

A regular meeting of the Bath Planning Board was called on 10-16-07 for the purpose of conducting regular business.

MEMBERS PRESENT

Bob Oxton, Chair
James Hopkinson, Vice Chair
Robin Haynes
Andy Omo
Amy Fitzpatrick
Paul Fraser

MEMBERS ABSENT

Jennifer DeChant
Chelsea Hall (non-voting student member)
Erik Dudley (non-voting student member)

STAFF PRESENT

Jim Upham, Planning Director
Tom Hoerth, City Arborist
Morgan Decker, Recording Secretary

Mr. Oxton, Chair, called the meeting to order in the third floor Council Chambers at 6:00 p.m. on Tuesday, October 16, 2007.

Minutes of the October 2, 2007 Meeting

MR. OMO MOVED, SECONDED BY MR. HOPKINSON, TO APPROVE THE MINUTES OF THE OCTOBER 2, 2007, MEETING AS PRESENTED

UNANIMOUS APPROVAL

Old Business

Item 1

Site Plan Amendment – 340 Oak Grove Avenue, (Map 19, Lot 2-1); Bath United Methodist Church, applicant (Continued from October 2, 2007, meeting)

Mr. Upham informed the Board that Tom Hoerth, City Arborist, had been to the site with the church building committee to discuss their concerns about the landscaping plan.

Ralph Lewis, of the building committee, said the previously approved red oaks are proposed to move from the entrance to around the corner bordering the parking lot. He also proposed that islands in the parking lot be planted with male ginkgo or linden trees. He said any islands without a tree would be planted with flowers and low shrubs. Mr. Lewis added that some trees on the proposed plan may not be available until spring and asked if it would be acceptable to change species or have an extension in planting time.

Dr. Haynes asked if Mr. Hoerth endorsed the current proposed plan, to which Mr. Hoerth replied that he did.

Mr. Upham asked if there were still enough time left this autumn to plant, could the applicant substitute proposed species or cultivars with those that are available. Mr. Hoerth said this would be fine.

DR. HAYNES MOVED, SECONDED BY MR. HOPKINSON, TO APPROVE THE APPLICATION WITH THE CONDITION THAT A FINAL AND COMPLETE PLANTING LIST BE SUBMITTED TO THE CITY PLANNER AND CITY ARBORIST FOR FINAL APPROVAL

UNANIMOUS APPROVAL

Item 2

Sign Subdivision Plan– Evergreen Woods, Edgett Street (Map 25, Lot 295); Tedford Shelter, applicant

Giff Jameson, Director of Tedford Housing, explained to the Board that the revised plan had errors and omissions and was not ready. Mr. Jameson asked if the Board could sign the plan on October 23rd prior to the Comprehensive Plan Committee meeting.

Mr. Upham asked if enough members would attend that meeting to form a quorum. Mr. Omo, Mr. Hopkinson, Mr. Fraser, Mr. Oxton and Ms. Fitzpatrick all said they would be attending.

MR. HOPKINSON MOVED, SECONDED BY DR. HAYNES, TO CONTINUE TO OCTOBER 23, 2007, AT 5:30 P.M.

UNANIMOUS APPROVAL

New Business

Item 1

Re-Sign Subdivision Plan – 99 Commercial Street (Map 26, Lot 272); New BathPort, LLC, applicant.

Mr. Upham explained the situation to the Board saying that the Subdivision Plan had been signed on May 15, 2007, but could not be released for recording until the Planning Office received written notice that any State and Federal permits had been issued. He went on to say that on June 23rd a letter had been sent from the Planning Office to the applicant informing them that the written approvals had been received and the Subdivision Plan could be recorded. Mr. Upham explained that Article 13.12, C, says that the Subdivision Plan must be recorded within 90 days of being signed by the Planning Board. He said that the Land Use Code doesn't mention what happens if the Plan can't be recorded because State or Federal permits have not been issued.

Mr. Upham said that the City Solicitor had reviewed the situation and drafted a Memo, which was on the Planning Board members' desks.

Carl Stinson, representing the applicant, said in retrospect the plan should not have been signed until all the State and Federal permits were issued.

Mr. Stinson also asked the Board to amend the \$22,680 in sewer charges assessed against the project. Mr. Stinson said this figure did not take into account the six units existing on site. Mr. Stinson asked if the impact fee could be reduced to \$14,040.00.

MR. HOPKINSON MOVED, SECONDED BY MS. FITZPATRICK, TO RE-APPROVE AND RE-SIGN THE SUBDIVISION PLAN BASED ON THESE FINDINGS:

- 1. THAT ALL SUBMISSION REQUIREMENTS HAVE BEEN MET BASED ON THE PRIOR SUBDIVISION APPLICATION AND SUBMISSIONS;**
- 2. THAT THE MATTER HAS BEEN THOROUGHLY EXAMINED BY THE PLANNING BOARD AND THAT THERE IS NO NEED FOR ANY ADDITIONAL PUBLIC HEARINGS ON THIS MATTER;**
- 3. THAT THE SUBDIVISION AND SUBDIVISION PLAN BE REAPPROVED BASED ON PRIOR DELIBERATIONS AND WITH ALL FINDINGS, CONCLUSIONS AND CONDITIONS OF THE PRIOR APPROVAL;**
- 4. AND WITH THE CONDITION THAT THE APPLICANT'S SEWER IMPACT FEE BE REVIEWED AND DETERMINED BY THE PUBLIC WORKS DIRECTOR.**

UNANIMOUS APPROVAL

Hearing no further business, **DR. HAYNES MOVED, SECONDED BY MR. HOPKINSON, TO ADJOURN THE MEETING**

UNANIMOUS APPROVAL

Meeting adjourned 7:00 p.m.

Minutes prepared by Morgan Decker, Recording Secretary