

A regular meeting of the Bath Planning Board was called on 4-19-05 for the purpose of conducting regular business.

MEMBERS PRESENT

Bob Oxtan, Chair
Jim Harper, Vice Chair
Robin Haynes
Jim Hopkinson
Bill Vahey
Andy Omo
Jonathan Dolloff (non-voting student member)

MEMBERS ABSENT

Richard Klingaman
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, April 19, 2005.

Minutes of April 5, 2005, meeting

Robin Haynes noted two omissions from the April 5, 2005, minutes as follows:

On page 8 the motion at the top of the page should include the words "at least" before the words "15 feet in depth from the..."

"Notwithstanding A, above, a Category 4.1 use may be located on the ground floor of a mixed use building, which must include a Category 2 use, a Category 3 use, or a Category 10.1 use, provided the Category 4.1 use occupies no more than 50 percent of the ground floor and does not occupy more of the store front than is necessary for safe personal egress. A store front means that portion of a building that abuts the street, City owned parking lot or Kennebec River and is at least 15 feet in depth from the street, city owned parking lot or Kennebec River."

And on page 8 as well should include the words "one, if not more, of the following measures must be incorporated..."

Jim Upham, Planning Director, told the Board that the wording that went to the City Council was, "When connectivity is not possible, to reduce the risk to the public safety at least one, and more if required by the Board, of the following..."

The Board agreed that that wording was suitable.

JIM HARPER MOVED, SECONDED BY BILL VAHEY, TO ACCEPT THE MINUTES OF THE APRIL 5, 2005, MEETING AS AMENDED.

UNANIMOUS APPROVAL

Old Business:

Item 1

Request for Final Subdivision Approval – Construction of a 9-unit multi-family development; Federal and Tarbox streets (Map 34, Lot 15-1); Bath Housing Development Corporation, applicant. (Continued from the March 15, 2005, agenda.)

Jim Upham stated that the applicant wished to continue this item.

Bob Oxtan, Chair polled the Planning Board and it was agreed to continue this agenda item.

New Business:

Item 1

Request for Site Plan Approval – Construction of a 9,797 square foot addition to an existing building (the gymnasium); 616 High Street (Map 31, Lot 22 & 23); Hyde School, applicant.

Jim Upham stated that this agenda item was incomplete because documentation showing ownership had not yet been received and asked the Planning Board to hear this agenda item as a pre-application workshop.

Bob Oxtan polled the Planning Board and it was agreed to hear this agenda item as a pre-application workshop.

Ben Jorgenson, director of facilities for Hyde School, introduced Mark Bergeron and John Whipple. Mr. Jorgenson stated that as a portion of the master plan for the upgrade of the facilities on the Hyde School campus an addition to the gymnasium is being proposed. Mr. Jorgenson described the 1968 gymnasium structure and various improvements proposed.

Mark Bergeron, Pinkham & Greer Engineers, discussed the site, Maine Department of Environmental Protection requirements, parking, circulation, pedestrian traffic, utilities, stormwater management, and the bio-retention cells that are proposed.

John Whipple, architect, pointed out the health center, handicapped access, the game room, climbing wall, new locker room, small café, weight room, wrestling room, amphetheater, and cardio vascular equipment.

The Planning Board discussed Set Backs, impervious area, lighting, the Bath Comprehensive Plan, review of the proposed addition by the Maine Historic Preservation Commission, and parking.

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

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

The Planning Board recommended that the final application include information from the Maine Historic Preservation Commission, catalogue information on the lighting intensity, and property ownership information.

Item 2

Request for Pre-application Workshop – Redevelopment and expansion of an existing building and the construction of two new buildings; 135 & 141 Leeman Highway (Map 28, Lot 054 and Map 28, Lot 053); Mark Sewall, applicant.

Jim Upham stated that he had attended a meeting with the applicant and the Maine Department of Transportation to discuss alternative circulation for this site.

