

A regular meeting of the Bath Planning Board was called on 8-3-10 for the purpose of conducting regular business.

MEMBERS PRESENT

Amy Fitzpatrick
Paul Fraser
Donald Rogers
Robin Haynes
Kean McDermott (non-voting student member)
Drew Molbowski (non-voting student member)

MEMBERS ABSENT

Bob Oxtan, Chair
James Hopkinson, Vice Chair
Andy Omo

STAFF PRESENT

Jim Upham, Planning Director
Marsha Hinton, Recording Secretary

Ms. Fitzpatrick, Acting Chair, called the meeting to order in the third floor Council Chambers at 6:00 p.m. on Tuesday, August 3, 2010.

Minutes of the July 6, 2010, meeting

DR. HAYNES MOVED, SECONDED BY MR. ROGERS, TO APPROVE THE PLANNING BOARD MINUTES OF JULY 6, 2010 WITH THE FOLLOWING CORRECTION: "DR. HAYNES MOVED, SECONDED BY MR. FRASER, TO APPROVE THE PLANNING BOARD MINUTES OF JUNE 1, 2009 2010, AS SUBMITTED."

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

Request for Site Plan Approval – North Bath Road (Map 10, Lot 5); U.S. Cellular, applicant. (Continued from July 6, 2010, meeting).

Mr. Upham stated that the applicant, U.S. Cellular, requested that this agenda item be continued until the September 7, 2010, meeting.

MR. ROGERS MOVED, SECONDED BY MR. FRASER, TO CONTINUE THE REQUEST FOR SITE PLAN APPROVAL AT NORTH BATH ROAD (MAP 10, LOT 5) FOR U.S. CELLULAR, APPLICANT, TO THE SEPTEMBER 7, 2010, MEETING.

UNANIMOUS APPROVAL

New Business

Item 1

Public Hearing – Land Use Code Text Amendment – Amendment to Section 2.02; Definitions - dwelling unit.

Mr. Upham stated that when the Department of Environmental Protection approved the City of Bath's Shoreland Zoning amendments, they requested that the definition of "Dwelling Unit" be amended to include hotels, motels, and rentals properties that have cooking facilities be treated as dwelling units. Mr. Upham explained that was because the DEP has experienced developments that the developers are claiming as hotels but actually function as apartments. Mr. Upham said that after staff review it was decided that two definitions would be most appropriate for the City of Bath, one for the Shoreland Zone and one for areas not in the Shoreland Zone.

Ms. Fitzpatrick opened the floor to members of the public who wish to comment on this agenda item.

None being seen, Ms. Fitzpatrick closed the public portion of the meeting.

MR. ROGERS MOVED, SECONDED BY MR. FRASER, TO RECOMMEND APPROVAL BY THE CITY COUNCIL OF THE PROPOSED LAND USE CODE TEXT AMENDMENT TO SECTION 2.02; DEFINITIONS - DWELLING UNIT.

UNANIMOUS APPROVAL

Other Business

Mr. Upham thanked Mr. Kean McDermott, non-voting student member, for his service to the City of Bath and wished him well as he continues his education at George Washington University.

Adjournment

There being no further business before the Board, **DR. HAYNES MOVED, SECONDED BY MR. FRASER, TO ADJOURN THE MEETING AT 6:07 PM.**

UNANIMOUS APPROVAL

Minutes prepared by Marsha Hinton, Recording Secretary