

A regular meeting of the Bath Planning Board was called on 10-19-04 for the purpose of conducting regular business.

**MEMBERS PRESENT**

Bob Oxtan, Chair  
Robin Haynes  
Dick Klingaman  
Gordon Reed  
Jim Hopkinson  
Bill Vahey

**MEMBERS ABSENT**

Jim Harper, Vice Chair  
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, October, 19, 2004.

**Minutes of September 21, 2004, meeting**

**GORDON REED MOVED, SECONDED BY DICK KLINGAMAN TO APPROVE THE MINUTES OF THE SEPTEMBER 21, 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 21, 2004, meeting.)

Jim Upham presented the modifications to the Land Use Code Text Amendment recommended at previous meetings and read portions of a memorandum from Scott Davis, Codes Enforcement Officer.

The Planning Board held discussion on enforcement issues, yearly notification, flexibility for property owners, maintaining buffering, deed restrictions and penalties.

**JIM HOPKINSON MOVED, SECONDED BY DICK KLINGAMAN, TO RECOMMEND TO THE CITY COUNCIL THAT THEY ADOPT THE REQUEST TO AMEND ARTICLE 8 SECTION 8.01 C AND ADD SECTION 10.34, AS PROPOSED.**

**UNANIMOUS APPROVAL.**

**Item 2**

**Request for Site Approval** – filling on the lot at the corner of Lemont and High streets (Map 24, Lot 9A), Jeffrey Bengtsson, applicant. (Continued from the September 21, 2004, meeting.)

Jim Upham informed the Planning Board that the applicant has requested that this be continued until the regular Planning Board meeting on November 16, 2004, to allow more time to complete the application.

**GORDON REED MOVED, SECONDED BY DICK KLINGAMAN, TO CONTINUE THE REQUEST FOR SITE PLAN APPROVAL FOR FILLING ON THE LOT AT THE CORNER OF LEMONT AND HIGH STREETS (MAP 24, LOT 9A), JEFFREY BENGTSOON, APPLICANT, UNTIL THE REGULAR MEETING OF THE PLANNING BOARD ON NOVEMBER 16, 2004.**

**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 21, 2004, meeting.)

Scott Bubier, applicant, described signage, buffering, lighting, dumpster enclosures, and timers for vacuums and lights.

The Planning Board held discussion on inaccuracies on the site plan submitted, number and size of arborvitae, foot candles at the property line, dumpster screening, lighting, and hours of operation.

**ROBIN HAYNES MOVED, SECONDED BY BILL VAHEY, TO APPROVE THE REQUEST FOR SITE PLAN APPROVAL AMENDMENT FOR LEEMAN HIGHWAY AND COURT STREET (MAP 28, LOTS 76, 77 AND 78) M.W. SEWALL & CO., APPLICANT, WITH THE CONDITIONS THAT A CORRECTED SITE PLAN MAP BE SUBMITTED TO STAFF.**

**UNANIMOUS APPROVAL.**

Jim Upham informed the applicant that they had 35 days in which to submit the corrected site plan before the action taken by the Planning Board tonight became void.

## **New Business:**

### **Item 1**

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

Tom Saucier, SYTDesign Consultant, representing the applicant, described the minor changes to the approved site plan. Mr. Saucier explained changes to the HVAC enclosures, the concrete pads at the menu board, drive-up window and car wash, roof drain, guardrail, curbing, window bump out, parking, fueling canopy, grease trap, sewage, landscaping, grit chamber, entrances, windows, and front and rear façade.

The Planning Board held discussion on the façade, view from abutting properties, lighting, safety, faux windows, colors, signage, timeline for construction, plantings, and HVAC units.

**ROBIN HAYNES MOVED, SECONDED BY DICK KLINGAMAN, TO APPROVE THE REQUEST FOR SITE PLAN APPROVAL AMENDMENT FOR CONSTRUCTION OF A GASOLINE STATION, RETAIL STORE, AND CAR WASH AT 150 LEEMAN HIGHWAY (MAP 28, LOT 49); C.N. BROWN, COMPANY, APPLICANT WITH THE CONDITION THAT A CORRECTED DRAWING SHOWING AGREED TO CHANGES ITO THE FACADES, THE ADDITION OF CORNER PILASTERS, GREATER PROJECTION OF ALL PILASTERS, THE TEAR-DROP DECORATIVE ELEMENT, THE ADDITIONAL ELEMENT OVER THE REAR SOUTHERN ENTRANCE, THE ADDITIONAL CHANGES TO THE LANDSCAPING PLAN, THE ENCLOSURE OF THE MACHINE WORKS BE SPECIFIED, THE COLOR SCHEME, DETAIL ON THE GREASE TRAP, ADDITIONAL LANDSCAPING ON THE SOUTHWEST CORNER, LOCATION OF EXTERIOR LIGHTS AND TYPE OF EXTERIOR LIGHTS BE SUBMITTED FOR APPROVAL BY CITY STAFF.**

