

A regular meeting of the Bath Planning Board was called on 5-20-14 for the purpose of conducting regular business.

MEMBERS PRESENT

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

MEMBERS ABSENT

James Hopkinson, Vice Chair
Andy Omo
John Sunderland
John Grasser (non-voting student member)

STAFF PRESENT

Andrew Deci, Planning Director

Mr. Oxtan, Chair, called the meeting to order in the third floor Council Chambers at 6:00 p.m. on Tuesday, May 20, 2014.

Minutes May 6, 2014, meeting

MR. SWENSON MOVED, SECONDED BY MR. STILPHEN TO APPROVE THE MINUTES OF THE MAY 6, 2014 PLANNING BOARD MEETING.

UNANIMOUS APPROVAL**Old Business**

None

New Business

Mr. Oxtan informed the Planning Board that the agenda items would be reordered and agenda item 3 would be heard first.

Item 3

Request for Site Plan Amendment – 108 Centre Street, (Map 27, Lots 68 & 68-1); Centre & Middle, LLC, applicant.

Curt Neufeld, of Sitelines, representing the applicant, explained that Mid Coast Hospital realized the approved building footprint would need to be enlarged to meet some programming needs. Mr. Neufeld pointed out where the building footprint would need to enlarge, relocation of awnings, landscaping adjustments, utilities, lighting, and snow storage.

The Planning Board discussed landscaping height, storm drain location, fencing, and lighting.

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

Mr. Mike Lyne, JHR development, pointed out to the Planning Board that a new LLC has been set up to manage this project named Centre and Middle Street LLC.

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

MR. STILPHEN MOVED, SECONDED BY MR. SWENSON TO FIND THE APPLICATION FOR SITE PLAN AMENDMENT AT 108 CENTRE STREET (MAP 27, LOTS 68 & 68-1) FOR CENTRE AND MIDDLE STREET LLC COMPLETE.

UNANIMOUS APPROVAL

MR. STIPHEN MOVED, SECONDED BY MR. BRANCA TO FIND THAT THE APPLICANT HAS DEMONSTRATED THE APPLICABLE GENERAL PERFORMANCE STANDARDS OF LAND USE CODE ARTICLE 10 FOR THE REQUEST FOR SITE PLAN AMENDMENT AT 108 CENTRE STREET (MAP 27, LOTS 68 & 68-1) FOR CENTRE AND MIDDLE STREET LLC AND THAT THE APPLICATION HAS BEEN APPROVED.

UNANIMOUS APPROVAL

Item 1

Mr. Deci described the proposal, requested waivers, and storm water impact on abutters. Mr. Deci state that these two applications would be heard together.

Public Hearing – Contract Rezoning– 139 Richardson Street (Map 31, Lot 68); Bathres, LLC, applicant.

Mr. Oxtan opened the floor to members of the public who wished to speak to this agenda item.

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

The Planning Board discussed signage, sidewalks, and cash donation for Route 1.

MR. STIPHEN MOVED, SECONDED BY MR. SWENSON TO FIND THE APPLICATION IS CONSISTENT WITH THE CRITERIA FOUND IN SECTION 8.20.E 1-3 AND THEREFORE, RECOMMENDS THAT THE CITY COUNSEL APPROVE THE REQUEST FOR CONTRACT REZONING AT 139 RICHARDSON STREET (MAP 31, LOT 68) FOR BATHRES, LLC.

UNANIMOUS APPROVAL

Item 2

Request for Site Plan Approval - 139 Richardson Street (Map 31, Lot 68); Bathres, LLC, applicant.

Mike Gotto, representing Bathres, LLC, described the redevelopment of the site, development phases, number of rooms, height, setback, storm water management, driveways, service drive, parking spaces, and lighting. Mr. Gotto also discussed signage, sidewalks, easements, and a cash donation for Route 1 corridor improvements.

The Planning Board discussed heating and cooling equipment noise, fencing, storm water, parking for large vehicles, on-site traffic patterns, disruption to traffic from blasting, natural storm water remedies, timeline for the phases, landscaping, traffic management, comments from City Staff and setbacks.

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

Betsy Varian, 94 Richardson Street, stated that she would rather have the blasting and construction go seven days a week to have it completed more quickly. Ms. Varian was concerned about the dust from the blasting. Ms. Varian asked for clarification on the water shed proposal, what the grass soil filter is, what the biocell is, what the biocell represents and drainage back onto Richardson Street. Ms. Varian also expressed concern with regard to the disposal of the blasted materials and disposal of the demolition materials of the current building.

Mr. Gotto explained how the biocell and grass soil filter works. In addition, Mr. Gotto described how these natural storm water filters work and the direction that the storm water would move off the site.

Robin Haynes, 46 Edward Street, asked about the materials and colors to be used for the structure, lighting, whether there would be a second landscape plan submitted for phase two, landscaping, grading and if the cash payment would go into dedicated fund. Ms. Haynes pointed out it is a massive building and there will be a great deal of blasting. Ms. Haynes asked about the number of parking spaces to be used by employees.

