

A regular meeting of the Bath Planning Board was called on 3-18-14 for the purpose of conducting regular business.

MEMBERS PRESENT

Bob Oxtan, Chair
James Hopkinson, Vice Chair
John Swenson
Albert Branca
Cal Stilphen
John Sunderland
Amy Franklin (non-voting student member)

MEMBERS ABSENT

Andy Omo
John Grasser(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, March 18, 2014.

Minutes February 25, 2014, meeting

MR. HOPKINSON MOVED, SECONDED BY MR. SWENSON TO APPROVE THE MINUTES OF FEBRUARY 25, 2014.

UNANIMOUS APPROVAL**Old Business**

None

New Business**Item 1**

Public Hearing – Land Use Code Text Amendment – An amendment to Article 8, Section 8.21, Subsection B, to exempt structures within the Plant Home Zone from the maximum height stipulated within the Shoreland Zone District. This amendment allows contract zoning actions within the Plant Home Zone to modify structure heights.

Mr. Deci stated that the applicant's attorney discovered that the overriding shoreland zone does not permit the height increase allowed in the contract rezoning. Mr. Deci stated that the amendment before the board was to correct that oversight.

The Planning Board discussed ordinance language, Department of Environmental Protection's approval of the plan, comments from the City Solicitor and the attorney for the Plant Home, and concerns regarding changing ordinance language.

Mr. Oxtan, opened the floor to members of the public who wished to comment on this agenda item.

Fred Denson, 8 East Lane, expressed his concern that this amendment would open the door for the Plant Home to make other changes.

There being no further comment from members of the public present, Mr. Oxton closed the public portion of the meeting.

MR. BRANCA MOVED, SECONDED BY MR. STILPHEN TO TABLE DISCUSSION OF AN AMENDMENT TO ARTICLE 8, SECTION 8.21, SUBSECTION B, TO EXEMPT STRUCTURES WITHIN THE PLANT HOME ZONE FROM THE MAXIMUM HEIGHT STIPULATED WITHIN THE SHORELAND ZONE DISTRICT TO ALLOW TIME TO RECEIVE WRITTEN COMMENTS FROM THE ATTORNEY FOR THE PLANT HOME AND THE CITY SOLICITOR CLAIRIFYING THEIR REASONING REGARDING THE REQUESTED CHANGE TO THE LAND USE CODE.

UNANIMOUS APPROVAL

Item 2

Request for Extension of Site Plan Approval – 1 Washington Street (Map 43, Lot 21); PHM Real Estate, applicant.

Mr. Deci explained that the applicant is requesting an extension of their approval to allow more time to secure financing and complete the bidding process.

The Planning Board discussed the need for the extension and the Land Use Code's requirements regarding site plan approval extensions.

Mr. Oxton, opened the floor to members of the public who wished to comment on this agenda item.

Fred Denson, 8 East Lane, stated that he supported this project and wanted to see it move forward.

There being no further comment from members of the public present, Mr. Oxton closed the public portion of the meeting.

MR. HOPKINSON MOVED, SECONDED BY MR. SWENSON TO APPROVE THE REQUEST FOR EXTENSION OF SITE PLAN APPROVAL AT 1 WASHINGTON STREET (MAP 43, LOT 21) FOR PHM REAL ESTATE, APPLICANT.

UNANIMOUS APPROVAL

Item 3

Pre-Application Workshop for Site Plan Approval – 108 Centre Street (Map 27, Lot 68); JHR Realty of Maine, LLC, applicant.

Mr. Deci stated that the applicant is here to receive comments from the Planning Board and members of the public before proceeding to a formal site plan review.

Mr. Michael Lyne, JHR, described the plan to develop the Habitat for Humanity Re-Store as a down town medical facility.

Mr. Curt Neufield, Sitelines, discussed sidewalks, parking, utilities, drainage and landscaping.

Ms. Rebecca Dylan, architect, discussed the proposed medical office building to include an elevator and Route One and Centre Street egresses and covered entry ways. Ms. Dylan stated that the plan was to use exterior elements to maintain the historic feel of Bath.

Ms. Lois Skillins, President and CEO Midcoast Hospital stated that the move to this location from the current location would provide a patient centered medical home in down town Bath.

The Planning Board discussed the flat roof, mechanicals, lighting, traffic, curb cuts, parking, landscaping, abutters, drainage, snow removal and snow storage.

Mr. Oxton, opened the floor to members of the public who wished to comment on this agenda item.

Will Blake, pointed out traffic problems, dangerous intersection at the railroad crossing and the dumpster used by the restaurant.

Halcyon Blake asked that the green space located to the east of the existing building be preserved.

There being no further comment from members of the public present, Mr. Oxton closed the public portion of the meeting.

The Planning Board recommended that the applicant work to find a balance between safety and the concerns of the abutters and provide elevations of all sides of the site for the formal site plan review.

Other Business

Mr. Deci described the status of the MDOT viaduct project and the upcoming public hearing on MDOT's plans for the viaduct on April 16 at 6:00 p.m. at the City Hall.

Adjournment

There being no further business before the Board, **MR. SWENSON MOVED, SECONDED BY MR. STILPEN, TO ADJOURN THE MEETING AT 7:09 PM.**

UNANIMOUS APPROVAL

Minutes prepared by Marsha Hinton, Recording Secretary