
BATH PLANNING BOARD MEETING MINUTES SEPTEMBER 21, 2004

A regular meeting of the Bath Planning Board was called on 9-21-04 for the purpose of conducting regular business.

MEMBERS PRESENT

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

MEMBERS ABSENT

Jonathan Dolloff(non-voting student member)
Brandon Shaw(non-voting student member)

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, September 21, 2004.

Minutes of September 7, 2004, meeting

GORDON REED MOVED, SECONDED BY ROBIN HAYNES, TO APPROVE THE MINUTES OF THE SEPTEMBER 7, 2004, MEETING AS PRESENTED.

UNANIMOUS APPROVAL

Old Business:

Item 1

Request for Land Use Code Text Amendment – Request to amend Article 8, Section 8.01, C – High-density Residential District, and to amend Article 10 by adding Section 10.34 – R1 Setback Reduction Plan. (continued from the September 7, 2004, meeting.)

Jim Upham explained the proposed changes to Article 8 and Article 10. Mr. Upham informed the Planning Board that these changes would allow more flexibility for property owners. Mr. Upham added that this type of flexibility would place an additional burden on the codes enforcement process.

The Planning Board held discussion on buffering, enforcement, stronger language, requirement that the document be recorded, requiring the property owner to show proof of compliance on a yearly basis, location of lot lines, and the need for a landscape architect to design the buffering for each site.

Jim Upham stated that he would make the suggested changes and bring the proposed text back to the Planning Board for review.

Item 2

Request for Site Plan Approval – filling on the lot at the corner of Lemont and High streets (Map 24, Lot 9A); Jeffrey Bengtsson, applicant. (continued from the September 7, 2004, meeting.)

Jim Upham explained that the applicant is in the process of gathering the information the Planning Board requested and would like to continue this request until the October 19, 2004, Planning Board meeting.

JIM HARPER MOVED, SECONDED BY ROBIN HAYNES, TO CONTINUE THE REQUEST FOR SITE PLAN APPROVAL FOR FILLING ON THE LOT AT THE CORNER OF LEMONT AND HIGH STREETS UNTIL THE OCTOBER 19, 2004, MEETING.

UNANIMOUS APPROVAL.

Item 3

Request for Site Plan Approval Amendment -- Leeman Highway and Court Street (Map 28, Lots 76, 77, and 78); M.W. Sewall & Co., applicant. (continued from the September 7, 2004, meeting).

Jim Upham explained that the applicant is in the process of gathering the information the Planning Board requested and would like to continue this request until the October 19, 2004, Planning Board meeting.

ROBIN HAYNES MOVED, SECONDED BY RICHARD KLINGAMAN, TO CONTINUE THE REQUEST FOR SITE PLAN APPROVAL AMENDMENT FOR LEEMAN HIGHWAY AND COURT STREET UNTIL THE OCTOBER 19, 2004, PLANNING BOARD MEETING.

UNANIMOUS APPROVAL.

New Business:

Item 1

Request for Conditional Certificate of Occupancy – 50 WingFarm Parkway (Map 24, Lot 5); Jan Martin, jr., applicant.

Jim Upham stated that the dance studio building was nearing completion and nearly ready to occupy. The applicant did not want to complete the landscaping if it could be damaged while the other three buildings for the self storage use were being constructed. Mr. Upham said that the applicant was requesting a conditional certificate of occupancy so they could use the building before all the landscaping had been completed. Mr. Upham informed the Planning Board that there was an acceptable performance guarantee being prepared by Gardiner Savings Institution, which would be reviewed by the City Solicitor.

Jan Martin, applicant, explained that in order to give the remaining landscaping a chance to survive and still be able to open the business he was requesting a conditional certificate of occupancy. He said that the landscaping would be completed by July 20, 2005.

The Planning Board held discussion on the remaining construction on the site, the landscaping, and approval conditions.

JIM HARPER MOVED, SECONDED BY BILL VAHEY, TO APPROVE THE REQUEST FOR CONDITIONAL CERTIFICATE OF OCCUPANCY FOR 50 WINGFARM PARKWAY WITH THE FOLLOWING CONDITIONS:

THAT A PERFORMANCE GUARANTEE BE REVIEWED AND APPROVED BY THE CITY ATTORNEY; AND

THAT A LETTER BE SUBMITTED FROM THE CODES ENFORCEMENT OFFICER AND PLACED IN THE PLANNING OFFICE FILE STATING THAT THE STRUCTURE IS SAFE TO OCCUPY.

UNANIMOUS APPROVAL.

Other Business:

Planning Board Review of the Washington Heights Blasting Contractor's Insurance – Condition #11, Washington Height's Notice of Decision, dated July 9, 2004.

Jim Upham said that the applicant has submitted for the Planning Board's review the blasting contractor's insurance as part of the approval conditions. This information has been submitted on the standard form used by the codes enforcement office. Mr. Upham added that he had provided a copy of the City of Bath Codes related to blasting as well as the BOCA requirements to Planning Board members in their meeting packets.

The Planning Board held discussion on BOCA requirements.

JIM HOPKINSON MOVED, SECONDED BY RICHARD KLINGAMAN, TO ACCEPT THE APPLICANT'S CONTRACTOR'S CERTIFICATE OF INSURANCE CONDITIONED UPON FINAL APPROVAL BY THE CITY ATTORNEY.

UNANIMOUS APPROVAL.

Jim Upham expressed his thanks for the many years and dedicated service of Marjorie Hawkes, who had decided not to seek reappointment to the Planning Board recently

due to personal reasons. Mr. Upham described the various City of Bath committees to which Ms. Hawkes gave her time. Mr. Upham stated that Ms. Hawkes' down-to-earth review of materials will be missed.

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

UNANIMOUS APPROVAL

APPROVAL

The meeting was adjourned at 6:40 p.m.

Minutes prepared by Marsha Hinton, Recording Secretary