

A regular meeting of the Bath Planning Board was called on 1-6-15 for the purpose of conducting regular business.

MEMBERS PRESENT

Bob Oxtan, Chair
James Hopkinson, Vice Chair
John Swenson
Andy Omo
John Sunderland
Cal Stilphen
Ricky Warren (non-voting student member)

MEMBERS ABSENT

Albert Branca
Catherine Sener (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, January 6, 2015.

Minutes

October 7, 2014 meeting

MR. SWENSON MOVED, SECONDED BY MR. STILPHEN TO APPROVE THE MINUTES OF OCTOBER 7, 2014.

UNANIMOUS APPROVAL

Mr. Deci introduced and welcomed new non-voting student member, Ricky Warren.

Old Business

None

New Business**Item 5**

Request for Site Plan Amendment Approval – 150 Congress Avenue (Map 24, Lot 1);
United Church of Christ, applicant.

Mr. Deci stated that the applicant desires to sell off a portion of their lot which will change the approved lot lines. Mr. Deci pointed out that the Planning Board's job is to insure that the space and bulk standards are met for the lots. Mr. Deci added that the Code Enforcement Officer states that the application before the Planning Board tonight meets the space and bulk standards.

Mr. Hopkinson stated that he has worked with the seller on this application and would not be voting on this agenda item.

MR. OMO MOVED, SECONDED BY MR. TO FIND THE REQUEST FOR SITE PLAN AMENDMENT APPROVAL AT 150 CONGRESS AVENUE (MAP 24, LOT 1); UNITED CHURCH OF CHRIST, APPLICANT TO BE COMPLETE.

UNANIMOUS APPROVAL (WITH MR. HOPKINSON ABSTAINING)

Ms. Joanne Krejsa, representing the neighborhood faith community, stated the group was trying to sell the building and is before the Planning Board for approval.

The Planning Board discussed the history of this site, past subdivisions, space and bulk standards, and sale of the building.

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

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

MR. OMO MOVED, SECONDED BY MR. SWENSON, TO APPROVE THE REQUEST FOR SITE PLAN AMENDMENT AT 150 CONGRESS AVENUE (MAP 24, LOT 1) FOR UNITED CHURCH OF CHRIST, APPLICANT.

UNANIMOUS APPROVAL (WITH MR. HOPKINSON ABSTAINING)

Item 4

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

Mr. Deci explained that the applicant was requesting a year-long extension of the validity of the approved site plan.

Don Capoldo, Executive Director of the Plant Home stated they were asking for an extension to allow for tax credits run out naturally. Mr. Capoldo pointed out that the federal low interest loan was good for five years and an extension of time for completion of the approved site plan will save the Plant Home significant money.

Carl Young, treasurer with the Plant Home Board of Directors stated they wanted to do the expansion, but do it in a prudent and economical way to preserve the endowment of the Plant Home.

THERE BEING NO FURTHER DISCUSSION FROM THE PLANNING BOARD, MR. HOPKINSON MOVED, SECONDED BY MR. OMO TO APPROVE THE REQUEST FOR EXTENSION OF SITE PLAN APPROVAL AT 1 WASHINGTON STREET (MAP 43, LOT 21) FOR PMH REAL ESTATE INCORPORATED, APPLICANT.

UNANIMOUS APPROVAL

Item 1

Public Hearing – Request for Land Use Code Text Amendment – Article 17, 6, C- Wireless Communication Facilities.

Mr. Deci explained that an applicant has submitted an application for a wireless tower where a deficiency in the Land Use Code was uncovered during the initial review process. Mr. Deci stated that the request for land use code text amendment was put forward to address issues surrounding the fall zone. Mr. Deci asked that due to new information received recently that the Planning Board take no action tonight to allow for time for public review and comment.

Jon Springer, representing Mariner Tower, discussed the issue with conflicting language in the Tower Ordinance. Mr. Springer read the definition as well as the performance standard in Section 17.06 pointing out the conflicting language. Mr. Springer said that the proposed amendment would limit the definition, clarify the fall zone size, and address easements from adjoining property owners.

The Planning Board discussed easements, language used in the amendment, holding a workshop on the proposed amendments, and setbacks.

