

A regular meeting of the Bath Planning Board was called on 11-4-03 for the purpose of conducting regular business.

MEMBERS PRESENT

Bob Oxtan, Chair
Jim Harper, Vice Chair
Robin Haynes
Richard Klingaman
Gordon Reed
James Hopkinson

MEMBERS ABSENT

Marjorie Hawkes

STAFF PRESENT

Jim Upham, Planning Director
Marsha Hinton, Recording Secretary

Bob Oxtan, Chair, called the regular meeting to order in the third floor Council Chambers at 6:00 p.m. on Tuesday, November 4, 2003.

Minutes of October 7, 2003, meeting

GORDON REED MOVED, SECONDED BY RICHARD KLINGAMAN TO ACCEPT THE MINUTES OF THE OCTOBER 7, 2003, MEETING AS SUBMITTED.

UNANIMOUS APPROVAL**Old Business:**

None.

New Business:**Item 1**

Request for Historic District Approval – Façade changes; 51 Front Street (Map 27, Lot 125); Sagadahock Real Estate, applicant.

Roy Ordway, Sagadahock Real Estate, stated he was before the Planning Board requesting Historic District Approval to lower the windowsills approximately 20 inches. Mr. Ordway pointed out to the Planning Board that these windowsills had been altered in the past to raise them to their current location and this request was to return them to the original placement.

Bob Oxtan opened the meeting to members of the public who wished to comment.

None seen, Bob Oxtan closed the public portion of the meeting.

Discussion was held by the Planning Board on color and type of window to be used.

JIM HARPER MADE A MOTION, SECONDED BY JIM HOPKINSON THAT THE APPLICATION MEETS THE APPROVAL CRITERIA OF LAND USE CODE SECTION 8.12, H, AND TO APPROVE THE REQUEST FOR HISTORIC DISTRICT APPROVAL FOR FAÇADE CHANGES TO 51 FRONT STREET (MAP 27, LOT 125); SAGADAHOCK REAL ESTATE APPLICANT.

UNANIMOUS APPROVAL.

Item 2

Request for Planning Board Approval – Waterfront Setback Reduction in the NRPO District – 114 Ridge Road (Map 16, Lot 12); Paul Monroe, applicant.

Jim Upham stated that according to the new policy of the Planning Board a request like this would be sent to Coastal Conservation Association (CCA) for their review and comment. However, because the area where this addition would be constructed is already cleared and is a part of the Monroe's side yard, and because the project appears to have only a minimal impact he did not request review by CCA.

Paul Monroe, applicant, explained to the Planning Board that he would like to build a room for family use on the existing house. Mr. Monroe stated that the land this addition would be constructed on was cleared back in the mid 1980s. He pointed out that this room would not have any connection to sewer or water and would not be used as a bedroom.

The Planning Board held discussion on the set back, erosion control, size of the room, construction and erosion control elevations and best management practices.

Jim Upham reminded the Planning Board that as part of recent amendments to the Land Use Code an applicant is not required to submit all of the items in 8.18, D, 3 provided the Planning Board grants a waiver and the applicant can demonstrate that 8.18, D, 2 have been met. Mr. Upham stated that it was his opinion that the applicant had demonstrated that those requirements had been met.

Bob Oxtan opened the meeting to members of the public present who wished to speak.

None being seen, Bob Oxtan closed the public portion of the meeting.

JIM HARPER MADE A MOTION, SECONDED BY GORDON REED, TO WAIVE THE REQUIREMENTS OF PROVIDING ALL OF THE ITEMS IN 8.18, D, 3 AND TO APPROVE THE REQUEST FOR PLANNING BOARD APPROVAL FOR WATERFRONT SETBACK REDUCTION IN THE NRPO DISTRICT FOR 114 RIDGE ROAD (MAP 16, LOT 12) WITH THE FOLLOWING CONDITION:

THAT THE EROSION CONTROL MEASURES OUTLINED IN THE NOVEMBER 1995 STORM WATER MANAGEMENT FOR MAINE BEST MANAGEMENT PRACTICES BE MAINTAINED FOR THE DURATION OF THE CONSTRUCTION.

UNANIMOUS APPROVAL

Item 3

Subdivision Sketch Plan Review – 9-lot Subdivision, 1524 Washington Street, (Map 13, Lot 44-1); ICS Realty, LLC-Robert Leblanc, applicant.

Jim Upham reminded the Planning Board that a subdivision request has three approval phases. The first phase is the sketch plan, the second is the more intensive review that would include engineering, storm water and so forth and then the final phase, which is the drawing of the subdivision that is recorded at the Registry of Deeds. Mr. Upham stated that this was the sketch plan phase.

