

A regular meeting of the Bath Planning Board was called on 3-21-17 for the purpose of conducting regular business.

MEMBERS PRESENT

Bob Oxton, Chair
James Hopkinson, Vice Chair
Russell Martin
Cal Stilphen
Andy Omo
John Sunderland

DRAFT**MEMBERS ABSENT**

Greg Johnson
Griffin Tibbitts (non-voting student member)

STAFF PRESENT

Andrew Deci, Planning Director

Mr. Oxton, Chair, called the meeting to order in the third-floor Council Chambers at 6:00 p.m. on Tuesday, March 21, 2017.

Minutes February 14, 2017, minutes

MR. HOPKINSON MOVED, SECONDED BY MR. MARTIN, TO APPROVE THE MINUTES OF FEBRUARY 14, 2017 AS PRESENTED.

UNANIMOUS APPROVAL**Old Business**

None

New Business**Item 1**

Public Hearing – Land Use Code Amendment - Articles 8, District Regulations, and 9, Uses; as related to establishing a new zoning district for public and private school facilities.

Item 2

Public Hearing - Land Use Map Amendment – Rezoning of property located under and around the following facilities, from R1 and C3 districts to a new zoning district for public and private school facilities:

- a. Dike-Newell Elementary School, located at 3 Wright Drive, Tax Map 21, Lot 80
- b. Fisher Mitchell School, located at 597 High Street, Tax Map 31, Lot 1
- c. Bath Middle School, located at 6 Old Brunswick Road, Tax Map 22, Lot 17
- d. Morse High School, located at 826 High Street, Tax Map 26, Lot 1
- e. Hyde School, located at 616 High Street, Tax Map 31, Lot 22
- f. Wing Farm Business Park, Phase II, located at the northern terminus of Wing Farm Parkway, Tax Map 24, Lots 15, 16, 17, 18, 19, 20, and portions of 4

Mr. Deci stated that one of the final locations for the new high school is in Wing Farm, a business park zoning district, which does not allow a school in that zone. Mr. Deci discussed various ways to resolve the zoning issue and presented a draft of a new school zone for the Land Use Code.

The Planning Board discussed rezoning issues with schools that may go to another use, other solutions that would resolve the zoning issue, and the need to work on this zoning issue.

There being no further comment from members of the Planning Board, Mr. Oxton opened the floor to members of the public who wished to comment on this agenda items.

Michael Bailey, 10 Crawford Drive, stated that he owns the Mill Pond property. Mr. Bailey stated that he has worked with a biologist from state in 2011 regarding illegal dumps up stream as well as the protection of the watershed from highway ramp and sludge dumps. Mr. Bailey warned that before schools are built at Wing Farm the soil contamination must be addressed the protect the children. In addition, Mr. Bailey warned about the unsafe condition of the road in Wing Farm mentioning the culvert.

No other comment from the public being seen, Mr. Oxton closed the public portion of the meeting.

The Planning Board discussed Mr. Bailey's comments.

MR. HOPKINSON MOVED, SECONDED BY MR. MARTIN TO CONTINUE AGENDA ITEMS ONE AND TWO TO THE NEXT AVAILABLE MEETING.

UNANIMOUS APPROVAL

Item 3

Request for Relocation and Expansion of a Non-Conforming Structure Within the Shoreland Zone – 103 Mallard Road (Map 4, Lot 8); Larry Baima, applicant.

Mr. Deci described the applicant's request for an expansion of a structure in the Shoreland Zone, Land Use Code performance standards for the Shoreland Zone, a previous approval, details of the applicant's proposal and comments from city staff.

The Planning Board discussed the age of the septic system, state law requirements for sewage disposal, conditions of approval, jurisdictional authority, and comments from city staff.

There being no further comment from members of the Planning Board, Mr. Oxton opened the floor to members of public who wished to comment on this agenda item.

Tom Barrington, Bath Community Forestry Committee, stated that the Butler Head preserve is an abutter to the property at 103 Mallard Road. Mr. Barrington discussed the conservation easement includes language to protect the scenic views. Mr. Barrington said that it is his belief that expansion of the structures would reduce the scenic views of Butler Head Preserve from the property and not be consistent with the City of Bath's intent regarding the Butler Head Preserve and therefore recommended the Planning Board not approve the application.

No other comment from the public being seen, Mr. Oxtan closed the public portion of the meeting.

The Planning Board discussed scenic views, proposed buffering landscaping, Land Use Code approval standards, and the grass driveway.

MR. HOPKINS MOVED, SECONDED BY MR. OMO, TO FIND THE APPLICATION COMPLETE AND TO APPROVE THE APPLICATION FOR AS SUBMITTED

- 1. THAT NO BUILDING PERMIT BE ISSUED UNTIL THE CITY PLANNING DIRECTOR RECEIVES FORMAL WRITTEN APPROVAL FROM THE CITY ARBORIST OF THE PROPOSED LANDSCAPING PLAN, AND**

- 2. THAT NO BUILDING PERMIT BE ISSUED UNTIL THE CITY PLANNING DIRECTOR HAS RECEIVED CONFIRMATION FROM THE CODE ENFORCEMENT OFFICER FOR THE PLANNING FILE CONFIRMING THAT THE EXISTING SEPTIC SYSTEM DOES NOT NEED TO BE CHANGED OR UPGRADED AS THE RESULT OF THIS PROPOSAL.**

UNANIMOUS APPROVAL

Other Business

None

There being no further business before the Board, **MR. HOPKINSON MOVED, SECONDED BY MR. STILPHEN, TO ADJOURN THE MEETING AT 6:51 PM.**
UNANIMOUS APPROVAL

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