Mr. Gotto showed computer simulations and drawings of the proposed exterior of the building. Mr. Gotto stated employee parking would be on site and that there was not a restaurant on site.

Will Blake, 12 School Street, asked about the parking lot on the other side of the street.

Mr. Gotto stated that the parking lot across the street is not part of the project.

Mike Cody, 762 Middle Street, asked how long the blasting would be taking place, and daily frequency.

Mr. Gotto said it would be between 7 a.m and 5 p.m. Monday through Friday. Mr. Gotto addressed the possibility of shutting down traffic during the actual blasting.

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

The Planning Board discussed traffic flow, materials and colors to be used on the exterior of the building, traffic safety, dust, noise, entrances and exits, blasting point of contact for abutters, lighting, elevations, height of building, waivers of the performance standards of Land Use Code Article 10, remedies of space and bulk infringements, catch basins and signage.

MR. STILPHEN MOVED, SECONDED BY MR. BRANCA TO FIND THE REQUEST FOR SITE PLAN APPROVAL AT 139 RICHARDSON STREET (MAP 31, LOT 68) FOR BATHRES LLC TO BE COMPLETE.

UNANIMOUS APPROVAL

MR. STIPHEN MOVED, SECONDED BY MR. BRANCA TO GRANT THE REQUEST FOR SITE PLAN APPROVAL WITH THE REQUESTED WAIVERS AT 139 RICHARDSON STREET (MAP 31, LOT 68) FOR BATHRES LLC WITH THE FOLLOWING CONDITIONS:

- 1. THE PROJECT SHALL BE DEVELOPED IN CONFORMANCE WITH ALL MATERIALS SUBMITTED AS PART OF THE APPLICATION FOR SITE PLAN APPROVAL, AS LAST REVISED.**
- 2. THE APPLICANT SHALL SUBMIT A REVISED STORMWATER MANAGEMENT PLAN AND/OR DOCUMENTATION TO THE SATISFACTION OF THE PUBLIC WORKS DIRECTOR, PROVIDING EVIDENCE OF COMPLIANCE WITH THE CODES AND ORDINANCES OF THE CITY OF BATH, AS PERTAIN TO THE MANAGEMENT AND TREATMENT OF STORMWATER.**
- 3. BLASTING SHALL BE PERFORMED IN CONFORMANCE WITH THE BLASTING PLAN PREPARED BY MAINE DRILLING & BLASTING AND SUBMITTED WITH THE SITE PLAN APPLICATION. ADDITIONALLY,**
 - A. PRIOR TO THE ISSUANCE OF A BLASTING PERMIT, THE APPLICANT SHALL PROVIDE TO THE CODE ENFORCEMENT OFFICER:**
 - I. EVIDENCE OF ATTEMPTS TO CONTACT PROPERTY OWNERS WITHIN 250' OF THE SITE AND OFFER PRE-BLAST SURVEYS OF THE BUILDINGS/FOUNDATIONS.**
 - II. COPIES OF ALL PRE-BLAST SURVEYS CONDUCTED ON PROPERTIES WITHIN 250' OF THE SITE.**
 - B. PRIOR TO THE ISSUANCE OF A BLASTING PERMIT, THE APPLICANT SHALL PROVIDE A TRAFFIC CONTROL PLAN TO AND RECEIVE**

APPROVAL FROM THE CHIEF OF POLICE AND PUBLIC WORKS DIRECTOR.

- C. PRIOR TO THE ISSUANCE OF AN OCCUPANCY PERMIT, THE APPLICANT SHALL PROVIDE COPIES OF ALL BLASTING REPORTS TO THE CODE ENFORCEMENT OFFICER.**
- 4. THAT PROPERTY OWNERS WITHIN 250' OF THE SITE BE INFORMED OF A BLASTING POINT OF CONTACT AND BLASTING SCHEDULE BY THE CONTRACTOR.**
 - 5. THE APPLICANT SHALL SUBMIT AN EXTERIOR MATERIALS SCHEDULE/INCLUDE EXTERIOR MATERIALS ON THE SUBMITTED ELEVATIONS.**
 - 6. A LANDSCAPE PLAN FOR THE SECOND PHASE BE REVIEWED AND APPROVED BY THE PLANNING DIRECTOR;**
 - 7. THAT THE ROCK CRUSHER BE LIMITED TO 7 A.M. - 5 P.M., MONDAY - FRIDAY.**

UNANIMIOUS APPROVAL

Other Business

None

There being no further business before the Board, **MR. BRANCA MOVED, SECONDED BY MR. SWENSON TO ADJOURN THE MEETING AT 7:33 P.M.**

UNANIMOUS APPROVAL

Minutes prepared by Marsha Hinton, Recording Secretary from video recording.