

A regular meeting of the Bath Planning Board was called on 12-2-03 for the purpose of conducting regular business.

MEMBERS PRESENT

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

MEMBERS ABSENT**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, December 2, 2003.

Minutes of November 18, 2003, meeting

RICHARD KLINGAMAN MOVED, SECONDED BY MARJORIE HAWKES, TO ACCEPT THE MINUTES OF THE NOVEMBER 18, 2003, MEETING AS SUBMITTED.

UNANIMOUS APPROVAL**Old Business:**

None.

New Business:**Item 1**

Request for Site Plan Approval – Construction of gasoline station, retail store, and car wash; 150 Leeman Highway (Map 28, Lot 49); C.N. Brown, Company, applicant.

Jim Upham, City Planner, informed the Planning Board that he had been told that due to a change to the State Statutes, the Planning Board would not be able to approve this application without a Traffic Permit from the Department of Transportation. Mr. Upham added that because the Times Record did not publish the notice of the Public Hearing on the Contract Rezoning request in a timely manner the Planning Board would not be able to act on that request this evening either. However, Mr. Upham encouraged the Planning Board to hear this application at this time.

JIM HARPER MADE A MOTION, SECONDED BY JIM HOPKINSON TO FIND THE APPLICATION FOR SITE PLAN APPROVAL FOR CONSTRUCTION OF GASOLINE

**STATION, RETAIL STORE, AND CAR WASH AT 150 LEEMAN HIGHWAY,
C.N.BROWN APPLICANT TO BE COMPLETE.**

UNANIMOUS APPROVAL

Scott Decker, of SYTDesign, introduced Charlie Sheehan, C.N. Brown and Tom McLennan, Acoustic Treatments. Mr. Decker used various drawings to illustrate photometrics, revised building elevations, modifications to the canopy, treatment of the existing building, storm drainage, sidewalks, snow removal, color schemes, type of siding, curb cuts, traffic flow, and landscaping.

Tom McLennan, reported that at the property line the noise would meet the Land Use Code requirements. Mr. McLennan described the methods they would use to reduce noise levels, as well as the noise levels at various distances from the carwash, vacuums and drive-up window. Mr. McLennan informed the Planning Board that there would be continuing monitoring at the site. Mr. McLennan added that if it were discovered that the noise levels at the site were not in compliance with the Land Use Code additional steps would be taken to reduce noise.

The Planning Board held discussion on crosswalks, sidewalks, culverts, drainage, slopes, dumpster screening, noise levels, type and location of trees, traffic flow, the canopy, color scheme recommendations, landscaping, buffering, pedestrian access, design features, and comments from various City Staff members.

There being no further comment from the Planning Board, Bob Oxtan opened the floor to members of the public present who wished to comment.

Bill Quimby, 28 Farrin Street, commended the applicant for the excellent plan they have submitted. Mr. Quimby asked the applicant if the drainage for snow melt off from the site would go into the under pavement drainage area.

Scott Decker stated that it would.

There being no further comment from members of the public seen, Bob Oxtan closed the public portion of the meeting.

Jim Harper asked the applicant to consider another type of canopy treatment which would be more in keeping with the overall appearance of the site. Mr. Harper stressed the importance of this location as a gateway into Bath.

Marjorie Hawkes asked Tom Hoerth, City Arborist & Tree Warden, to comment on the selection of trees for the site.

Tom Hoerth explained the process to date for selection of trees for this site and his recommendations.

Robin Haynes suggested that the applicant explore using color and other details to provide continuity throughout the site.

The Planning Board recommend to the applicant that the canopy be modified to conform more to the rest of the structures on the site in style and color; that the treatment for the existing building be specified on the site plan; agreed that the one place where the light would not meet the Land Use Code requirement could be waived due to location and topography; to work with the City Arborist for selection of trees; and to use more painted-on traffic signage to direct traffic flow. The Planning Board also commended the applicant for the excellent plan, their cooperative attitude, and the attractiveness of the proposed site.

JIM HARPER MADE A MOTION, SECONDED BY GORDON REED TO CONTINUE THE REQUEST FOR SITE PLAN APPROVAL, CONSTRUCTION OF GASOLINE STATION, RETAIL STORE AND CAR WASH AT 150 LEEMAN HIGHWAY, C.N. BROWN APPLICANT TO THE DECEMBER 16, 2003 MEETING OF THE CITY OF BATH PLANNING BOARD.

UNANIMOUS APPROVAL

Item 2

Request for Conditional Certificate of Occupancy -- Community Center at Lambert Park; 70 Office Drive (Map 19, Lot 145); City of Bath Recreation Department, applicant.

Jack Hart, Recreation Director, stated that he was before the Planning Board to ask for a Conditional Certificate of Occupancy. Mr. Hart explained that the building itself is finished, but still needs four items to be completed before they can occupy the building; the parking lot lights, the parking lot graded, landscaping and paving of the parking lot. Mr. Hart said that the plan is to have the parking lot lights and the parking lot graded by December 31, 2003. Mr. Hart pointed out that the reason he is requesting a Conditional Certificate of Occupancy is because of a vandalism issue currently at the site and because there have been many requests to use the building already.

