

A regular meeting of the Bath Planning Board was called on 8-5-03 for the purpose of conducting regular business.

MEMBERS PRESENT

Jim Harper, Vice Chair
Marjorie Hawkes
Robin Haynes
Richard Klingaman
Gordon Reed
James Hopkinson

MEMBERS ABSENT

Bob Oxtun, Chair

STAFF PRESENT

Jim Upham, Planning Director
Marsha Hinton, Recording Secretary

Jim Harper, Vice Chair, called the meeting to order in the third floor Council Chambers at 6:00 p.m. on Tuesday, August 5, 2003.

Minutes of July 1, 2003, meeting

MARJORIE HAWKES MOVED, SECONDED BY RICHARD KLINGAMAN, TO ACCEPT THE MINUTES OF THE JULY 1, 2003, MEETING AS WRITTEN.

UNANIMOUS APPROVAL**Old Business:**

None.

New Business:**Item 1**

Public Hearing – Request for Zoning Map Amendment; request to change a parcel of land on Bowery and Front Street, (Map 21, Lot 227) from C5 zone to R5 zone; SSC Ventures, Inc., applicant.

Richard Klingaman stated that he was a principal in SSC Ventures, Inc. and therefore was recusing himself from discussion and voting on this project.

Jim Upham stated that this area was currently zoned as C5 and is bound to the west by an R1 zone and to the south by an R5 zone. Mr. Upham pointed out that the lines drawn by the Comprehensive Plan were drawn with a wide brush and were not intended to be hard-and-fast lines, but rather guidelines. Mr. Upham added that he felt that this proposed change would be appropriate.

Richard Klingaman, SSC Ventures, Inc., stated that this parcel was 3.5 acres having the Kennebec River and Front street as two of its boundaries. Mr. Klingaman explained that he had been trying to sell this property as a commercial marine use and has been unable to do so and was therefore requesting the change from C5 to R5. Mr.

Klingaman informed the Planning Board that his current plans for this property under the R5 zone would be to develop a residential site with a possible marina. Mr. Klingaman pointed out to the Planning Board that the only R5 zone in the City of Bath is in the same area as this site.

Discussion was held by the Planning Board on the R5 zone, development of this site and zones adjacent to this site.

Robin Haynes reminded the Planning Board that this parcel is not in the Historic Overlay District, and if a recommendation is made to the City Council to change this to a R5 zone that it also be recommended that it be rezoned as part of the Historic Overlay District as well.

Richard Klingaman said that he was aware of the historic significance of this parcel having been owned from 1916 through 1921 by the Texas Steam Ship Company and had no objection to it being zoned in the Historic Overlay District.

There being no further discussion from the Planning Board, Jim Harper, Vice Chair, opened the floor to any members of the public present who wished to comment.

Alexis Klickstein, 1135 Washington Street, said that she was in support of the proposed zone change. However, she was concerned about the possibility of a hotel going in on this site. Ms. Klickstein stated that there were plenty of traffic and Bed and Breakfasts already in the area without adding a hotel.

Dan Donovan, 1017 Washington Street, asked what the height requirements would be as well as the setback allowances.

Jim Upham stated that from midpoint of the slope the maximum height is forty-five feet and the set back would be 15 feet.

John Conover, 1121 Washington Street, stated that as long as the Planning Board had control over what was constructed on the site he would support the zone change.

Jim Harper stated that the Codes Enforcement Officer would have control over the construction process and that if this parcel were changed to Historic Overlay District the Planning Board would have input into the exterior design.

There being no further comment from the members of the public present, Jim Harper closed the public portion of the meeting.

The Planning Board held discussion on abutters, historic overlay district, access to the site, and curb cuts.

There being no further discussion from the Planning Board, Jim Harper asked for a motion.

JAMES HOPKINSON MADE A MOTION, SECONDED BY GORDON REED, THAT THE REQUEST TO CHANGE A PARCEL OF LAND ON BOWERY AND FRONT STREET, (MAP 21, LOT 227) FROM C5 ZONE TO R5 ZONE AND TO INCLUDE IT INTO THE HISTORIC OVERLAY DISTRICT BE RECOMMENDED TO THE CITY COUNCIL FOR APPROVAL.

UNAMIOUS APPROVAL.

Item 2

Request for Historic District Approval – Modifications to the house at 922 Middle Street, (Map 26, Lots 106 and 107); Christina A. Barbor, applicant.

Christina Barbor outlined how she intended to build a semi-private apartment for her mother and referred the Planning Board to the computer enhanced photos she provided to show the changes.

Robin Haynes asked Jim Upham whether the change in use of the garage and the addition of a deck were going to impact the setback requirements.

