

BATH PLANNING BOARD MINUTES

JUNE 19, 2001

A regular meeting of the Bath Planning Board was called on 6-19-01 for the purpose of conducting regular business.

MEMBERS PRESENT

Bob Oxtan, Chair
Marjorie Hawkes
Paul Karass
George Pollard
David King
Robin Haynes

MEMBERS ABSENT

Jim Harper, Vice Chair

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 JUNE 5, 2001, REGULAR MEETING

ROBIN HAYNES MADE A MOTION, SECONDED BY GEORGE POLLARD, TO APPROVE THE MINUTES OF THE JUNE 5, 2001, MEETING AS WRITTEN.

UNANIMOUS APPROVAL

Old Business:

Item 1

Request for Site Plan Approval - Construction of a warehouse building; 25 Wing Farm Parkway (Map 24, Lot 6); R.M. Tate, Applicant. (Tabled from the June 5, 2001 meeting)

PAUL KARASS MOVED, SECONDED BY MARJORIE HAWKES, TO REMOVE THE ITEM FROM THE TABLE.

UNANIMOUS APPROVAL

Jim Upham told the Board that on their desks were elevation drawings of the proposed building and clearer color copies of the building with landscaping.

Chris Martin, representing the applicant, displayed a sample board of the natural gray split-face block, and the darker shade split-face block proposed to be used for the band, which will be used in construction of the warehouse. He corrected what he had said at the previous meeting regarding windows on the west side. He told the Board that the

west side does have 4 windows. He said that the applicant is still requesting the 20-foot setback.

Bob Oxtan, Chair, asked what the changes were in the planting plan. Chris Martin told the Board that he had been to a landscaping company and that they had recommended the variety of deciduous and evergreen trees and shrubs shown on the plan.

Bob Oxtan, Chair, opened the meeting for public comment. Bob Adams, 169 Oak Street, spoke in support of the project, saying that the City needs to back businesses as strongly as possible.

On one else spoke and the public session was closed.

Robin Haynes said that she felt the landscaping was not enough to warrant a setback reduction. David King agreed.

Marjorie Hawkes said that she felt it was adequate.

GEORGE POLLARD MOVED, SECONDED BY PAUL KARASS, THAT THE REQUIREMENT OF SECTION 10.31, C, 1 BE WAIVED.

MOTION PASSED BY A VOTE OF 3 YES (HAWKES, KARASS, AND POLLARD) TO 2 NO (HAYNES AND KING)

There was more discussion. Robin Haynes and David King expressed their reservations regarding the amount of landscaping. Marjorie Hawkes and George Pollard said the applicant had accomplished what was wanted.

PAUL KARASS MOVED, SECONDED BY GEORGE POLLARD, THAT THE SETBACK REDUCTION BE APPROVED.

MOTION PASSED BY A VOTE OF 3 YES (HAWKES, KARASS, AND POLLARD) TO 2 NO (HAYNES AND KING)

DAVID KING THEN MOVED, SECONDED BY GEORGE POLLARD, THAT THE SITE PLAN OF THE WAREHOUSE BUILDING AT 25 WING FARM PARKWAY, R.M. TATE APPLICANT, BE APPROVED, BECAUSE WITH THE WAIVER AND SETBACKS ALREADY APPROVED THE PLAN MEETS THE APPLICABLE SECTIONS OF ARTICLE 10.

THIS MOTION PASSED BY A VOTE OF 4 YES (HAWKES, KARASS, POLLARD, AND KING) TO 1 NO (HAYNES)

Item 2

Request for Historic District Approval – for construction of a deck; 30 Garden Street (Map 26, Lot 143); David O’Neil, Applicant (Tabled from the June 5, 2001 meeting)

DAVID KING, SECONDED BY ROBIN HAYNES, MOVED TO REMOVE THIS ITEM FROM THE TABLE.