Mark Sewall introduced Don Leighton, landscape architect. Mr. Leighton pointed out proposed redevelopment on a Site Plan, traffic circulation, consultations with a traffic engineer, comments from City Staff, and the desire of the applicant to assist with a look and feel to create an inviting gateway for the City.

The Planning Board discussed the Quimby Street/Court Street extension, traffic circulation, building positioning, views from the road ways, the design for the proposed buildings, parking, landscaping, and curb cuts.

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

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

The Planning Board complimented the applicant on this proposal and the willingness of the applicant to improve the look and feel of the City's gateway. The Planning Board recommended consideration of making the rear of the buildings attractive, encouraged exploration of various circulation patterns, and finalizing the off-site parking area with City Staff.

Item 3

Request for Pre-application Workshop and Subdivision Sketch Plan Approval – Construction of a 6-unit multi-family dwelling; Congress Avenue and Edgett Street (Map 24, Lot 001); Tedford Shelter, applicant.

Steve Normand described the proposal for a 6-unit apartment complex to be located on the current overflow parking area of the United Church of Christ. Mr. Normand discussed connection to the water system, the proposed site, proposed building materials, protection of tree growth, utilities, solid waste, and traffic circulation.

The Planning Board discussed impervious area, a tree protection plan, and preserving public access.

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

William Edgett, 2 Edgett Street, expressed concerns with regard to the problems created by current church overflow parking on Edgett Street and safety concerns with housing individuals with mental illness in the neighborhood. Mr. Edgett described how ledge blasting had caused a neighbor's home to split in two.

Wayne Goodine stated that he felt that using the overflow parking lot as a site for this building was a mistake because parking is always an issue with the church. Mr. Goodine described the various ancillary uses at the church, the traffic problems created by those uses, the large number of low income housing already in that area of town, the large amount of ledge, damage that would be caused by blasting, dead ending Edgett Street, and that he believed this proposal did not comply with City Ordinances.

Lance Fuller, 13 Edgett Street, stated that he believed that Edgett Street was to be a dead end street. Mr. Fuller described traffic on Congress and Edgett streets currently and how it would increase with a six-unit housing complex and stated that he believed this was an inappropriate facility for this site.

Donald Jacques, 17 Edgett Street, stated he has in the past contacted the police to report noise from the church parking lot at 1 and 2 o'clock in the morning. Mr. Jacques expressed his concerns with regard to increased traffic and noise issues because of this proposal.

Leatrice Manson, 5 Edgett Street, described how shortly after she moved to Edgett Street a mentally handicapped woman entered her car while Ms. Manson was stopped.

Gerry Dunlap, 414 Center Street, described the hazardous traffic conditions at the intersection of Center and Edgett streets adding that this proposal would only increase the hazard.

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

The Planning Board recommended the following: review of the proposal by the police chief, a traffic study completed by a traffic engineer, a different proposal than a paper street approach, to comply with city blasting ordinance, to factor in the need for additional traffic caused by clinical services, a water design approved by Bath Water District, fencing for safety on the back side of the buildings, to address Section 7.5 of the Comprehensive Plan, Historic Review of the site, an understanding of Right Title and interest for this site, and the need of the church to meet the parking space requirements in the Land Use Code.

Bob Oxtan polled the Planning Board and it was agreed to hold a site visit for this proposal on May 3, 2005, at 4:30 to convene at the United Church of Christ parking lot.

Other Business:

Item 1

Update of the Comprehensive Planning process.

Jim Upham discussed the various presentations from such groups as Beginning with Habitat, the progress in reviewing the Waterfront Action Plan and upcoming presentations to the Committee.

Jim Upham also reported to the Planning Board on the receipt of a grant for Washington Street improvements.

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

UNANIMOUS APPROVAL

The meeting was adjourned at 8:35 p.m.

Minutes prepared by Marsha Hinton, Recording Secretary