Jim Upham, City Planner, stated that he had talked with the Codes Enforcement Officer who has reviewed this plan. Mr. Upham did warn the applicant that the deck may not be allowed by the Codes Enforcement Officer because of the Setback.

Discussion was held by the Planning Board on Setback requirements for a deck and maintaining the architectural appearance of the rest of the house.

There being no further discussion from the Planning Board, Jim Harper opened the floor to any members of the public present who wished to comment.

None being seen, Jim Harper closed the public portion of the meeting.

The Planning Board complemented the applicant on the excellent job with the pictures of the proposed changes to the property.

JAMES HOPKINSON MADE A MOTION, SECONDED BY RICHARD KLINGAMAN, TO GRANT HISTORIC DISTRICT APPROVAL FOR THE MODIFICATIONS TO THE HOUSE AT 922 MIDDLE STREET, (MAP 26, LOTS 106 AND 107) WITH THE FOLLOWING CONDITIONS:

THAT THE DECK BE REVIEWED AND APPROVED IN ACCORDANCE WITH THE LAND USE CODE BY THE CODES ENFORCEMENT OFFICER; AND

THAT THE PROPOSED ADDITION BE ACCORDING TO THE LETTER TO PLANNING DIRECTOR UPHAM FROM MS. BARBOR DATED JULY 20, 2003.

UNANIMOUS APPROVAL.

Item 3

Request for Historic District Approval – Modifications to windows and the addition of skylights; house at the corner of Oak and Middle Streets; 926 Washington Street (Map 26, Lot 182); Marin Street, applicant.

Daniel Bryant, agent for the applicant, stated that the proposal was to enlarge the three existing residences in the building. Mr. Bryant outlined how these residences would be configured, changes to second floor windows to promote safety, the addition of sky light for more lighting and the proposed changes to an existing exterior door. He pointed out that the current plans are to maintain the architectural appearance of the house.

Robin Haynes stated that in her opinion to cut into the friezes to raise the windows would mar the Greek Revival look.

Daniel Bryant explained that he has never wanted to move the windows and it was only being considered from a safety standpoint.

Discussion was held by the Planning Board on replacement of the windows, other possible safety treatments for the upper windows, and the side entry treatment.

There being no further discussion from the Planning Board, Jim Harper opened the floor to any members of the public present who wished to comment.

Edna Nadeau, 6 Garden Street, said that she has observed construction at this site and wanted to know what was happening. Ms. Nadeau stated that she was glad they were not going to have more than three residences.

There being no further comment from the members of the public present, Jim Harper closed the public portion of the meeting.

ROBIN HAYNES MADE A MOTION, SECONDED BY JAMES HOPKINSON, TO GRANT HISTORIC DISTRICT APPROVAL FOR MODIFICATIONS TO WINDOWS AND THE ADDITION OF SKYLIGHTS FOR THE HOUSE AT THE CORNER OF OAK AND MIDDLE STREETS; 926 WASHINGTON STREET/ 41 OAK STREET (MAP 26, LOT 182) WITH THE FOLLOWING CONDITIONS:

THAT THE TEN NEW WINDOWS BE INSULATED GLASS TWO PANES OVER TWO PANES DOUBLE HUNG WOOD SASH;

THAT THE EXTERIOR ENTRY DOOR BE HARMONIOUS WITH EXISTING STRUCTURE AND TRIM; AND

THAT THE REQUEST FOR RAISING FOUR SECOND FLOOR WINDOWS EIGHTEEN INCHES BE DENIED.

UNANIMOUS APPROVAL.

Item 4

Planning Board Discussion – Various Land Use Code Amendments.

Jim Upham stated that there has been an inquiry into having a veterinarian's office in the downtown area. This is currently not an allowed use in the downtown area. Mr. Upham stated that this particular inquiry would not include boarding animals overnight, would be a facility that simply treated animals and might be an appropriate use for the downtown. He asked the Planning Board for their input.

The Planning Board held discussion on the benefit to the community a veterinarian's office in the downtown area might be, how a veterinarian's office could avoid keeping animals overnight, caring for sick animals overnight as opposed to a boarding situation, noise control, making it site specific, number of animals allowed, and writing language into the performance standards to govern this type of use.

Jim Harper asked that Jim Upham research these discussion items and bring back his findings to the next Planning Board meeting.

Jim Upham informed the Planning Board of the progress of the Route One committee and the progress on the proposed hotel.

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

UNANIMOUS APPROVAL

APPROVAL

The meeting was adjourned at 7:10 p.m.

Minutes prepared by Marsha Hinton, Recording Secretary