

A regular meeting of the Bath Planning Board was called on 12-3-02 for the purpose of conducting regular business.

**MEMBERS PRESENT**

Bob Oxtan, Chair  
Jim Harper, Vice Chair  
Marjorie Hawkes  
Robin Haynes  
Mark Little

**MEMBERS ABSENT**

Richard Klingaman

**STAFF PRESENT**

Jim Upham, Planning Director

Jim Upham, Planning Director, announced that because the meeting had not been properly advertised the only agenda item that would be heard would be the Public Hearing for the requested Land Use Code Amendment. This Public Hearing had been advertised properly.

**New Business**

**Item 1**

**Public Hearing** – Request for Land Use Code Amendment – add Definition of “Structural Art” and allowing “Structural Art” in a Front Yard Area. Maine Maritime Museum, applicant.

Tom Wilcox, Executive Director of the Maine Maritime Museum, spoke and told the Planning Board that the museum was proposing to construct a sculpture that would give the public the impression of the size and location of the original ship.

Jim Harper asked if the jib boom could be shortened and not extend into the Yard Area.

Mr. Wilcox said that the depiction of the original jib boom helps to represent the size and shape of the original ship and that they would like to not have the jib boom shortened.

Marjorie Hawkes asked if the sculpture could be moved toward the Kennebec River so that the jib boom did not extend into the Yard Area.

Tom Wilcox said that the DEP had indicated that it would be a lengthy DEP application and that at the end of it the Museum probably would not get approval.

Jim Upham commented that after talking with Roger Therriault, the two of them felt that allowing Contract Rezoning in the Marine Business District would be the most appropriate means of not only solving this problem, but allowing additional flexibility for the Marine Business District. Both for the Marine Business District where the museum is located, as well as the Marine Business District where Stinson Cannery is located.

Bob Oxtan opened the Public Hearing for public comment. There were no members of the public wishing to speak and Mr. Oxtan closed the public hearing portion.

After some discussion by Board members with respect to the use of Contract Rezoning for all of the Marine Business District, **ROBIN HAYNES MOVED, SECONDED BY MARJORIE HAWKES, TO RECOMMEND TO THE CITY COUNCIL THAT THE LAND USE CODE BE AMENDED TO ALLOW CONTRACT REZONING IN THE MARINE BUSINESS DISTRICT.**

**UNANIMOUS APPROVAL.**

There being no other business, **JIM HARPER MOVED, SECONDED BY ROBIN HAYNES, TO ADJOURN THE MEETING.**

**UNANIMOUS APPROVAL.**

Minutes prepared by Jim Upham, Planning Director