The Planning Board was polled and agreed to hold a workshop on January 20.

MR. HOPKINSON MOVED, SECONDED BY MR. SWENSON TO TABLE THE REQUEST FOR LAND USE CODE TEXT AMENDMENT OF ARTICLE 17, 6, C WIRELESS COMMUNICATION FACILITIES UNTIL THE REGULAR PLANNING BOARD MEETING IN FEBRUARY.

UNANIMOUS APPROVAL

Item 2

Request for Site Plan Approval – 137 Leeman Highway (Map 28, Lots 54 & 54-1); Mark Sewall, applicant.

Mr. Deci described the location of the property at 137 Leeman Highway, the proposed small retail building, and site infrastructure. Mr. Deci pointed out the need to purchase property from the City of Bath for this proposal. Mr. Deci asked that the Planning Board hear this as a pre-application workshop to provide guidance to the applicant on contract rezoning.

The applicant's engineer, Jon Dewick, and Mark Sewall described the proposed 9,090 square foot building and provided a proposed site plan for development of the site.

Mr. Dewick discussed the limited amount of buildable property, proposed property purchase from the City of Bath, need for retaining wall, proposed sidewalk, enhanced architecture, landscaping, and lighting along route one for the sidewalk.

The Planning Board discussed utilities, impact of the new CVS building on the site, the Route One Corridor Plan, building design, landscaping, public benefits, the visual improvement to the

site, snow storage, type of business contemplated, parking, screening around dumpster, retaining wall, drainage, pedestrian and vehicle traffic safety features, traffic flow, sidewalk, crosswalk to CVS, fencing, cleaning up the corner of the site, Quimby Street, handrail, comments from the City Arborist, abutting property, façade treatments, deceleration lane, roofing materials, pitch of the roof, location of mechanicals, elevations, and lighting.

MR. OMO MOVED, SECONDED BY MR. SUNDERLAND TO TABLE THE REQUEST FOR SITE PLAN APPROVAL AT 137 LEEMAN HIGHWAY (MAP 28, LOTS 54 & 54-1) FOR MARK SEWALL, APPLICANT INDEFINITELY.

UNANIMOUS APPROVAL

Item 3

Request for Site Plan Approval for Relocation of a Non-Conforming Structure in the Shoreland Zone and the Replacement of a Structure in the Shoreland Zone- 129 Varney Mill Road (Map 5, Lot 29); David Hudson, applicant.

Mr. Deci described the replacement of an existing trailer with one that is slightly larger. Mr. Deci pointed out the application must the standards found in Land Use Code Article 6.

Mr. David Hudson, described the replacement of a 1989 trailer with a 2014 trailer and the proposed location of the new trailer.

MR. HOPKINSON MOVED, SECONDED BY MR. SWENSON TO FIND THE REQUEST FOR SITE PLAN APPROVAL FOR RELOCATION OF A NON-CONFORMING STRUCTURE IN THE SHORELAND ZONE AND THE REPLACEMENT OF A STRUCTURE IN THE SHORELAND ZONE AT 129 VARNEY MILL ROAD (MAP 5, LOT 29) FOR DAVID HUDSON, APPLICANT TO BE COMPLETE.

UNANIMOUS APPROVAL

The Planning Board discussed access to the trailer, setbacks from the roads and wetlands, and reduction in non-conformity.

MR. HOPKINSON MOVED, SECONDED BY MR. STILPHEN TO APPROVE THE REQUEST FOR SITE PLAN APPROVAL FOR RELOCATION OF A NON-CONFORMING STRUCTURE IN THE SHORELAND ZONE AND THE REPLACEMENT OF A STRUCTURE IN THE SHORELAND ZONE AT 129 VARNEY MILL ROAD (MAP 5, LOT 29) FOR DAVID HUDSON, APPLICANT.

UNANIMOUS APPROVAL

Other Business

No other business.

Bath Planning Board
January 6, 2015

There being no further business before the Board, **MR. SWENSON MOVED, SECONDED BY MR. HOPKINSON, TO ADJOURN THE MEETING AT 7:20 PM.**

UNANIMOUS APPROVAL

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