

A regular meeting of the Bath Planning Board was called on 2-03-04 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 meeting to order in the third floor Council Chambers at 6:00 p.m. on Tuesday, February 3, 2004.

Minutes of January 20, 2004, meeting

JIM HARPER MOVED, SECONDED BY GORDON REED TO APPROVE THE MINUTES OF THE JANUARY 20, 2004, MEETING AS WRITTEN.

UNANIMOUS APPROVAL**Old Business:**

None.

New Business:**Item 1**

Request for Site Plan Amendment – Change in the parking lot lighting at the Bath Shopping Center; Chandler Drive (Map 28, Lots 51 and 52); Eastern Development, LLC, Applicant.

Jim Upham, City Planner, stated when this plan was approved it was overlooked that the lighting on the west end of the site did not meet the standards of Article 10 in that it exceeds the .2 foot candles as outlined in the Land Use Code.

Tim Sullivan, Eastern Development, LLC, owners of the Bath Shopping Center, stated that Eastern Development, LLC was not notified of some changes to the lighting made by the engineer. Mr. Sullivan stated that they continued to be unaware that the lighting did not comply with the City of Bath Land Use Code until the City of Bath Codes Enforcement Officer pointed it out to them. Mr. Sullivan added that he was before the Planning Board to correct that error. Mr. Sullivan presented a proposal for correcting the lighting and asked the Planning Board for a waiver because the proposed change

would reduce the foot candles, but not to the .2 foot candles required by the Land Use Code.

The Planning Board held discussion on whether the abutters had been notified, any comments from residents with regard to excessive lighting, other lighting options, and gathering live data from the site.

JIM HARPER MADE A MOTION, SECONDED BY ROBIN HAYNES, TO CONTINUE THE REQUEST FOR SITE PLAN AMENDMENT FOR CHANGE IN THE PARKING LOT LIGHTING AT THE BATH SHOPPING CENTER; CHANDLER DRIVE (MAP 28, LOTS 51 AND 52) EASTERN DEVELOPMENT LLC, APPLICANT TO THE FIRST REGULARLY SCHEDULED MEETING IN MARCH 2004.

UNANIMOUS APPROVAL

Other Business:

Jim Upham, City Planner, reminded the Planning Board of drafts of proposed changes to the Land Use Code and asked the Planning Board to consider moving ahead with two of those.

Mr. Upham stated that one change to the Land Use Code would be to change the wording "Place of Worship" to "Place of Meeting" in Article 2.

The Planning Board was polled and agreed that the process for this proposed change to the Land Use Code could begin and that Mr. Upham could set this for public hearing.

Mr. Upham stated that in an effort to streamline the process for the historic overlay district review process that a change to Section 8.12 is proposed to add the following language:

2. The Historic District Committee is authorized to grant Historic District Approval for the following:
 - a. The demolition of any structure that was built in 19__ or more recently;
 - b. The demolition of any portion of a structure if that portion was built in 19__ or more recently, or
 - c. The change, removal, or covering (other than with paint or stain) of any exterior architectural detail or decorative element of an existing building or portion of any existing building if that building or portion was built or the architectural detail or decorative element was added to the building in 19__ or more recently.

The decision to grant Historic District Approval must be made unanimously by the Historic District Committee. Any committee member may require that the application be placed on the next available Planning Board agenda for Planning Board review.

Before the Historic District Committee may grant approval the Committee must find that the applicant has demonstrated that the structure, the portion of the structure, or the exterior architectural detail or decorative element was built or added to the existing building in 19__ or more recently.

Discussion was held by the Planning Board on changing the areas where a specific date noted as "19__" in the proposed draft should be changed to "something added within the last 25 years" or similar language, and language to ensure that changes made within the last 25 years to restore a building to its original historic or period appearance would not fall under this category, restrictions upon the proposed committee, size of the proposed committee, and materials and organizations with which to gain information on questions the Planning Board may have now and in the future on historic structures.

The Planning Board was polled and agreed that the process for this proposed change to the Land Use Code could begin and that Mr. Upham could set this for public hearing.

Jim Upham, City Planner, explained that the Planning Board had approved an amendment to the WingFarm subdivision to allow the existing lot line to be changed to include the parking lot for Coastal Economic Development in one lot. The plan was not signed at that meeting and now a plan dated February 3, 2004, is before the Planning Board for signature which differs from the plan which was approved. Mr. Upham pointed out the only change was the added wording "Access easement to benefit lot two" on the plan.

The Planning Board held discussion on the added wording, what action by the Planning Board would be appropriate and the previous approval.

JAMES HOPKINSON MADE A MOTION, SECONDED BY JIM HARPER, TO ACCEPT THE PLAN FOR THE WINGFARM SUBDIVISION DATED FEBRUARY 3, 2004, AS THE PLAN APPROVED AT THE PLANNING BOARD MEETING ON JANUARY 20, 2004 WITH THE NOTE "ACCESS EASEMENT TO BENEFIT LOT TWO" ON THE PLAN.

UNANIMOUS APPROVAL

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

UNANIMOUS APPROVAL

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

Minutes prepared by Marsha Hinton, Recording Secretary