

A regular meeting of the Bath Planning Board was called on 7-24-07 for the purpose of conducting regular business.

MEMBERS PRESENT

James Hopkinson, Vice Chair
Robin Haynes
Andy Omo
Jennifer DeChant
David King
Erik Dudley (non-voting student member)

MEMBERS ABSENT

Chelsea Hall (non-voting student member)
Bob Oxtan

STAFF PRESENT

Jim Upham, Planning Director
Morgan Decker, Recording Secretary

Mr. Hopkinson, Vice Chair, called the meeting to order in the third floor Council Chambers at 5:09 p.m. on Tuesday, July 24, 2007.

Although the review of minutes of the July 10, 2007 meeting was not on the agenda, Mr. Hopkinson asked if there would be any objection to reviewing these minutes. Hearing none, Mr. Hopkinson proceeded.

Minutes of the July 10, 2007 meeting

Dr. Haynes asked that page 2, paragraph 2 is rewritten to read as follows:

“Dr. Haynes gave a history of the property, noting many changes since its initial construction. She estimated the construction of the original structure in the mid to late 1800s and deduced from maps that the northeast corner, dating from the mid to late 19th century is the oldest part of the structure. Dr. Haynes stated that vinyl siding would be acceptable on the north face siding provided that the corner boards, window and door trim, bay windows and their decorative aprons and the various denitlated cornices are preserved.”

Mr. Hopkinson added that the last paragraph of page 3 has an additional “if”, which could be removed.

Hearing no further corrections/omissions/errors, **MR. KING MOVED, SECONDED BY DR. HAYNES, TO ACCEPT THE MINUTES OF THE JULY 10, 2007 MEETING WITH CORRECTIONS**

UNANIMOUS APPROVAL

Old Business

Item 1

Request for Contract Rezoning and Historic District Approval – 832 Washington Street (Map 26, Lot 163); AA Associates, LLC (Al Austin), applicant

Mr. Austin submitted a landscape plan for proposed plantings, as well as survey of the lot done by Charlie Wiercinski of SiteLines to compare to the mortgage sketch by Leon Rouillard, previously submitted. Mr. Austin told the Board that there is a six to seven foot setback on the north lot line, which follows along the north wall to a zero setback.

Dr. Haynes asked if Tom Hoerth, City Arborist, has had a chance to review the landscape plan. Mr. Upham replied that Mr. Hoerth had not gotten back to him and added that final approval by the City Arborist could be a condition of approval rather than a delay.

Mr. King noted that the findings of fact do not identify the exact condition of Mr. Austin's various application approvals. He also wanted to clarify that the rock garden is more appropriately described as a raised bed with rock border. Mr. King asked that shrubs be planted and maintained according to the shrubbery plan. Mr. King suggested that proposed planting of annuals have a provision that they are planted in a timely manner, perhaps by May 20.

Dr. Haynes replied that a May 20 deadline does not necessarily guarantee safe planting, and noted that a full moon late in May often brings killing frost. The Board discussed that any condition regarding annuals would not be strictly enforced unless the plantings were not complete before Memorial Day.

Mr. Hopkinson opened the public session of the meeting for members of the public wishing to comment.

Hearing no public comments, Mr. Hopkinson closed the public comment portion of the meeting and returned to the Board for further comment.

Hearing no further discussion, **MR. KING MOVED, SECONDED BY MR. OMO TO RECOMMEND APPROVAL OF CONTRACT REZONING TO THE CITY COUNCIL WITH THE FOLLOWING CONDITIONS:**

- **THAT THE ROCK GARDEN HEREAFTER BE REFERRED TO AS A RAISED BED WITH ROCK BORDER;**
- **THAT PROPOSED SHRUBS 6' LONG BY 3' WIDE BE PLANTED AND MAINTAINED ACCORDING TO THE SHRUBBERY PLAN;**
- **THAT ANNUAL PLANTINGS BE INSTALLED EACH YEAR IN A TIMELY MANNER, PRIOR TO MAY 20 OR MEMORIAL DAY WEEKEND**

UNANIMOUS APPROVAL

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

- **THAT ARCHITECTURAL ELEMENTS ARE PRESERVED, INCLUDING: CORNER BOARDS, WINDOW AND DOOR TRIM, BAY WINDOWS AND THEIR DECORATIVE APRONS AND THE VARIOUS DENTILATED CORNICES**

UNANIMOUS APPROVAL

Item 2

Planning Board Approval of Conditions – 99 Commercial Street (Map 26, Lot 272); New BathPort, LLC, applicant

Mr. Upham briefed the Board that the City Solicitor has still not given his approval to the performance bond and hopes that all required material will be ready one week prior to the August 7, 2007 meeting. Mr. Upham suggested continuing this item to the August 7, 2007 meeting.

MR. KING MOVED, SECONDED BY DR. HAYNES TO CONTINUE THE APPROVAL OF CONDITIONS TO THE NEXT MEETING FOLLOWING ALL PENDING APPROVALS BY THE CITY SOLICITOR

UNANIMOUS APPROVAL

Other Business

Mr. Upham asked the Board if they would like to vote for a new Chair at the next meeting or wait until September when the Chair is normally elected. The Board concurred that it may be wiser to wait until September as there is a vacant seat and only one meeting between now and September.

] Hearing no further business before the Board, **MR. KING MOVED, SECONDED BY DR. HAYNES TO ADJOURN THE MEETING**

UNANIMOUS APPROVAL

Meeting adjourned at 5:24 p.m.

Minutes prepared by Morgan Decker, Recording Secretary