

A regular meeting of the Bath Planning Board was called on 1-21-03 for the purpose of conducting regular business.

MEMBERS PRESENT

Bob Oxton, Chair
Jim Harper, Vice Chair
Robin Haynes
Gordon Reed

MEMBERS ABSENT

Marjorie Hawkes
Richard Klingaman

STAFF PRESENT

Jim Upham, Planning Director
Marsha Hinton, Recording Secretary

Bob Oxton, Chair, called the meeting to order in the third floor Council Chambers at 6:00 p.m. on Tuesday, January 21, 2003.

Minutes of January 7, 2003, meeting

ROBIN HAYNES MOVED, SECONDED BY GORDON REED, TO ACCEPT THE MINUTES OF THE JANUARY 7, 2003, MEETING AS WRITTEN.

UNANIMOUS APPROVAL**Old Business:****Item 1**

Consideration of Revision to the Conditions of Approval – for Harry C. Crooker & Sons, Inc. Site Plan Approval for mining operations at North Bath Road (Map 6, Lots 1 and 2).

Jim Upham, City Planning Director, stated that he had omitted Decision numbers seven and eight on the Findings of Fact and Conclusions of Law and was back before the board to ask them to amend the previous approval to include these two decisions. Mr. Upham stated that they were discussed and on the tape recordings of Planning Board meetings.

The Board held discussion on the highlighted additions to the Findings of Fact and Conclusions of Law dated January 14, 2003.

GORDON REED MADE A MOTION, SECONDED BY JIM HARPER, TO AMEND THE FINDINGS OF FACT AND CONCLUSIONS OF LAW ORIGINALLY DATED JANUARY 14, 2003, AND DISCUSSED AND APPROVED TO INCLUDED THE DECISION ITEMS SEVEN AND EIGHT CONTAINING THE RESTRICTIONS ON HOURS OF OPERATION TO BE 9:00 AM TO 5:00 PM, NO TRANSPORTING ONE-HALF HOUR AFTER SUNSET AS WELL AS NO TRANSPORTING WEEKENDS OR HOLIDAYS AS WRITTEN IN THE COPY NOW DATED JANUARY 21, 2003.

UNANIMOUS APPROVAL

New Business:

Item 1

Request for Conditional Certificate of Occupancy – (Bracketts Market) 185 Front Street (Map 26, Lot 264); Sagadahock Real Estate Association, applicant.

Jim Upham, City Planning Director, stated that the outstanding items have all but been completed. The Codes Enforcement Officer had been on a site inspection and found it not to be a safety hazard to the public or the occupants. The remaining work consisted of painting the north side posts at a cost of \$150.00 and railing to be installed at a cost of \$500.00. Mr. Upham added that the City has two checks one in the amount of \$150.00 and one in the amount of \$500.00 to cover these costs from the applicant.

Roy Ordway, Sagadahock Real Estate Association, stated that he was before the Planning Board to request a Conditional Certificate of Occupancy because they were unable to complete work due to the discovery today that the wrong railing had been delivered and also they would like the pressure treated posts to weather before painting.

The Board held discussion on the time frame for completion and landscaping.

JIM HARPER MADE A MOTION, SECONDED BY ROBIN HAYNES, TO GRANT A CONDITIONAL CERTIFICATE OF OCCUPANCY FOR 185 FRONT STREET, BRACKETTS MARKET, APPLICANT SAGADAHOCK REAL ESTATE ASSOCIATION, WITH THE CONDITION THAT THE CODES ENFORCEMENT OFFICER'S DETERMINATION THAT THIS DOES NOT POSE A SAFETY HAZARD TO THE PUBLIC OR ITS OCCUPANTS BE PUT ON RECORD; AND THAT PAINTING WILL BE COMPLETED BY SEPTEMBER 15, 2003; AND THAT ALL OTHER WORK TO BE COMPLETED BY FEBRUARY 28, 2003.