The Planning Board held discussion on curb cuts, timeframe for completion, and conditions for approval.

GORDON REED MADE A MOTION, SECONDED BY RICHARD KLINGAMAN THAT THE REQUEST FOR CONDITIONAL CERTIFICATE OF OCCUPANCY FOR THE COMMUNITY CENTER AT LAMBERT PARK, 70 OFFICE DRIVE, CITY OF BATH RECREATION DEPARTMENT, APPLICANT, BE APPROVED WITH THE CONDITION THAT PARKING LOT LIGHTS AND GRADING BE COMPLETED NO LATER THAN DECEMBER 31, 2003 AND THAT THE LANDSCAPING AND PAVING BE COMPLETED NO LATER THAN JUNE 4, 2004 IN ACCORDANCE WITH THE DECEMBER 2, 2003 MEMORANDUM FROM JACK HART TO THE PLANNING BOARD.

UNANIMOUS APPROVAL.

Item 3

Request for Historic District Approval – building renovations and the construction of a garden shed; 866 Washington Street (Map 26, Lot 171); Michael and Judith Hamer, applicants.

Michael Hamer briefly described the improvements to the house and asked the Planning Board to grant approval for this request. Mr. Hamer stated that he has received the recommendations from Sagadahoc Preservation Inc. with regard to the proposed shed and is willing to incorporate their suggestions.

The Planning Board held discussion on the shed type, the type of roof, and the location of the shed.

ROBIN HAYNES MADE A MOTION, SECONDED BY MARJORIE HAWKES, TO APPROVE THE REQUEST FOR HISTORIC DISTRICT APPROVAL FOR BUILDING RENOVATIONS AND THE CONSTRUCTION OF A GARDEN SHED AT 866 WASHINGTON STREET, MICHAEL AND JUDITH HAMER APPLICANTS WITH THE CONDITION THAT THE SIDING ON THE SHED BE WOODEN AND THAT THE SHED BE EITHER GABLE OR GAMBREL ROOFED.

UNANIMOUS APPROVAL.

Item 4

Request for Site Plan Amendment and Approval of Shared Parking -- Midcoast Center for Higher Education; Davenport Circle (Map 14, Lot 96-3); City of Bath, applicant.

Art Mayo, representing MidCoast Center for Higher Education, stated that due to an increase in enrollment and course offerings he was before the Planning Board to request a site plan amendment for increased parking. Mr. Mayo informed the Planning Board that a shared parking agreement was in place with Family Focus.

Bill Lane, of Gartley & Dorsky, explained how the existing parking areas would be reconfigured, photometrics, buffering along Washington Street, landscaping and curbing.

Tom MacDonald, representing the City, discussed possible future entrances into the school and potential for expansion of the college into other areas of the building.

The Planning Board held discussion on preserving and using the existing trees, increasing the screening along Washington Street, other landscaping, shared parking, enforcement, and formal plans showing these changes.

JIM HARPER MADE A MOTION, SECONDED BY ROBIN HAYNES, TO APPROVE THE REQUEST FOR SHARED PARKING AT THE MIDCOAST CENTER FOR HIGHER EDUCATION, DAVENPORT CIRCLE, CITY OF BATH APPLICANT IN ACCORDANCE WITH THE LETTER DATED NOVEMBER 19, 2003 FROM ROGER THERIAULT, CITY ATTORNEY TO JIM UPHAM, CITY PLANNER.

UNANIMOUS APPROVAL.

JIM HARPER MADE A MOTION, SECONDED BY MARJORIE HAWKES, TO APPROVE THE APPLICATION FOR SITE PLAN AMENDMENT FOR MIDCOAST CENTER FOR HIGHER EDUCATION DAVENPORT CIRCLE CITY OF BATH APPLICANT WITH THE FOLLOWING WAIVERS AND CONDITION:

THAT SECTION 10.06 OF THE LAND USE CODE BE WAIVED IN THAT ADDITIONAL SCREENING NOT BE REQUIRED;

THAT THE LIGHT SPILLAGE ON THE NORTHWEST PARKING LOT BE ALLOWED TO EXCEED THE REQUIREMENT;

AND WITH THE CONDITION THAT A SKETCH OF THE MODIFICATIONS TO LANDSCAPING AND THE RELOCATION AND INCREASE IN QUANTITY OF LANDSCAPE BUFFERING ON THE WEST SIDE OF WASHINGTON STREET BE SUBMITTED TO THE PLANNING DIRECTOR AND DEEMED ADEQUATE.

UNANIMOUS APPROVAL.

OTHER BUSINESS

Jim Upham informed the Planning Board that he has been talking with Let's Talk Assets at Morse High School with regard to having students as a non-voting members of the Planning Board and may have student members by the end of the year. Mr. Upham also distributed a working chart of actions associated with the recommendations in the South End Urban Design Plan to Planning Board members and asked them to use it to identify specific tasking and time table for completion.

There being no further business to come before the Board, **GORDON REED MADE A MOTION, SECONDED BY RICHARD KLINGAMAN, THAT THE MEETING BE ADJOURNED.**

UNANIMOUS APPROVAL

APPROVAL

The meeting was adjourned at 8:15 p.m.

Minutes prepared by Marsha Hinton, Recording Secretary