

A regular meeting of the Bath Planning Board was called on 3-18-08 for the purpose of conducting regular business.

MEMBERS PRESENT

Bob Oxton, Chair
James Hopkinson, Vice Chair
Robin Haynes
Jennifer DeChant
Amy Fitzpatrick
Paul Fraser
Chelsea Hall (non-voting student member)

MEMBERS ABSENT

Andy Omo
Erik Dudley (non-voting student member)
Morgan Decker, Recording Secretary

STAFF PRESENT

Jim Upham, Planning Director

Mr. Oxton, Chair, called the meeting to order in the third floor Council Chambers at 6:00 p.m. on Tuesday, March 18, 2008.

Minutes of the February 5, 2008, Meeting

DR. HAYNES MOVED, SECONDED BY MR. HOPKINSON, TO APPROVE THE MINUTES OF THE FEBRUARY 5, 2008, MEETING AS PRESENTED

UNANIMOUS APPROVAL

Old Business

None

New Business

Item 1

Public Hearing –Request for Zoning Map Amendment – Western Avenue (Map 31, Lot 69); ECO Partners (Michael White), applicant

Mr. Upham told the Planning Board that in order to make a recommendation, whether for or against any zone change request, the Planning Board needed to review the Comprehensive Plan. He reminded the Board that State law requires zoning to be consistent with the Comprehensive Plan. And he said that the first part of the Comprehensive Plan to refer to is the Future Land Use map. He went on to say that if this does not give clear guidance than the Board should refer to the text of the Future Land Use Plan—Chapter 13. He stated that in the Future Land Use Plan there is language, which says that the Route One Commercial uses should be narrowly confined to the Route One corridor, and should not spill into the residential areas.

Michael White, the applicant, then stated that he wished to change the zoning on this parcel so that he could build single-family housing.

Mr. Upham reminded the Board that if the zone were changed the landowner could use the land for any permitted R1 use.

Chairman Oxtan then opened the meeting to the public for comment. There being no public wishing to speak, Mr. Oxtan closed the public comment portion.

Mr. Hopkinson asked what the zoning was on the surrounding lots. Mr. Upham said it was R1.

Mr. Hopkinson asked why the parcel was zoned C4. Mr. Upham explained that in 2000 it was decided that C4 zoning should be placed on the properties owned by the auto dealership and that a non-conforming situation should not be created. He said in hindsight this probably was a mistake.

Dr. Haynes stated that not only did the Land Use Plan state that the commercial use should be confined to the Route One corridor but that the Comprehensive Plan encouraged protection of neighborhoods. She pointed out that during the Hannaford Site Plan Review process it became obvious that this was a very tight-knit and well-defined neighborhood.

Mr. Fraser asked if the soil on the lot had been tested, given the fact that this had been part of an automobile dealership.

Mr. Upham said that that step would have to be done when that landowner went forward with any type of a development.

There being no additional discussion, **MR. HOPKINSON MOVED TO RECOMMEND THE ZONE CHANGE FROM C4 TO R1 ON THIS PARCEL (MAP 31, LOT 69), AS THE CHANGE WOULD BE CONSISTENT WITH THE COMPREHENSIVE PLAN AND WOULD BE CONSISTENT WITH THE ABUTTING USES. THE MOTION WAS SECONDED BY DR. HAYNES.**

UNANIMOUS APPROVAL

Item 2

Pre-Application Workshop – Anchor Road and Wing Farm Parkway (Map 24, Lot 7); City of Bath, applicant.

The applicant was represented by Jeff Aceto from SiteLines, who was accompanied by Frank Cushing, also from SiteLines. Mr. Aceto gave an overview of the existing conditions of the parcel under review. He displayed a map of the 15% or greater slopes. He also pointed out that 24 of the total acres are in Bath, with the remaining acreage being in West Bath. He said that about 12 of the 24 acres have slopes less than 15%.

Mr. Aceto then talked about some of the constraints to development that exist on the parcel including a 250-foot waterfowl buffer and the 75-foot shoreland zone on the eastern side of the lot, and wetlands and very steep slopes on the western side.

Mr. Aceto talked about connectivity and told the Board that Anchor Road would become the secondary or emergency access. He said that it would not meet the standards for a city street but that it presently serves as the access for a single-family residence on the lot. He said it would be a pedestrian access in the future offering a chance to walk from the WingFarm Business Park to Congress Avenue.

Mr. Aceto mentioned issues about which he needed Planning Board direction: continuing the WingFarm Park Way design with greater than 5% grades, 24-foot width, and no circular turnaround at the end. He also mentioned the use of the established right-of-way, without having the street built, as a way to meet the Code-required frontage.

The Board indicated that continuing the design style and matching it to the expanded phase was appropriate. There was a concern about the street in the right-of-way not being constructed and a desire by the Board to discuss this more in the future.

Dr. Haynes asked about the existence of any vernal pools. Mr. Aceto said that a survey to look for vernal pools would be conducted at the appropriate time this spring, in April or May.

Mr. Hopkinson asked about the legal status of Anchor Road. Mr. Upham said that he did not know but that he would find out.

Chairman Oxtan then opened the meeting to the public for comment. There being no public wishing to speak, Mr. Oxtan closed the public comment portion.

Mr. Aceto thanked the Board and said that SiteLines would continue to design the subdivision and would return to the Board at a later date for Sketch Plan Review.

Other Business

Student Board member, Chelsea Hall, presented her idea for a teen center in Bath.

There being no further business before the Board, **MR. HOPKINSON MOVED, SECONDED BY DR. HAYNES, TO ADJOURN THE MEETING.**

UNANIMOUS APPROVAL

The meeting was adjourned at 6:54 p.m.

Minutes prepared by Jim Upham, Planning Director