UNANIMOUS APPROVAL

Item 2

Request for Historic District Approval -- Modifications to the Front Street and Water Street facades; 92 Front Street (Map 27, Lot 115) (the Hobby Shoppe); Kenneth and Dorothy Young, applicants.

Ken and Dotty Young, applicants, stated that they were not proposing a lot of changes to the site. Mr. Young discussed moving the garage doors out and changing the hinges from the inside to the outside on those garage doors, treatment of existing windows, and brackets to the back side of the building. Mr. Young proposed specific colors and cutouts for the front of the building.

Robin Haynes pointed out the uneven size of the pilasters on the right and left side of the building in the front. She stated that if possible she would like to see a straighter line between the buildings.

The Board held discussion on the colors, the dimensions, roofing, brackets, cutouts, the fire escape, treatment of the front of the building to give a straight line appearance with the neighboring store fronts, and signage.

JIM HARPER MADE A MOTION, SECONDED BY GORDON REED, TO APPROVE THE REQUEST FOR HISTORIC DISTRICT APPROVAL AND THAT THE CRITERIA OF SECTION 8.11 H HAS BEEN MET WITH THE FOLLOWING CONDITIONS:

- 1. THAT THE FRONT VIEW ON THE PLAN RECEIVED ON DECEMBER 31, 2002, BY THE CITY PLANNING DIRECTOR BE APPROVED AS WELL AS THE LEFT SIDE REAR ELEVATIONS;**
- 2. THAT THE BRACKETS BE ATTACHED TO THE OVER HANG ON THE LEFT SIDE REAR ELEVATIONS;**
- 3. THAT IT BE CONSTRUCTED TO THE SIZE AS SHOWN ON THE SCALE DRAWING;**
- 4. THAT THE COLORS TO BE USED WILL BE BENJAMIN MOORE PAINT**
 - a. MAIN COLOR TO BE TRAVINTINE TAN**
 - b. TOP AND BOTTOM INSETS TO BE LITCHFIELD GRAY**
 - c. MOLDINGS, CUTOUTS AND RAILS TO BE CHESTNUT WITH THE ALLOWANCE THAT THE CUTOUTS MAY HAVE SOME OTHER HIGHLIGHTING COLORS ON THEM;**
- 5. THAT THE REAR DOORS TO BE NATURAL WOOD;**
- 6. AND THAT THE WINDOWS AND BRACKETS TO BE WHITE.**

UNANIMOUS APPROVAL

OTHER BUSINESS:

Jim Upham, City Planning Director, outlined some items of interest to the Planning Board.

1. John James, City Council Chairman, has asked for input at the January 22nd Council meeting from the Planning Director into criteria used to make decisions with regard to zoning map changes. Mr. Upham stated that the information to be provided would be general in nature and not specific with regard to any possible zone change request.
2. The Department of Transportation will be signing a contract with a consultant either this week or next to study Route One and the viaduct.
3. An advisory committee has been formed to study the area from the train station to the park with regard to developing a master plan for this area. Planning Board members are on this committee.
4. The City Council has asked that the Planning Board study ways to control non-conforming buildings in the Shore land zone, specifically the C4 zone across from Bath Iron Works. Mr. Upham stated that as soon as a now vacant position on the Planning Board was filled the Planning Board would address this task.

Gordon Reed stated that he would like to thank the resident living on Farrin Street who took the time to write the letter to the Planning Board and that her comments would be taken under advisement.

Bob Oxton, Chair, stated that he would like also like to thank the resident living on Washington Street who also took the time to write a letter to the Planning Board.

There being no further business to come before the Board, **JIM HARPER MOVED, SECONDED BY GORDON REED, THAT THE MEETING BE ADJOURNED.**

UNANIMOUS APPROVAL

The meeting was adjourned at 6:40 p.m.

Minutes prepared by Marsha Hinton, Recording Secretary