

A regular meeting of the Bath Planning Board was called on 5-5-15 for the purpose of conducting regular business.

MEMBERS PRESENT

Bob Oxton, Chair
John Swenson
Andy Omo
Cal Stilphen

MEMBERS ABSENT

James Hopkinson, Vice Chair
John Sunderland
Albert Branca
Ricky Warren (non-voting student member)

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, May 5, 2015.

Minutes April 7, 2015, meeting

MR. STILPHEN MOVED, SECONDED BY MR. SWENSON TO APPROVE THE MINUTES OF THE APRIL 7, 2015 MEETING AS SUBMITTED.

UNANIMOUS APPROVAL

Old Business **None**

New Business

Item 1

Public Hearing – Land Use Code Amendment – Article 17 – Wireless Communications.

The Planning Board discussed the proposed amendments to Article 17.

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

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

Mr. Omo moved, seconded by Mr. Stilphen to recommend for approval the Land Use Code Amendments to Article 17 Wireless Communications.

UNANIMOUS APPROVAL

Item 2

Public Hearing – Request for Contract Rezoning and Site Plan Approvals – 137 Leeman Highway (Map 53 & 54-1); Mark Sewall, applicant.

Mr. Deci described the applicant's proposal to construct a retail store on the site, comments from City staff, studies, Contract Rezoning and Site Plan Approval. Mr. Deci pointed out that the applicant has right, title and interest in the property.

MR. OMO MOVED, SECONDED BY MR. SWENSON TO FIND THE APPLICATION FOR SITE PLAN APPROVAL TO BE COMPLETE.

UNANIMOUS APPROVAL

Jon Dewick, Pine Tree Engineering, described the proposal to narrow Quimby Street to 32 feet, landscaping, and benefits to the public.

The Planning Board discussed the ornamental fencing, the distance between Court Street and the wall, closing access to Route One, elevations, traffic patterns, sidewalk, retaining wall, exhaust fan, lighting and guardrails.

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

Jerry Provencer, 15 Winslow Court, asked if the proposal would close access to Route One and pointed out the guardrails may not slow traffic down. Mr. Winslow suggested using landscaping or a berm might do a better job of being a separator.

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

The Planning Board discussed alternatives to the guardrail, lighting on Court Street, retaining walls, and lighting color.

MR. OMO MOVED, SECONDED BY MR. SWENSON TO RECOMMEND TO THE CITY COUNCIL FOR APPROVAL THE REQUEST FOR CONTRACT REZONING AT 137 LEEMAN HIGHWAY (MAP 53 & 54-1) FOR MARK SEWALL, APPLICANT.

UNANIMOUS APPROVAL

MR. OMO MOVED, SECONDED BY MR. SWENSON TO GRANT THE REQUEST FOR SITE PLAN APPROVAL AT 137 LEEMAN HIGHWAY (MAP 53 & 54-1) FOR MARK SEWALL APPLICANT AND TO GRANT THE WAIVERS OF SECTIONS 10.02 J, K, AND L; 10.27 B; AND 10.29; WITH THE FOLLOWING CONDITIONS

- 1. THAT A REVISED SITE PLAN BE SUBMITTED TO THE PLANNING DIRECTOR**
 - A. SHOWING LIGHT TEMPERATURE COLORS,**
 - B. SPECIFICATIONS FOR THE ORNAMENTAL FENCE;**
 - C. AND IDENTIFYING THE BUILDING COLORS AS GRAY, WHITE AND CHARCOAL.**

2. THAT THE CITY COUNCIL APPROVE AND ENACT THE CONTRACT ZONE LANGUAGE NECESSARY FOR THIS PROJECT.

UNANIMOUS APPROVAL

Item 3

Pre-Application Workshop for Developmental Subdivision, Site Plan, Contract Rezoning and Subdivision Approvals – 39 Andrews Road (Old Huse School), Map 25, Lot 46; Szanton Company, applicant.

Nathan Szanton, the Szanton Company, discussed the need to increase the number of units to fifty-eight to bring the cost per unit down, the reduction in size of the units and the proposed parking strategy to provide space for each apartment as well as accommodate the Bath Municipal Band's needs.

Andy Jackson, Szanton Company project manager, discussed traffic studies, lighting, proposed parking and parking spaces used at other Szanton Company facilities.

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

Mike Knudson, 94 Washington Street, stated that the Board of Directors for the Municipal Band did not like the idea of shared parking spaces because the building was used for rehearsals and other Band activities at various times. Mr. Knudson stated the Band needed 35 unshared spaces to accommodate Band members.

Kathy Downing, band director, stated that she had agreed to share 12 spaces originally, but after talking with the Band's Board of Directors that number has increased to 35 dedicated spaces to accommodate older members and those with disabilities. Ms. Downing added that towing may also be an issue either with band members being towed mistakenly or having poachers that need to be towed from band member spaces.

Lynn Kenny, band member, disclosed her association with the Maine Housing Authority and the Director of Multifamily Housing. Ms. Kenny explained the concept of a Use Profile and expressed concerns that the apartment residents would be coming home from work at the same time band members would be arriving for practice.

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

Mr. Szanton explained that if it was a requirement for development of Huse School that 35 dedicated parking spaces 24/7 for the Municipal Band be provided that Huse School would never be developed. Mr. Szanton added that he had agreed to allocating 12 spaces and now it had increased to 35. Mr. Szanton pointed out that there are 90 proposed spaces and the residents would only be assigned one space allow plenty of leftover shared spaces. Mr. Szanton asked the Planning Board to arbitrate between the Municipal Band and the Szanton Company over the parking issue.

Bath Planning Board
May 5, 2015

The Planning Board discussed parking options for the site and the increase in units.

Other Business

Mr. Deci discussed upcoming applications for the Planning Board.

There being no further business before the Board, **MR. SWENSON MOVED, SECONDED BY MR. STILPHEN, TO ADJOURN THE MEETING AT 8:00 PM.**

UNANIMOUS APPROVAL

Minutes prepared by Marsha Hinton, Recording Secretary.