Charlie Wiercinski, SiteLines, using a sketch of the site, pointed out wetlands as mapped by Woodlot Alternatives, access, proposed lots, lot sizes, and discussed utility access to the site. Mr. Wiercinski explained that this proposal was for nine lots.

The Planning Board held discussion on wetlands, elevations, setback requirements, existing driveways that would be impacted by this subdivision, deed covenants, access, a narrower right-of-way allowance, potential growth, and the possibility of a Planning Board site walk.

There being no further discussion from the Planning Board, Bob Oxton opened the floor to members of the public who wished to speak.

Cynthia Kennison, Washington Street, expressed her concern that adding eighteen or more vehicles to an area that already has traffic issues is dangerous. She also expressed concern over the impact to the sewers in the area stating that sewers often backed up into cellars now as it is.

Paul Seman, Woolwich resident, stated that he was concerned that this site could not support the density that was being proposed.

Hector Yeager, 1519 Washington, expressed concern that those impacted most by the increase in traffic lived along Harward Street and Mast Landing Road and were not present because they were not abutters and therefore not notified. Mr. Yeager also felt the streets in this area were already too narrow to support an increase in traffic and pointed out that the sewer main for this neighborhood was only an eight-inch pipe.

Arnold Clay, Washington Street, asked that the Planning Board not underestimate the importance of the stream on the property and requested the DEP be involved in this development to protect the stream and watershed. Mr. Clay expressed concern that this property could not support the density being proposed and that blasting would have to take place because of the amount of ledge on the site.

Toni Mercadonte, 1530 Washington, expressed concern over potential blasting and removal of trees. Ms. Mercadonte stated that if the trees were removed the drainage in that area will be negatively impacted.

Jim Krebs, Washington Street, stated that he was also concerned about erosion and pointed out the continuing erosion caused by the recent construction of a duplex in this area. Mr. Krebs asked whether or not these would be duplexes or single family homes pointing out that duplexes would only impact the traffic situation more.

There being no further discussion from the members of the public present, Bob Oxton closed the public portion of the meeting.

The Planning Board held discussion on traffic studies, infrastructure studies, stream alteration, run off, light spillage from automobiles, density, historic survey of the site, sewer lines, and potential cost to the City of Bath.

The Planning Board was polled and it was decided to continue this agenda item for a site walk of the proposed subdivision to be held on Saturday, November 15th at 8:00 a.m.

Item 4

Pre-Application Workshop – 16 Unit housing development on Front and Bowery Streets (Map 21, Lot 227); SSC Ventures, applicant.

Richard Klingaman recused himself from consideration of this agenda item because he is a principal in this development.

Richard Klingaman made a presentation on the history of the site and introduced Michael Kreindler who discussed the development of this site utilizing existing historic structures.

The Planning Board held discussion on impact to river views, walkways, and the inventive concept for development of this site.

There being no further discussion from the Planning Board, Bob Oxton opened the floor to members of the public who wished to speak.

Herb Kresser, 1127 Washington, stated that he was pleased with this proposal and extended congratulations for a job well done.

Ryan Epstein of Jenson, Baird, Gardiner and Henry, who is representing Stinson's stated that Stinson's is neither in support or opposition of this proposal. However, Mr. Epstein added that Stinson's has had complaints over time from the neighbors with regard to traffic, noise, and smell. Therefore, Stinson's would like to know what would be done to address complaints from residents.

Herb Kresser, 1127 Washington, stated that he was one of the complainers, but that the issues have been worked out with Stinson's except for the smell and Mr. Kresser stated that he understood that would be there as long as Stinson's was there.

Vincent Messler, Turner Court, stated that he believed this proposal would set the tone for future development and enhance the way of life in the City of Bath.

There being no further comments from the public present, Bob Oxton closed the public portion of the meeting.

The Planning Board held discussion on traffic and infrastructure studies, calculation of height requirements, alternative access to the site, and the status of the Contract Zoning in the Historic District.

There being no further comment from the Planning Board, Bob Oxton, Chair thanked the applicant for their presentation.

Other Business

Item 1

Jim Upham stated that he has been having discussion with regard to having high school students participate as non-voting members of the Planning Board. Mr. Upham explained that it was important to have youths participate because it sometimes took generations for the good work that Planning Boards do to become evident.

Item 2

Jim Upham informed the Planning Board that November 8, 2003, was World Town Planning Day and would be celebrated in thirty countries on four continents. Mr. Upham thanked the Planning Board members for their hard and often unappreciated work.

Item 3

Bob Oxton, Chair, wanted to recognize Marjorie Lowe, a former member of the City of Bath Planning Board, who passed away October 18, 2003.

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

UNANIMOUS APPROVAL

APPROVAL

The meeting was adjourned at 8:25 p.m.

Minutes prepared by Marsha Hinton, Recording Secretary