

A regular meeting of the Bath Planning Board was called on 4-2-13 for the purpose of conducting regular business.

**MEMBERS PRESENT**

Bob Oxton, Chair  
James Hopkinson, Vice Chair  
Andy Omo  
John Swenson  
Albert Branca  
John Sunderland  
Megan Hixon (non-voting student member)  
Amy Franklin (non-voting student member)

**MEMBERS ABSENT**

Cal Stilphen

**STAFF PRESENT**

Andrew Deci, Planning Director  
Marsha Hinton, Recording Secretary

Mr. Oxton, Chair, called the meeting to order in the third floor Council Chambers at 6:00 p.m. on Tuesday, April 2, 2013.

**Minutes December 4, 2012 meeting**

**MR. HOPKINSON MOVED SECONDED BY MR. SWENSON TO APPROVE THE MINUTES OF THE DECEMBER 4, 2012 PLANNING BOARD MEETING.**

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

None

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

**Request for Site Plan Approval** – Setback Reduction in the Shoreland Zone – Butler Head Road, (Map 4, Lots 17 & 18), Carl & Lucy Stinson, applicants.

Mr. Deci described the proposal for setback reduction, necessary approvals from various agencies and the City of Bath Land Use Code criteria that must be met.

Mr. Stinson described his purchase of the property in 1972 and subsequent ordinance changes that restricted building on this site. Mr. Stinson pointed out how the recent survey performed on this site differed from the tax map orientation of abutting town owned property. Mr. Stinson directed the attention of the board to the application materials and stated he was ready to answer any questions from the Board with regard to this proposal.

The Planning Board discussed mitigation of impervious surfaces, the drainage system, the shed, and the privy.

There being no further discussion from members of the Planning Board, Bob Oxon, Chair, open the floor to members of the public who wish to comment on this agenda item.

Mr. Fred Bartkus, 138 Butler Head Road, presented a letter dated September 3, 1986, wherein he requested to purchase the town owned property between his property and Mr. Stinson's. Mr. Bartkus asked why Mr. Stinson's orientation differed from the 1986 documentation and whether the town still owns that parcel.

Mr. Deci explained that the Planning Board was not the body to answer those questions. Mr. Deci stated that if there was a question to right, title and interest in a piece of property, civil action may be a better way to resolve a dispute.

The Planning Board discussed the setback from the water body.

There being no further comments from members of the public present, Mr. Oxon close the public portion of the meeting.

**MR. HOPKINSON MOVED, SECONDED BY MR. BRANCA TO APPROVE THE REQUEST FOR SITE PLAN APPROVAL FOR SETBACK REDUCTION IN THE SHORELAND ZONE AT BUTLER HEAD ROAD (MAP 4 LOTS 17 AND 18) FOR CARL AND LUCY STINSON, APPLICANTS, BASED ON THE FINDINGS THAT THE REQUIRED CRITERIA OF 8.1.8 B 2 OF THE CITY OF BATH LAND USE CODE HAS BEEN MET BY THE APPLICANT SUBJECT TO REQUIRING THAT BUILDING PERMITS WILL NOT BE RELEASED UNTIL APPROVALS ARE RECEIVED FROM THE DEPARTMENT OF ENVIRONMENTAL PROTECTION, MAINE HISTORIC PRESERVATION COMMISSION, THE MAINE NATURAL AREAS PROGRAM AND SUBJECT TO THE CONFIRMATION OF THE CODE ENFORCEMENT OFFICER THAT THE PRIVY HAS BEEN REMOVED.**

**UNANIMOUS APPROVAL**

**Other Business**

**Election of Officers**

Mr. Deci opened the floor to nominations for the position of Planning Board chair.

**MR. SWENSON NOMINATED, SECONDED BY MR. HOPKINSON BOB OXTON FOR THE POSITION OF PLANNING BOARD CHAIR.**

**UNANIMOUS APPROVAL**

Mr. Deci opened the floor to nominations for the position of Bath planning board vice chair.

**MR. BRANCA NOMINATED, SECONDED BY MR. SWENSON, JIM HOPKINSON FOR THE POSITION OF PLANNING BOARD VICE CHAIR.**

Bath Planning Board  
April 2, 2013

**UNANIMOUS APPROVAL**

**Adjournment**

There being no further business before the Board, **MR. SWENSON MOVED, SECONDED BY MR. HOPKINSON, TO ADJOURN THE MEETING AT 6:26 PM.**

**UNANIMOUS APPROVAL**

Minutes prepared by Marsha Hinton, Recording Secretary