

A regular meeting of the Bath Planning Board was called on 9-2-08 for the purpose of conducting regular business.

MEMBERS PRESENT

Bob Oxtan, Chair
James Hopkinson, Vice Chair
Robin Haynes
Amy Fitzpatrick
Paul Fraser

MEMBERS ABSENT

Andy Omo

STAFF PRESENT

Jim Upham, Planning Director
Morgan Decker, Recording Secretary

Mr. Oxtan, Chair, called the meeting to order in the third floor Council Chambers at 6:00 p.m. on Tuesday, September 2, 2008.

Minutes of the August 5, 2008 meeting

Dr. Haynes said the final waiver for 32 High Street was omitted. This waiver should read:

- **THAT THE FRONTAGE FOR A NEW STREET MAY BE UNPAVED**

MR. HOPKINSON MOVED, SECONDED BY DR. HAYNES, TO APPROVE THE MINUTES AS AMENDED

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

Request for Site Plan Approval and Setback Reduction in the C2 Zone – 82 Floral Street (Map 28, Lot 156); Elliot Mead, applicant. Continued from August 5, 2008 meeting)

Mr. Upham reminded the Board that they had found the application complete at the August meeting, and reviewed concerns including: density of landscaping on the southwest property line, the lack of plan for a grease trap in the restaurant kitchen, sanitary and storm sewer concerns, and the need to eliminate a parking space in front of the proposed dumpster.

Mr. Upham informed the Board since the last meeting, Bill Eaton has completed a traffic study, a new landscape plan has been submitted, and a letter was sent with the intent to install a grease trap in the restaurant kitchen. Mr. Upham said that Peter Owen would like to have a condition to approve sanitary sewer and pump station capacity prior to any approval and there is still not an easement to run the stormwater through the Bath Shopping Center's storm-sewer system.

Rob Prue of Pine Tree Engineering, representing the applicant, detailed changes to the proposal. Mr. Prue said the applicant has proposed to add more landscape screening to the west side of the property in the form of two additional fir trees. Mr. Prue commented on Mr. Eaton's traffic study, saying there have been no accidents on Floral Street in the past three years. He said that the applicant is still in the process of obtaining an easement to enter the storm sewer at the shopping center. Mr. Prue mentioned that if an easement cannot be obtained, the applicant has an alternative design for stormwater management. Mr. Prue acknowledged there may not be sufficient capacity for sanitary sewer at the Hyde Park pump station, and said the applicant would be willing to pay an impact fee. In addition, Mr. Prue said the applicant has removed the thirty-first parking spot on the plan and will be asking for a waiver on the number of parking spaces required.

Mr. Hopkinson asked if Mr. Hoerth had made final comments on the landscape plan. Mr. Upham replied that he had not, but seemed satisfied with the types of planting and was satisfied with the plans in regard to protecting the existing vegetation, and the timetable for planting.

Mr. Hopkinson questioned Mr. Upham as to whether Mr. Owen has reviewed updated site plans. Mr. Upham said Mr. Owen sent him e-mail dated July 23, 2008, saying that he would like to see the proposed grease trap on the plan, and has concerns regarding the storm and sanitary sewer plans.

Mr. Oxton asked if the proposed retaining wall would ever be in view and negatively impact the shopping center property. Mr. Hopkinson opined that with the maintenance plan for landscaping, the retaining wall should never be visible.

Hearing no further discussion from the Board, **MR. HOPKINSON MOVED, SECONDED BY MR. FRASER TO APPROVE THE REQUEST SUBJECT TO THE FOLLOWING CONDITIONS:**

- **THAT THE APPLICANT INSTALL A GREASE TRAP IN THE RESTAURANT'S KITCHEN;**
- **THAT THE PUBLIC WORKS DIRECTOR BE SATISFIED THAT SANITARY SEWER CAPACITY FOR THIS PROJECT IS SUFFICIENT;**
- **THAT THE APPLICANT SUBMIT TO THE PLANNING DIRECTOR A SATISFACTORY STORMWATER DRAINAGE EASEMENT SHOWING SUFFICIENT RIGHT, TITLE, AND INTEREST FOR OFF-SITE STORMWATER DRAINAGE;**
- **IF A SATISFACTORY EASEMENT CANNOT BE OBTAINED, THAT THE APPLICANT SUBMIT A PLAN FOR AN ON-SITE STORMWATER MANAGEMENT SYSTEM TO BE SUBMITTED TO THE PUBLIC WORKS DIRECTOR FOR HIS APPROVAL AND THAT THIS APPROVAL BE SUBMITTED IN WRITING TO THE PLANNING DIRECTOR;**
- **THAT A WAIVER BE GRANTED FOR THE NUMBER OF PARKING SPACES TO BE ONE LESS THAN REQUIRED.**

UNANIMOUS APPROVAL

Other Business

Mr. Oxton thanked Mr. Hopkinson for taking over as Chair at the August 5 meeting.

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

UNANIMOUS APPROVAL

Meeting adjourned at 6:30 p.m.

Minutes prepared by Morgan Decker, Recording Secretary