**UNANIMOUS APPROVAL.**

Bob Oxtan, Chair, commended the applicant for the excellent design of this proposal.

### **Item 2**

**Subdivision Sketch Plan Review** – 4-lot subdivision; Oak Grove Avenue (Map 15, Lot 46); Sewall Family Associates, LLC, applicant.

Kevin Clark, of SiteLines, representing the Sewall Family Association, described sewage, utilities, test pits, wet lands, proposed lot lines, wells, covenants, and determination by the Planning Board that this is a minor subdivision.

The Planning Board held discussion on covenants, price range of the proposed lots, house design and orientation, conservation area, access, buffering, working with

abutters to explore public sewage, tree preservation plan, the need for a site walk, and whether this was a major or minor subdivision.

**GORDON REED MOVED, SECONDED BY JIM HOPKINSON, TO FIND THAT THE SUBDIVISION SKETCH PLAN REVIEW FOR A 4-LOT SUBDIVISION AT OAK GROVE AVENUE (MAP 15, LOT 46), SEWALL FAMILY ASSOCIATES, LLC, APPLICANT TO BE A MINOR SUBDIVISION, THAT A SITE WALK IS NOT NECESSARY BECAUSE THIS IS A HEAVILY WOODED AREA, AND THAT THE REQUIREMENT FOR A PUBLIC HEARING IS SATISFIED BY ALLOWING PUBLIC COMMENT AT THE PUBLIC MEETING.**

**UNANIMOUS APPROVAL.**

### **Item 3**

**Site Plan Pre-application Workshop and Subdivision Sketch Plan Review – 9-unit multi-family residential development; Federal Street (Map 34, Lot 15-1); Bath Housing Development Corporation, applicant.**

Joanne Troy, Executive Director of the Bath Housing Development Corporation, and Al Smith, Community Development Director, described the revitalization of the Tarbox Hill neighborhood and the culminating project embodied in the construction of three structures that will provide nine housing units. Steven Theodore, Theodore and Theodore Architects, and Todd Richardson, of Richardson and Associates, described the location, topography, traffic circulation, play areas, common areas, landscaping, screening, façade, utilities, infrastructure, and easements.

The Planning Board held discussion on road and walkway materials, utilities, environmental assessment, scale of plan, accessibility, emergency access, housing association, fencing, storage building, soils, sewage, site walk, and whether this is a minor or major subdivision.

**GORDON REED MOVED, SECONDED BY JIM HOPKINSON, TO FIND THAT THE SITE PLAN PRE-APPLICATION WORKSHOP AND SUBDIVISION SKETCH PLAN REVIEW FOR A 9-UNIT MULTI-FAMILY RESIDENTIAL DEVELOPMENT; FEDERAL STREET (MAP 34, LOT 15-1); BATH HOUSING DEVELOPMENT CORPORATION, IS A MAJOR SUBDIVISION, THAT A SITE WALK BE SCHEDULED, AND THAT THE REQUIREMENT FOR A PUBLIC HEARING IS SATISFIED BY ALLOWING PUBLIC COMMENT AT THE PUBLIC MEETING.**

**UNANIMOUS APPROVAL.**

### **Other Business:**

Jim Upham discussed the meeting for November 2, 2004; applications for the Comprehensive Plan Advisory Committee; the reduction in the number of traffic

incidents at the Bath Shopping Center; and the Maine Department of Transportation Gateway 1 project.

There being no further business to come before the Board, **ROBIN HAYNES MOVED, SECONDED BY BILL VAHEY, THAT THE MEETING BE ADJOURNED.**

**UNANIMOUS APPROVAL**

**APPROVAL**

The meeting was adjourned at 9:05 p.m.

Minutes prepared by Marsha Hinton, Recording Secretary