

A regular meeting of the Bath Planning Board was called on October 2, 2018 for the purpose of conducting regular business.

**MEMBERS PRESENT**

Bob Oxtan, Chair  
Greg Johnson  
Russell Martin  
Cal Stilphen  
John Sunderland

**MEMBERS ABSENT**

James Hopkinson, Vice Chair  
Andy Omo

**STAFF PRESENT**

Ben Averill, City Planner  
Karly Perry, Recording Secretary

Mr. Oxtan, Chair, called the meeting to order in the third-floor Council Chambers at 6:00 p.m. on Tuesday, October 2, 2018.

**Minutes September 11, 2018, meeting minutes**

**MR. STILPHEN MOVED, SECONDED BY MR. MARTIN, TO ACCEPT THE MINUTES OF SEPTEMBER 11, 2018 AS PRESENTED.**

**UNANIMOUS APPROVAL****Old Business****Item 1**

**Request for Site Plan Amendment** – Western Avenue (Map 31, Lot 69); Redlon Western, LLC., applicant.

Mr. Oxtan announced that this item has been moved to the end of the meeting.

**New Business****Item 1**

**Request for Site Plan Amendment** – 142 Butler Head Road (Map 4, Lot 18) Raymond Houlihan, Applicant.

Mr. Averill reviewed the request for amendment and introduced the applicant, stating that the plan has been approved for the setback and the applicant is now requesting that a deck be added to the structure, amending the setback, which is the only change.

Mr. Sunderland confirmed that the ownership of the property has changed from the original application.

Raymond Houlihan of Butler Head Road reviewed the site plan, noting that the original application had been completed by the seller prior to him purchasing the property. Mr. Houlihan also noted a discrepancy in the placement of the building, which was approved with a north-south placement but built east-west, which was overlooked by both the building and the Codes Enforcement Officer. Mr. Houlihan asked that the board approve the plan in it's current state for clerical purposes.

Mr. Sunderland asked Mr. Averill to clarify.

Mr. Averill reviewed the original approval, not matching the actual building, and stated that the board must determine if the shift is appropriate and the deck is appropriate to add on to the structure.

Discussion followed regarding a notated 100' setback on the plan. Mr. Oxton confirmed the current code requirement is 150' from the low water mark, which can be reduced to a minimum of 75'. Discussion followed regarding the building placement and length of setbacks.

Mr. Sunderland expressed concern that the Board should confirm the original approval of the setback was for 75', so as not to confirm the incorrect setback.

Mr. Stilphen suggested that the board could approve with the condition that the original approval was for a 75' setback.

Mr. Martin asked for clarification to where the additional deck will be built, to which the board reviewed the deck sketch to the right of the existing deck.

**MR. STILPHEN MOVED, SECONDED BY MR. JOHNSON, TO FIND THE APPLICATION COMPLETE.**

**UNANIMOUS APPROVAL**

**MR. SUNDERLAND MOVED, SECONDED BY MR. STILPHEN, TO APPROVED THE REQUEST FOR SITE PLAN AMENDMENT WITH THE CONDITION THAT THE PLANNING BOARD PREVIOUSLY APPROVED A 75 FOOT SETBACK, AND THAT THE DIAGRAM IS CONFIRMED BY THE CODES ENFORCEMENT OFFICER THAT THE BUILDING MEETS THE SETBACK REQUIREMENTS.**

**UNANIMOUS APPROVAL**

**Old Business**

**Item 1**

**Request for Site Plan Amendment – Western Avenue (Map 31, Lot 69); Redlon Western, LLC., applicant.**

Mr. Averill reviewed discussion from the last meeting on September 11<sup>th</sup> with the request for amendment to reduce the number of units to four, as well as a request for R1 reduction setback. Mr. Averill stated that City staff have confirmed that the applicant has met requirements.

Mr. Sunderland confirmed that the email for Lee Leiner was resolved.

Greg Shinberg, representative for Redlon Western, LLC., reviewed current plans including photos of the current lot, detailing improvements to plantings along with a maintenance plan approved by the City Arborist. Mr. Shinberg also reviewed the proposed exterior for the condos

with samples, noting the surrounding buildings and describing the location as a transitional area between business and residential structures. Mr. Shinberg also detailed the roof pitch and window styles. He then went on to confirm that the plan will be surveyed and pinned prior to pouring concrete, stressing the exactness at which buildings and overhang will be placed.

