

A regular meeting of the Bath Planning Board was called on 9-4-12 for the purpose of conducting regular business.

**MEMBERS PRESENT**

Bob Oxtan, Chair  
James Hopkinson, Vice Chair  
Paul Fraser  
Carolyn Lockwood  
John Swenson  
Cal Stilphen

**MEMBERS ABSENT**

Andy Omo  
Megan Hixon (non-voting student member)

**STAFF PRESENT**

Andrew Deci, Planning Director  
Marsha Hinton, Recording Secretary

Mr. Oxtan, Chair, called the meeting to order in the third floor Council Chambers at 6:00 p.m. on Tuesday, September 4, 2012.

**Minutes August 7, 2012 meeting**

Mr. Hopkinson pointed out that he did not make the motion to adjourn and the minutes should be amended as follows:

There being no further business before the Board, ~~MR. HOPKINSON~~ MR. FRASER  
**MOVED, SECONDED BY MR. SWENSON, TO ADJOURN THE MEETING AT 6:16 PM.**

**MR. HOPKINSON MOVED, SECONDED BY MR. FRASER TO APPROVE THE PLANNING BOARD MINUTES OF AUGUST 7, 2012 AS AMENDED.**

**UNANIMOUS APPROVAL****Old Business**

**None**

**New Business****Item 1**

**Public Hearing – Land Use Map Amendment – 244 Front Street (Map 26, Lot 250); Three Little Sisters, LLC, applicant.**

Mr. Deci outlined the history, comprehensive plan guidance, location, and description of the site.

Ms. Patty Sample Colwell, representing the applicant, described the neighborhood, the building's unsuitability as a residence, and prospective purchasers.

The Planning Board held discussion on the site, neighbors, history, comprehensive plan, and suitable business types.

There being no further comment from Planning Board members Mr. Oxtan, Chair, opened the floor for public comment.

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

**MR. HOPKINSON MOVED, SECONDED BY MS. LOCKWOOD TO RECOMMEND TO THE CITY COUNCIL THAT THE LAND USE CODE BE AMENDED TO INCLUDE 244 FRONT STREET (MAP 26 LOT 250) IN THE C1 ZONE.**

**FIVE IN FAVOR (JAMES HOPKINSON, PAUL FRASER, CAROLYN LOCKWOOD, JOHN SWENSON, CAL STILPHEN)  
ONE OPPOSED (BOB OXTON)**

## **Item 2**

### **Public Hearing – Land Use Code Text Amendment – Special Education Schools.**

Mr. Deci stated that the Land Use Code Definition for special education schools was different from the other four definitions and therefore may be perceived as discriminatory. Mr. Deci explained that the proposal was to change the Land Use Code Definition in Section 2.02 to remove the definition for School, Special Education completely and included in the definition for School, Public or Private Elementary or Secondary.

The Planning Board discussed the language of the proposed amendments and impacts of those proposed amendments on the land use code.

There being no further comment from Planning Board members Mr. Oxtan, Chair, opened the floor for public comment.

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

**MR. HOPKINSON MOVED, SECONDED BY MR. SWENSON TO RECOMMEND ADOPTION BY THE CITY COUNCIL OF THE PROPOSED LAND-USE CODE TEXT AMENDMENTS TO SPECIAL EDUCATION SCHOOLS WITH THE FOLLOWING MODIFICATIONS TO THE STAFF RECOMMENDED TEXT:**

**"School, Public or Private Elementary or Secondary.** A place where courses of study are taught that are sufficient to qualify attendance as compliance with state compulsory

education requirements for Kindergarten through Grade 12 or non-boarding schools that teach life skills such as hygiene, reading, cooking, and money management, to individuals with developmental disabilities.

~~**School, Special Education.** A non-boarding school that teaches life skills such as hygiene, reading, cooking, and money management, to individuals with developmental disabilities. [added May 16, 2001]~~

**School, Special Purpose.** A place where any specialized branch of knowledge is taught for compensation such as dancing, martial arts, gymnastics, music, automobile driving, and business skills, but not including horseback riding."

## **UNANIMOUS APPROVAL**

### **Other Business**

### **Adjournment**

There being no further business before the Board, **MR. HOPKINSON MOVED, SECONDED BY MR. SWENSON, TO ADJOURN THE MEETING AT 6:30 PM.**

## **UNANIMOUS APPROVAL**

Minutes prepared by Marsha Hinton, Recording Secretary