval – for construction of a deck; 30 Garden St. (Map 26, Lot 143); David O’Neil, Applicant.

Ira Perry, father-in law, of 131 Loop St., Bath, former resident of 30 Garden St., father-in-law of the applicant updated the material in the package by noting that the sliding glass door is off the kitchen, not the living room, and it exists now. Also, the grid work will be added. He also pointed out there are to be stairs off the deck (not shown on the plan), and that the slope of the land behind the deck is different from the drawing.

Mr. Perry was asked if the space under the deck was going to be boxed in by latticework. He said that probably would be done.

Robin Haynes, David King, Jim Harper, Jim Upham and Bob Oxtan participated in discussion and questions regarding setback for the steps, type of construction, particularly about the style of the balustrades and rails.

The Board reached the conclusion that a more accurate plan is needed before the Board could approve it.

JIM HARPER MOVED, SECONDED BY DAVID KING, THAT WE TABLE THE REQUEST UNTIL THE NEXT SCHEDULED MEETING ON JUNE 19TH.

UNANIMOUS APPROVAL.

Bob Oxtan said there are two small items to discuss before closing the meeting. One is that the announcer for Bath Basketball games, said that the Planning Board meetings being televised will conflict with basketball games this fall and wanted to know if the Board could change meetings so that BCTV can carry the games live. Jim Upham said Land Use Code spells out the day of the week for the Board meetings. Different options were discussed.

DECIDED BY CONSENSUS TO CONTINUE MEETING ON TUESDAYS AS USUAL AND MEETINGS CAN BE TAPED TO RUN LATER AND ALLOW THE BASKETBALL GAMES TO RUN LIVE.

The last issue is when the Board will meet in July. The first Tuesday of July is the evening before the Fourth of July. Jim Upham said he does not know yet if there will be business to conduct.

DAVID KING MOVED, SECONDED BY GEORGE POLLARD, THAT THE JULY 3RD MEETING BE MOVED TO A DATE SET BY THE CHAIR

UNANIMOUS.

**PAUL KARASS MOVED, SECONDED BY GEORGE POLLARD THAT THE MEETING
BE ADJOURNED AT 7:36 PM.**

UNANIMOUS APPROVAL.

Minutes prepared by Mary Jane Sullivan, Recording Secretary