

A regular meeting of the Bath Planning Board was called on 1-3-06 for the purpose of conducting regular business.

**MEMBERS PRESENT**

Jim Harper, Chair  
Jim Hopkinson, Vice Chair  
Bob Oxton  
Robin Haynes  
Bill Vahey  
Andy Omo  
Jennifer DeChant  
Jonathan Dolloff (non-voting student member)  
John Underwood (non-voting student member)

**MEMBERS ABSENT****STAFF PRESENT**

Jim Upham, Planning Director  
Marsha Hinton, Recording Secretary

Mr. Harper, Chair, called the meeting to order in the third floor Council Chambers at 6:00 p.m. on Tuesday, January 3, 2006.

**Minutes of December 20, 2005, meeting**

Dr. Haynes suggested a revision to page 13 of the December 20, 2005 minutes by adding the words "inserted" and "and door" as follows:

"That the window shown on the plan in "F" be lowered to match existing inserted windows in the door height."

**MR. HOPKINSON MOVED, SECONDED BY DR. HAYNES TO ACCEPT THE MINUTES OF THE DECEMBER 20, 2005, MEETING AS MODIFIED.**

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

**Sign Subdivision Plan and approve the final Notice of Decision – Evergreen Woods; Congress Avenue (Map 24 Lot 1); Tedford Shelter, applicant.**

Mr. Upham stated that the final Notice of Decision and subdivision plan were ready to be reviewed for approval by the Planning Board.

**MR. OXTON MOVED, SECONDED BY MR. OMO TO APPROVE THE NOTICE OF DECISION FOR EVERGREEN WOODS AT CONGRESS AVENUE (MAP 24 LOT 1) FOR THE APPLICANT TEDFORD SHELTER, AND TO AUTHORIZE THE PLANNING DIRECTOR TO SIGN IT.**

**UNANIMOUS APPROVAL**

**Item 2**

**Request for Historic District Approval and Contract Rezoning – 950 Middle Street (Map 26 Lot 112); David Enright and Barbara Cornell, applicants. (Continued from December 20, 2005, meeting.)**

Mr. Harper stated that the applicant had been notified of the hearing and in light of the applicant's absence asked for the Planning Board's wishes with regard to this agenda item.

**DR. HAYNES MOVED, SECONDED BY MR. VAHEY TO DENY THE REQUEST FOR HISTORIC DISTRICT APPROVAL AND CONTRACT REZONING FOR 950 MIDDLE STREET (MAP 26 LOT 112) FOR DAVID ENRIGHT AND BARBARA CORNELL, APPLICANTS.**

**UNANIMOUS APPROVAL**

**New Business:**

**Item 1**

**Public Hearing – Request for Zoning Map Amendment – 65 Bowery Street (Map 20 Lot 341); Dirigo Holdings, LLC (Bruce Poliquin), applicant.**

Mr. Upham stated that the applicants do not yet have a purchase and sell agreement and therefore have no legal standing before the Planning Board with regard to this application.

**MR. OXTON MOVED, SECONDED BY MS. DECHANT TO CONTINUE THE PUBLIC HEARING ON THE REQUEST FOR ZONING MAP AMENDMENT FOR 65 BOWERY STREET (MAP 20 LOT 341) FOR DIRIGO HOLDINGS, LLC (BRUCE POLIQUIN) APPLICANT UNTIL JANUARY 17, 2006.**

**UNANIMOUS APPROVAL**

**Item 2**

**Request for Revised Subdivision Sketch Plan Review – 141 unit subdivision; off High Street (Map 40 Lots 9,12,13,14 and Map 42 Lot 35); Seguin Brothers, LLC, applicant.**

Mr. Fish, applicant, explained the reasons for the increase in number of units and the overall reduction in impervious surface and impact to wetlands. Mr. Fish discussed the items raised in his letter of November 22, 2005 to Mr. Upham noting the move toward a condominium project with duplex structures. Mr. Fish asked that the Planning Board approve a "building envelope" rather than requiring a foot print. Mr. Fish also discussed the sizes of building envelopes, preservation of open space, the entrance into the site, grades, Department of Environment Protection's comments with regard to a connection

road, multifamily buildings, roads, water supply, booster pumps, sewer, sidewalk, curbing, traffic study, tree preservation efforts, vernal pools, and setbacks. Mr. Fish inquired into the timeline for the resubmittal process.

The Planning Board discussed requirements for duplex housing, code requirements, Department of Environmental Protection, median strips, emergency vehicle access, connectivity, grades, the Maine Condominium Act, water supply solutions, performance standards, input from City Staff, curbing, traffic study with inclusion of pedestrian traffic, tree preservation plan, and biologist reports on the site. The Planning Board asked for a meeting with city staff members and the Bath Water District to discuss issues regarding public water and recommended that written comments from the Superintendent of Schools with regard to the impact this proposal would have on the school system be requested.

There being no further comment from the Planning Board, Mr. Harper, opened the floor to members of the public who wished to comment on this agenda item.

Lori Morse, 164 High Street, stated that she felt this was a marginal project, was not in compliance with the Comprehensive Plan and would have a negative impact on the neighborhood.

Maria Holt, 40 Robinson, stated that she was sorry that this project was being proposed and felt it would have a negative impact on the area. Ms. Holt informed the Planning Board that when she taught she would take students on nature walks on this site and expressed concern about contamination of the ground water and the number of wells in that neighborhood.

Shelia Ruhland, 79 Pine Street expressed concerns about traffic safety.

Mike Kretchmer, 118 High Street, stated that he had no problems with this proposal but expressed concerns about drainage from the site creating a "water fall" on his property and asked if fencing could be installed along the ridge line for safety commenting that he was concerned about children falling onto his garage.

Ruth Baker, 161 High Street, also expressed her concerns with traffic safety, ground water quality, and the placement of the proposed sidewalk.

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

The Planning Board discussed the wells in the neighborhood and the sidewalk.

There being no further comment from the Planning Board, Mr. Harper thanked the applicant.

**Other Business:**

**MR. OXTON MOVED, SECONDED BY MR. OMO TO ALLOW THE LIVE TELEVISION TIME ALLOTTED TO THE PLANNING BOARD FOR JANUARY 17, 2006 TO BE USED BY FAST BREAK PRODUCTIONS TO TELEVISION A SCHOOL SPORTING EVENT.**

**FIVE IN FAVOR (MR. HARPER, MR. HOPKINSON, MR. OXTON, DR. HAYNES, MR. VAHEY, MR. OMO)  
ONE OPPOSED (MS. DECHANT)**

Mr. Harper stated that the Planning Board was considering some revisions to the Planning Board By-Laws among which one revision being considered is a limitation to the amount of time allowed for individual public comment.

Mr. Upham stated that a request for zone change will be continued to the January 17, 2006 meeting.

There being no further business to come before the Board, **DR. HAYNES MOVED, SECONDED BY MR. OXTON, THAT THE MEETING BE ADJOURNED.**

#### **UNANIMOUS APPROVAL**

The meeting was adjourned at 7:50 p.m.

Minutes prepared by Marsha Hinton, Recording Secretary