

A regular meeting of the Bath Planning Board was called on 1-2-07 for the purpose of conducting regular business.

MEMBERS PRESENT

Jim Harper, Chair
David King
Andy Omo
Bob Oxtan
Robin Haynes
Jennifer DeChant
Chelsea Hall (non-voting student member)
John Underwood (non-voting student member)

MEMBERS ABSENT

James Hopkinson, Vice Chair

STAFF PRESENT

Jim Upham, Planning Director
Morgan Decker, Recording Secretary

Mr. Harper, Chair, called the meeting to order in the third floor Council Chambers at 6:01 p.m. on Tuesday, January 2, 2007.

Minutes of the December 5, 2006 meeting

Mr. Harper reported that due to an electronic error, minutes of the meeting are unavailable.

Old Business**Item 1**

Subdivision Plan, Sign Mylar, and Approve the Notice of Decision – Front Street (Map 21, Lots 231, 232 & 235); Old Shipyard Land, LLC, applicant. (Continued from the December 5, 2006 meeting)

Mr. Upham told the Board that the applicant wanted to have as many conditions as possible met before the Mylar is signed. Therefore, she has asked that the item be continued to the January 16th meeting.

MR. OMO MOVED, SECONDED BY MR. KING TO CONTINUE THIS ITEM TO THE NEXT REGULARLY SCHEDULED MEETING.

UNANIMOUS APPROVAL**New Business****Item 1**

Site Plan Approval – 119 Commercial Street (Map 26, Lot 271); Long Reach Properties, LLC, applicant

Mr. King told the Board, in interest of disclosure, that he rents a slip at the marina located at the Kennebec Tavern.

Mr. Upham told the Board that this application was approved in May, and that the reason for the application reappearing before the Board is the six-month time limit to receive a building permit has expired.

Joseph LeBlanc, of Joseph LeBlanc and Associates, representing the applicant, spoke briefly regarding the proposed improvements. He said that a shoreline stabilization system consisting of sheet pile along the river's edge would be erected to protect the shoreline in front of the Kennebec Tavern property. He explained that the area behind this new stabilization system will be filled and that a 8-foot wide river walk, surfaced with stone dust, will be constructed beginning at the Mahoney property and extending 230 feet to the beginning of the Bathport river walk. He also told the Board that a handrail, with stainless steel wires (to form an unobstructed view from the Tavern or patio), would be a barrier, as well as a courtesy nautical rope railing with posts secured into the concrete. Mr. LeBlanc said that the patio area would be extended 20 feet toward the water with a retaining wall between itself and the river walk, and be partially covered by an awning. Mr. LeBlanc also noted that D.E.P., Bureau of Parks and Lands, and the Army Corps of Engineers permits have all been obtained.

Mr. Harper asked about the awning and why there would be a change in size from the original proposed.

Mr. LeBlanc said that the way the awning would have to be built if it were to cover the entire patio would inhibit the view from inside the Tavern. He told the Board that the new proposed awning will cover the area of the existing patio, but not the proposed expansion. Mr. LeBlanc also noted that any changes to the awning would be brought before the Planning Board as an amendment.

Mr. Harper then opened the public session of the meeting to members of the public wishing to speak.

Hearing no public comments, Mr. Harper returned to the Board for further discussion.

Dr. Haynes asked if there would be any changes in parking.

Mr. LeBlanc explained that a parking engineer will make a final decision, but the applicant has promised to optimize the existing parking area, and hopes to add about 15 spaces. Mr. LeBlanc assured Dr. Haynes and the Board that all decisions regarding parking would meet City codes.

Mr. Upham reminded the Board that there is no screening or buffering of this parking lot. He also said that there is periodic flooding in the lot with brackish water, making it hard for most plant species to survive. He told the Board that a waiver of this requirement would be needed if buffering were not proposed.

Mr. King said he would be in favor of a waiver, as the boats in the marina buffer the lot.

Dr. Haynes opined that short, decorative grasses might be an effective and attractive buffer.

Mr. LeBlanc mentioned that the applicants use potted plants on the patio as a buffer, and they work well and are portable in times of flooding. He said that the applicants hope to continue to use this system if the buffer requirement is waived.

Mr. Oxton asked if the requirement was waived in May. It was discovered that this was not done.

Hearing no further comment from the Board, Mr. Harper called for a motion.

MR. KING MOVED, SECONDED BY MR. OMO, TO APPROVE THE SITE PLAN APPLICATION WITH THE CONDITION THAT ANY MODIFICATION OF PARKING BE APPROVED BY THE PROPER AMENDMENT PROCESS AND THAT THE BUFFER REQUIREMENT BE WAIVED.

UNANIMOUS APPROVAL

There being no other business to come before the Board **MR. KING MOVED, SECONDED BY DR. HAYNES, TO ADJOURN THE MEETING**

UNANIMOUS APPROVAL

Meeting adjourned 6:31 p.m.

Minutes prepared by Morgan Decker, Recording Secretary