

A regular meeting of the Bath Planning Board was called on 2-21-06 for the purpose of conducting regular business.

MEMBERS PRESENT

Jim Harper, Chair
Jim Hopkinson, Vice Chair
Bob Oxtan
Robin Haynes
Andy Omo
Jennifer DeChant
David King
Jonathan Dolloff (non-voting student member)

MEMBERS ABSENT

John Underwood (non-voting student member)

STAFF PRESENT

Jim Upham, Planning Director

Jim Harper, Chair, called the meeting to order in the third floor Council Chambers at 6:00 p.m. on Tuesday, February 21, 2006.

Minutes of February 7, 2006, meeting

MR. HOPKINSON MOVED, SECONDED BY DR. HAYNES, TO ACCEPT THE MINUTES OF THE FEBRUARY 7, 2006, MEETING AS WRITTEN.

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

Request for Final Subdivision Approval – Stonehouse Woods Subdivision; Oak Grove Avenue (Map 15 Lot 46); Sewall Family Associates, LLC, applicant. (Continued from January 17, 2006, meeting.)

Laura Sewall, applicant, discussed the requested waiver of the requirement to extend the public water line to the subdivision, the opposition to the extension of the waterline from the abutters, their belief that the extended water main would not support additional growth, the adequacy of the available groundwater supply, the need to increase the number of lots if water main extension is required.

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

Jack Witham, President of the Lower Kennebec Regional Land Trust, discussed the goals of the Land Trust and stated that the Land Trust does have a concern for view easements. Mr. Witham also stated that the Land Trust is not opposed the waiver of the requirement for extension of the city water line. He said that a lower density development is preferred over a higher density development.

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

The Planning Board discussed the tree preservation plan, protective covenants, screening, more specificity with regard to the building envelope, septic drainage fields, utilities, waiver for extension of public water, soils, sprinkler systems in the homes, comments from city staff, comments from Inland Fisheries and Wildlife, and comments from Maine Historic Preservation Commission.

MR. HOPKINSON MOVED, SECONDED BY MR. OMO, TO GRANT APPROVAL FOR THE REQUEST FOR FINAL SUBDIVISION APPROVAL FOR STONEHOUSE WOODS SUBDIVISION AT OAK GROVE AVENUE (MAP 15 LOT 46) FOR SEWALL FAMILY ASSOCIATES, LLC, SUBJECT TO THE FOLLOWING CONDITIONS:

THAT ALL NOTES APPEARING ON THE TREE PROTECTION PLAN AS AMENDED BY THIS MOTION BE ALSO INCLUDED IN THE RECORDED DECLARATION OF PROTECTIVE COVENANTS;

THAT THE TREE PROTECTION PLAN BE AMENDED TO PROVIDE THAT THE ONE-HALF ACRE PER LOT LIMITATION ON TREE CLEARING INCLUDE THE SEPTIC SYSTEM AREA;

THAT SPECIFIC AREAS IDENTIFIED AS NO CUT ZONES UNDER THE TREE PROTECTION PLAN BE SHOWN ON THE RECORDED PLAN;

THAT THE SPRINKLER SYSTEM REQUIREMENTS ALSO BE INCLUDED IN THE RECORDED DECLARATION OF PROTECTIVE COVENANTS;

THAT THE REFERENCE TO § 11.05, B, ON THE FINAL PLAN BE CLARIFIED TO SHOW THAT IT IS REFERRING TO THE CITY OF BATH LAND USE CODE;

THAT THE REQUIREMENT FOR THE EXTENSION OF THE PUBLIC WATER LINE BE WAIVED; AND

THAT THE RECORDED SUBDIVISION PLAN DEPICT AND REQUIRE IN THAT DEPICTION THAT THE UTILITIES SERVICES FOR EACH LOT HAVE UNDERGROUND ACCESS LOCATED IN THE DRIVE WAY AREA.

UNANIMOUS APPROVAL

New Business:

Item 1

Site Plan Amendment – 21 Bowery Street (Map 21, Lot 227); Richard Klingaman, applicant.

The Planning Board discussed the approval items which still need clarification and input from various sources. After being polled it was unanimously agreed by the Planning Board to hear this matter as a workshop item with the agreement of the applicant.

