

A regular meeting of the Bath Planning Board was called on 5-18-04 for the purpose of conducting regular business.

MEMBERS PRESENT

Bob Oxton, Chair
Robin Haynes
Richard Klingaman
Gordon Reed
James Hopkinson
Brandon Shaw(non-voting student member)
Jonathan Dolloff(non-voting student member)

MEMBERS ABSENT

Jim Harper, Vice Chair
Marjorie Hawkes

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, May 18, 2004.

Minutes of May 4, 2003, meeting

GORDON REED MOVED, SECONDED BY JAMES HOPKINSON TO ACCEPT THE MINUTES OF THE MAY 4, 2003, MEETING AS WRITTEN.

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

Subdivision Final Plan Review – 9-lot Subdivision, 1524 Washington Street, (Map 13, Lot 44-1); ICS Realty, LLC – Robert Leblanc, applicant (continued from the May 4, 2004, meeting.)

Jim Upham, Planning Director, informed the Planning Board that the report from Tom Saucier of SYTDesign with regard to erosion control, non-point source pollution, storm water management, and the impact on the Kennebec River was not yet completed. Mr. Upham recommended that the Planning Board continue this agenda item until the June 1, 2004 meeting.

ROBIN HAYNES MOVED, SECONDED BY JIM HOPKINSON, TO CONTINUE THE REVIEW OF THE SUBDIVISION FINAL PLAN FOR A 9-LOT SUBDIVISION AT 1524 WASHINGTON STREET, ICS REALTY, LLC – ROBERT LEBLANC, APPLICANT TO THE JUNE 1, 2004, MEETING.

UNANIMOUS APPROVAL**New Business:**

Item 1

Request for Historic District Approval – demolition of the buildings at 221 and 235 Front Street (Map 26, Lots 261 and 260); Sagadahock Real Estate Association and John G. Morse and Sons, Inc., applicants.

Bob Oxtan asked for the applicant's permission for the non-voting student members to participate in the discussion of this agenda item.

Jane Morse, representing the applicants, stated that the non-voting student members could participate in the discussion of the request. Ms. Morse explained that these buildings have deteriorated to the point that they were no longer useable or safe. Ms. Morse added that she was before the Planning Board requesting approval to demolish these buildings.

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

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

Gordon Reed stated that this project had been evaluated some time ago and it was found that there was no historic value and that the buildings were in such a poor condition that there was nothing to do but demolish them.

The Planning Board held discussion on the poor condition of the buildings, historic uses, and architecture.

THERE BEING NO FURTHER DISCUSSION FROM THE PLANNING BOARD, ROBIN HAYNES MOVED TO APPROVE THE REQUEST FOR HISTORIC DISTRICT APPROVAL FOR DEMOLITION OF THE BUILDINGS AT 221 AND 235 FRONT STREET (MAP 26, LOTS 261 AND 260); SAGADAHOCK REAL ESTATE ASSOCIATION AND JOHN G. MORSE AND SONS, INC., APPLICANTS.

UNANIMOUS APPROVAL.

Item 2

Discussion of the Front Setback standard for other than single- and two-family residential uses in the R1 Zone.

Jim Upham stated that in some instances in the R1 Zone the 20-foot Setback for commercial and multi-family residential uses may not be needed due to the character of the neighborhood and the size and character of these buildings. Mr. Upham asked the Planning Board for their guidance in dealing with these issues.

The Planning Board held discussion on Setbacks, crowding, neighborhood character, specific restrictions, the risk of micro-management by the Planning Board, and overlay zoning.

Robin Haynes recommended that the Setbacks be amended but with specific restrictions that would keep the buildings sympathetic with the neighborhood. Dr. Haynes suggested that any addition or new building maintain a rhythm of the doors and windows that is sympathetic to the rest of the neighborhood and that the addition could not impact pedestrian or vehicular sight distance in any way.

Bob Oxtan stated that while buildings in some neighborhoods in Bath were located very close to the street, others were not. Mr. Oxtan said that he has strong concerns that relaxing the Setbacks may create more neighborhoods that are set very close to the street.

The Planning Board asked the Planning Director to draft a proposed amendment with regard to set backs in the R1 zone for their review.

Other Business

Item 1

Set Summer Meeting Schedule

The Planning Board held discussion on the Summer Meeting Schedule and it was decided that during the months of June, July, and August there would be one regularly scheduled meeting, unless there was a compelling reason to schedule an additional monthly meeting.

Item 2

Release of Eastern Development's Letter of Credit

Jim Upham stated that Eastern Development has requested that the June 11, 2002, Letter of Credit be released. Mr. Upham stated that Eastern Development has met all the requirements for improvement as outlined in the approved Site Plan.

The Planning Board held discussion on completion of the requirements and maintenance issues.

GORDON REED MOVED THAT HAVING BEEN ADVISED, BASED ON CORRESPONDENCE TO JIM UPHAM, PLANNING DIRECTOR, FROM SCOTT DAVIS, BATH CODES ENFORCEMENT OFFICER, DATED MAY 18, 2004, THAT THE REQUIRED IMPROVEMENTS COVERED BY THE LETTER OF CREDIT DRAWN ON THE BOSTON PRIVATE BANK AND TRUST COMPANY TO THE CITY OF BATH, DATED JUNE 11, 2002, HAVE BEEN COMPLETED ACCORDING TO THE APPROVED SITE PLAN, THAT THE PLANNING BOARD RELEASE THE

IRREVOCABLE LETTER OF CREDIT AND AUTHORIZED THE PLANNING DIRECTOR TO SIGN THE RELEASE. THE MOTION WAS SECONDED BY JIM HOPKINSON.

UNANIMOUS APPROVAL.

Item 3

Maine Department of Transportation Planning Group

Jim Upham stated that the Maine Department of Transportation was putting together a planning group to study Route 1 from Brunswick to Prospect. Mr. Upham said that the first meeting of the Bath group will be June 17, 2004, from 10:00 a.m. to noon. Mr. Upham pointed out that it would be beneficial for a member of the City of Bath Planning Board participate in this study.

The Planning Board asked the Planning Director to provide more information on meeting frequency and times.

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

UNANIMOUS APPROVAL

The meeting was adjourned at 7:00 p.m.

Minutes prepared by Marsha Hinton, Recording Secretary