UNANIMOUS APPROVAL

Applicant David O’Neil, resident of 30 Garden Street, stated that all Board members should have copies of his last design. The builder has redesigned the deck to a square 15-foot by 15-foot size to cut costs. It will have turned-type balustrades of pressure treated wood, which would be painted white after they have cured. The deck will be gray. The 2 to 6-foot drop-off between the deck and the ground will be covered by white lattice. There will be no stairs.

Bob Oxton told the applicant said that stairs would be allowed on the south side if he wanted them. The applicant said he would like to have stairs.

Bob Oxton opened the meeting for public comment. There was none, and he closed the public portion of the meeting.

Jim Upham asked Robin Haynes to explain to the Board the letter she had written to him. She said that the design of the deck should not necessarily be a copy of something historic, particularly a false past at odds with this structure. Any design, modern or historic in feeling, should be respectful of the original building.

Jim Upham told the applicant that whatever is approved by the Board is what the Codes Enforcement Officer will expect to see constructed.

The applicant did say that he wanted to add stairs to the south side of the deck.

There was further discussion about Sagadahoc Preservation Inc (SPI) providing guidelines to assist applicants to meet the historic approval criteria.

ROBIN HAYNES MADE A MOTION, SECONDED BY DAVID KING, THAT HISTORIC DISTRICT APPROVAL BE GRANTED FOR THE DECK AT 30 GARDEN STREET, DAVID O’NEIL APPLICANT, TO INCLUDE STEPS ON THE SOUTH SIDE TO BE CONSTRUCTED OF MATERIAL SIMILAR TO THAT OF THE DECK.

UNANIMOUS APPROVAL.

New Business:

Planning Board Discussion – Land Use Code Amendment to allow the Minor Revision process to be used when amending Contract Rezoning site plans. And, discussion of allowing shared parking that is accessory to uses on abutting lots to be exempt from the Yard Area standard.

Jim Upham explained that there should be a process to allow minor amendments to Contract Rezoning-type site plans, like the one approved for the Shopping Center, to be approved at an administrative level provided that the changes do not involve the relaxation of the space and bulk standards or the mandatory or discretionary conditions (these are the conditions that the applicant voluntarily complies with in order to receive the space and bulk relaxation). Also, the minor revision to the plan must meet the criteria already written in Article 12, Section 12.13, B, 1 through 5.

Jim Upham said he has not yet reviewed this proposal with the City Solicitor. After considerable discussion, David King suggested that when Contract Rezoning site plans are presented it be clearer what is being relaxed and what the City is receiving for that relaxation.

AGREED BY CONSENSUS TO AUTHORIZE JIM UPHAM TO PREPARE AN AMENDMENT TO THE CODE TO ALLOW ADMINISTRATIVE APPROVAL OF MINOR REVISIONS TO CONTRACT REZONING-TYPE SITE PLANS PROVIDED CERTAIN CRITERIA ARE MET.

The second proposed amendment is an exception to the Yard Area requirements. Jim Upham told the Board that an early draft of the Code allowed shared parking to be in the Yard Area if it was accessory to the uses on the adjoining lots. He said he thinks this type of parking lot should be allowed when appropriate. David King said there would need to be easements given by each abutting property owners to the other owner to allow the shared parking.

David King said that he felt that a waiver of the requirement that a landscape plan for a setback reduction be done by a registered landscape architect only be allowed for single- and two-family dwellings. It was agreed that the pressure to grant the waiver would be done away with if a waiver were not allowed.

UNANIMOUS BY CONCENSUS TO HAVE JIM UPHAM BRING THESE FORWARD.

Jim Upham then told the Board that a letter had been sent by the City Manager to the Planning Board informing the Board of the proposed discontinuance of Zadoc Lincoln Lane near the Maine Maritime Museum. The Planning Board must be notified but does not have to act.

There was some discussion including what the City receives in return for discontinuing the road and that the name Zadok Lincoln Lane be considered for use elsewhere.

Bob Oxton told the Board that the next meeting will be July 10.

THE BOARD VOTED TO ADJOURNED THE MEETING AT 7:14 PM ON A MOTION BY PAUL KARASS, SECONDED BY GEORGE POLLARD.

Minutes prepared by Mary Jane Sullivan, Recording Secretary