

A regular meeting of the Bath Planning Board was called on 2-7-06 for the purpose of conducting regular business.

MEMBERS PRESENT

Jim Harper, Chair
Jim Hopkinson, Vice Chair
Bob Oxton
Robin Haynes
Andy Omo
David King
John Underwood (non-voting student member)

MEMBERS ABSENT

Jennifer DeChant
Jonathan Dolloff (non-voting student member)

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, February 7, 2006.

Minutes of January 17, 2006, meeting

MR. OXTON MOVED, SECONDED BY MR. HOPKINSON, TO ACCEPT THE MINUTES OF THE JANUARY 17, 2006, MEETING AS WRITTEN.

UNANIMOUS APPROVAL**Old Business:**

No old business.

New Business:**Item 1**

Request for Re-approval Waterfront Setback Reduction in NRPO Zone – 25 Sandpiper Lane (Map 4, Lot 12);Ariane Salamy, applicant.

Mr. Harper informed the Board that the applicant has withdrawn this application.

Item 2

Historic District Approval – 1065 Washington Street (Map 21, Lot 197); Deborah & Al Branca, applicant.

Mr. Branca described the plans for this structure that were intended to restore and preserve its historic character.

Mr. Harper opened the floor to members of the public who wished to comment on this agenda item.

Richard Raven 1059 Washington Street, stated that he was in favor of the application.

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

The Planning Board discussed the removal of the vinyl siding, shutter placement, the windows, the railing on the porch, trim, BOCA requirements, potential increase in non-conformity, and the drawings of the house.

DR. HAYNES MOVED, SECONDED BY MR. KING, TO APPROVE THE REQUEST FOR HISTORIC DISTRICT APPROVAL WITH THE FOLLOWING CONDITIONS:

THAT THE CORNER BOARD THAT IS NOT ON THE ORIGINAL DRAWING BE REPRESENTED ON A PLAN TO BE SUBMITTED TO THE PLANNING OFFICE;

THAT THE SHUTTERS BE ATTACHED IN SUCH A WAY THAT THEY LOOK LIKE THEY CAN BE CLOSED AND THAT THIS BE REPRESENTED ON A PLAN TO BE SUBMITTED TO THE PLANNING OFFICE;

THAT THE RAILINGS ON THE FRONT BE REPAIRED OR REPLACED TO DUPLICATE WHAT CURRENTLY EXISTS UNLESS PREVENTED BY BOCA REQUIREMENTS AND IF SO PREVENTED THEN THE PLANNING BOARD ACCEPTS THE PROPOSED RAILING DESIGN.

UNANIMOUS APPROVAL

Item 3

Request for Subdivision Sketch Plan Review -- Bernard Street (Map 22, Lot 51):
M.W. Sewall, applicant.

Jeff Perry, Sebago Technics, described the plans for a three lot subdivision on this 6 acre lot, the transfer of the back lot to the abutter, and requested waivers for the sidewalks, the high intensity soil survey, tree protection plan, streets, and the 75 foot setback from the water.

Catherine Saltd, M.W. Sewall, explained the desire of the applicant to provide affordable housing and the concern by the applicant to be environmentally conscious.

The Planning Board discussed their authority to waive the 75 foot setback, the sidewalks, the high intensity soil survey, the tree protection plan, the property transfer, streets and Article 13 of the Land Use Ordinance.

The Planning Board recommended that provisions for sidewalks be incorporated into the final plan, that the deed transferring the property be submitted with the final plan, and that a tree protection plan be developed included in the final submittal. Mr. Harper informed the applicant that the Planning Director, Mr. Upham would research the ability of the Planning Board to waive the 75 foot setback requirement.

Mr. Upham reminded the applicant that they have six months in which to submit a final application.

Other Business:

Planning Board By Law amendment

Mr. Upham discussed changes to 2.7 to establish a mechanism to control length of meetings through the agenda, 2.8 to prevent continuation of an inactive agenda item indefinitely, 2.9 to establish a mechanism to enable members of the public who wish to comment to do so in an efficient and respectful manner, and 3.3.2 to allow the Planning Board Chair to be a voting member.

The Planning Board asked that 2.9 be reworded to read "When members of the public comment on items on the agenda, comments must be limited to facts, opinions, or concerns pertaining only to information presented at the current meeting. If a person seeks merely to reinforce a point made by another speaker, his or her remarks ~~should~~ *may* simply note concurrence with the specific point. The Chair may, as appropriate to assure proper public participation and also to assure that the meeting proceeds in a timely fashion, moderate the public comment without restricting the public's' ability to make the Board aware of their concerns. No comment may be allowed that has the effect of embarrassing or attacking ~~the character of any Board member, any City staff, or the applicant~~ *anyone*. Comments and questions must be directed to the Chair.

MR. KING MOVED, SECONDED BY MR. HOPKINSON TO APPROVE THE AMENDED PLANNING BOARD BY-LAWS, AS AMENDED THIS EVENING

UNANIMOUS APPROVAL

Mr. Upham pointed out that the Planning Board meeting for July 2006 fell on the July 4th holiday.

The Planning Board was polled and agreed unanimously to hold the regular July meeting on July 11, 2006.

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

UNANIMOUS APPROVAL

APPROVAL

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

Minutes prepared by Marsha Hinton, Recording Secretary