Mr. Klingaman discussed the changes to the façade, his discussion with Mr. Morse at the Department of Environmental Protection, setbacks, determination of whether the proposed marina building is a functionally water dependent use, screening, changes to the original site plan based upon discoveries made during construction, construction materials, colors, parking, access to the site, floats, walkway, lighting, the proposed marina and landscaping.

The Planning Board recommended that determinations from the CEO with regard to the marina building being a water dependent use be part of the applicant's submittal materials, that the submittal documentation show the original plans and current modifications to that approval, written documentation with regard to the encroachment into the right-of-way, comments from the City Arborist, screening from the river, and a plan for approval by the Planning Board of the proposed modifications to the site.

Item 2

Historic District Approval – 1 Edward Street (Map 21, Lot 182); Jeff Harris, applicant.

Will Gatchell, architect, representing the applicant, presented photographs of the existing carriage house, the proposed modifications. He discussed removal of the outhouse and the later addition to the carriage house, the carport, the driveway off Beacon Street, the granite bridge from Carriage House Lane to maintain current drainage, reuse of the existing trim and windows, the barn doors, the front entry, the hayloft, and restoration to a more original appearance.

Mr. Harper opened the floor to members of the public who wished to comment.

Judy Rosner, 20 Beacon Street, expressed concern with the location of the carport, the nearness of the driveway to her property, and the wooden fence.

There being no other members of the public wishing to speak, Mr. Harper closed the public portion of the meeting.

The Planning Board discussed the historical importance of the building as well as the significance of the designer, the southern façade, the fence, the hayloft, the carport, and the driveway.

DR. HAYNES MOVED, SECONDED BY MR. OXTON, TO APPROVE THE REQUEST FOR HISTORIC DISTRICT APPROVAL FOR 1 EDWARD STREET (MAP 21, LOT 182) BY JEFF HARRIS, APPLICANT WITH THE FOLLOWING CONDITIONS:

THAT ALL FACADES BE DOCUMENTED WITH PHOTOGRAPHS THAT ARE TO BE GIVEN TO THE HISTORY ROOM AT THE PATTEN FREE LIBRARY;

THAT THE CENTRAL DORMER OR HAY LOFT WINDOWS HAVE SMALL-WINDOW GRILLS INSTALLED IN A DESIGN THAT WILL BE APPROVED BY STAFF OR HISTORIC DISTRICT COMMITTEE;

THAT ALL WINDOW TRIM, CORNER PILASTER DENTILATE, CORNICE SHAPED TRIM, AND ADDITIONAL TRIM BE REPAIRED OR DUPLICATED;

THAT THE BREAKFAST ROOM ENCLOSURE BE CHANGED FROM THE EXISTING DESIGN TO ONE THAT RESPECTS THE OPEN BAY CURRENTLY EXISTING AND THAT DESIGN BE APPROVED BY STAFF OR HISTORIC DISTRICT COMMITTEE;

THAT THE FENCE INTERRUPTIONS AT THE PROPOSED ENTRANCE TO THE NEW RESIDENCE AND DRIVEWAY HAVE POSTS WITH DECORATIVE TOPS INSTALLED THAT RESPECT THE EXISTING ONES USED ON CARRIAGE HOUSE LANE; AND

THAT THE PROPOSED CARPORT BE TAKEN OFF THE PLAN ALTOGETHER AS NOT BEING APPROVED IN THIS SITE PLAN.

UNANIMOUS APPROVAL

Other Business: Workshop on Land Use Code Amendments.

Mr. Upham asked the Planning Board to comment on potential agenda items for the workshop to be held on February 22, 2006, to discuss land use code amendments.

The Planning Board recommended the a discussion of planning for development or redevelopment of the downtown area, contract rezoning amendments and the role of the City Council and the Planning Board in that process, the historic district review process, time limits between subdivision sketch plan review and final subdivision review submission, cell towers regulations, screening of propane tanks, off-lot accessory parking, and setback for small accessory structures.

There being no further business to come before the Board, **MR. OMO MOVED, SECONDED BY MR. KING, THAT THE MEETING BE ADJOURNED.**
UNANIMOUS APPROVAL

The meeting was adjourned at 8:04 p.m.

Minutes prepared by Marsha Hinton, Recording Secretary