

A regular meeting of the Bath Planning Board was called on 4-7-09 for the purpose of conducting regular business.

MEMBERS PRESENT

Bob Oxton, Chair
James Hopkinson, Vice Chair
Paul Fraser
Carolyn Lockwood
Donald Rogers
Kean McDermott (non-voting student member)
Ashley McDougall (non-voting student member)

MEMBERS ABSENT

Amy Fitzpatrick
Andy Omo

STAFF PRESENT

Jim Upham, Planning Director
Marsha Hinton, Recording Secretary

Mr. Oxton, Chair, called the meeting to order in the second floor conference room at 6:00 p.m. on Tuesday, April 7, 2009.

Minutes of the March 17, 2009 meeting

MR. ROGERS MOVED, SECONDED BY MR. FRASER, TO ACCEPT THE PLANNING BOARD MINUTES OF MARCH 17, 2009, AS WRITTEN.

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

Request for Historic District Approval – enlarge the decks, and install awnings and make other façade changes; 99 Commercial Street (Map 26, Lot 272); New BathPort, LLC, applicant (Continued from the December 2, 2008 meeting.)

Mr. Robert Kahn, Douglas Richmond Architects, stated it was the intention of the applicant to establish a more unified and business-friendly look for the building. Mr. Khan explained how using different colored awnings for the entry way to each business accomplished this goal. Mr. Kahn discussed the colors selected and asked the Planning Board to grant approval for use of the selected colors but not the specific location of each color to allow each business to make their own choice.

Ms. Judy Barrington, Chair, Historic District Architectural Review Committee (HDARC), stated that the committee had reviewed the color choice and felt that they would all go with the color choices for the building. Ms. Barrington added that the committee felt that having so many colors may clash next to each other especially with the bold blue and yellow. Mr. Barrington said that the committee's comments with regard to reducing the number of colors was not about historic accuracy, but just making the building more attractive.

The Planning Board discussed the color selection, the visual impact, the roofing materials, and timeline for roof replacement.

Mr. Kahn pointed out the buildings elevations and how the applicants felt that the colors would not only enhance the visibility of the tenant businesses but be smoothly incorporated into the overall appearance of the building. Mr. Kahn stated that the applicant was also requesting that the awnings over the sloped areas be completed as a two phased project as the applicant's budget dictates.

Mr. Ed Rogers, one of the owners of the building, stated that the intention is to make the building "commercial friendly" for the tenant businesses. Mr. Rogers pointed out that businesses often use a particular color in their business branding and offering a choice of colors was to address that need for individual businesses. Mr. Rogers added that the color choice for the ramp areas would be maroon.

There being no further discussion from the Planning Board Mr. Oxtan, Chair, opened the floor to members of the public who wished to comment on this agenda item.

None being seen, Mr. Oxtan closed the public portion of the meeting.

The Planning Board discussed the phased ramp project, the timeline for project completion, fading of awning fabric, existing roof line, and implications for the Code Enforcement Officer if the timeline for completion is left open.

Mr. Rogers stated that he hoped to complete the project within two years.

Mr. Kahn stated that the awning fabric selected held their colors very well.

MR. HOPKINSON MOVED, SECONDED BY MS. LOCKWOOD, TO APPROVE THE REQUEST FOR HISTORIC DISTRICT APPROVAL TO ENLARGE THE DECKS, AND INSTALL AWNINGS AND MAKE OTHER FAÇADE CHANGES AT 99 COMMERCIAL STREET (MAP 26, LOT 272) BY NEW BATHPORT, LLC, APPLICANT AS SUBMITTED INCLUDING APPROVAL OF THE AWNING COLORS PRESENTED AT THIS MEETING CONDITIONED UPON COMPLETION OF THE INSTALLATION OF THE AWNINGS WITHIN TWO YEARS OF THE DATE THIS APPROVAL BECOMES FINAL.

UNANIMOUS APPROVAL

New Business

Item 1

Conditional Certificate of Occupancy - 831 Middle Street (Map 26, Lots 106-162; Midcoast Federal Credit Union, applicant.

Mr. Upham explained that except for things like landscaping and paving, which needed to wait until spring many approved projects are completed during the winter. He stated that the City of Bath would only grant a certificate of occupancy upon full completion of the site plan including paving and landscaping. He then said that the conditional certificate of occupancy was a

mechanism though which the City of Bath could allow occupancy when the weather did not allow full completion of the approved site plan. He added that in order for the applicant to receive a conditional certificate of occupancy a performance guarantee equal to the amount of the remaining construction must be received from the applicant and then the Code Enforcement Officer must find the building safe for occupancy.

Scott Bubar, of Dirigo Structures, representative for the applicant, stated that the parking lot was completed last fall and that all that remained were the walkways, which would be gravel until they could be paved, and the landscaping.

MR. HOPKINSON MOVED SECONDED BY MR. ROGERS, TO GRANT A CONDITIONAL CERTIFICATE OF OCCUPANCY AT 831 MIDDLE STREET (MAP 26, LOTS 106-162) FOR MIDCOAST FEDERAL CREDIT UNION, APPLICANT; CONDITIONED UPON THE APPLICANT POSTING A SATISFACTORY BOND OR OTHER FINANCIAL GUARANTEE AND THE CITY PLANNER HAVE IN HIS FILES THE REQUIRED LETTER FROM THE CODE ENFORCEMENT OFFICER STATING THAT THE SITE IS SAFE FOR OCCUPANCY.

UNANIMOUS APPROVAL

Other Business

No other business.

There being no further business before the Board, **MR. HOPKINSON MOVED, SECONDED BY MR. ROGERS, TO ADJOURN THE MEETING AT 6:44 PM.**

UNANIMOUS APPROVAL

Minutes prepared by Marsha Hinton, Recording Secretary