Mr. Stilphen asked if there are other building designs.

Mr. Shinberg confirmed that all houses will be designed and look the same, with the except of some facing left or right.

Mr. Oxton opened the floor to public comment. Hearing none, Mr. Oxton closed the public comment session.

Mr. Oxton referred to the landscaping design and asked the board if there needed to be more landscaping outside the fencing. Discussion followed on the jog of the fence and previous requests by the board. The board then confirmed that the concern was landscaping on the eastern side of the lot, which the applicant has improved significantly.

Mr. Shinberg assured the board that landscaping was important for the contractor as well to buffer traffic noise.

Mr. Sunderland reviewed requests and confirmed that the plans received are indeed the most recent plans, that public works has confirmed the wastewater plan, that the applicant has satisfied landscaping concerns, and that the applicant has confirmed the design with the City Planner. Mr. Sunderland then noted that the applicant has not address parking signage.

Mr. Shinberg agreed that this was an oversight that could be amended.

**MR. SUNDERLAND MOVED, SECONDED BY MR. STILPHEN, TO FIND THE APPLICATION COMPLETE.**

**UNANIMOUS APPROVAL.**

**MR. SUNDERLAND MOVED TO APPROVED THE REQUEST FOR SITE PLAN AMENDMENT WITH THE CONDITION THAT NO PARKING SIGNS BE ADDED TO THE PLAN.**

Mr. Oxton suggested that Mr. Sunderland's motion be held in order to run through Articles 10.34 C and 10.34 D

**MR. SUNDERLAND APPROVED, SECONDED BY MR. MARTIN, TO FIND THE APPLICANT HAS SATISFIED ARTICLE 10.34 C 1.**

**UNANIMOUS APPROVAL.**

**MR. SUNDERLAND APPROVED, SECONDED BY MR. JOHNSON, TO FIND THE APPLICANT HAS SATISFIED ARTICLE 10.34 C 2.**

**MR. SUNDERLAND APPROVED, SECONDED BY MR. MARTIN, TO FIND THE APPLICANT HAS SATISFIED ARTICLE 10.34 C 3.**

**UNANIMOUS APPROVAL.**

**MR. SUNDERLAND APPROVED, SECONDED BY MR. STILPHEN, TO FIND THE APPLICANT HAS SATISFIED ARTICLE 10.34 C 4.**

**UNANIMOUS APPROVAL.**

**MR. SUNDERLAND APPROVED, SECONDED BY MR. MARTIN, TO FIND THE APPLICANT HAS SATISFIED ARTICLE 10.34 D 1.**

**UNANIMOUS APPROVAL.**

**MR. STILPHEN APPROVED, SECONDED BY MR. SUNDERLAND, TO FIND THE APPLICANT HAS SATISFIED ARTICLE 10.34 D 2.**

**UNANIMOUS APPROVAL.**

**MR. SUNDERLAND APPROVED, SECONDED BY MR. JOHNSON, TO FIND THE APPLICANT HAS SATISFIED ARTICLE 10.34 D 3.**

**UNANIMOUS APPROVAL.**

**MR. SUNDERLAND APPROVED, SECONDED BY MR. JOHNSON, TO FIND THE APPLICANT HAS SATISFIED ARTICLE 10.34 D 4.**

**UNANIMOUS APPROVAL.**

**MR. SUNDERLAND APPROVED, SECONDED BY MR. MARTIN, TO FIND THE APPLICANT HAS SATISFIED ARTICLE 10.34 D 6.**

**UNANIMOUS APPROVAL.**

**MR. STILPHEN APPROVED, SECONDED BY MR. MARTIN, TO FIND THE APPLICANT HAS SATISFIED ARTICLE 10.34 D 7.**

**UNANIMOUS APPROVAL.**

**MR. SUNDERLAND APPROVED, SECONDED BY MR. JOHNSON, TO FIND THE APPLICANT HAS SATISFIED ARTICLE 10.34 D 8.**

**UNANIMOUS APPROVAL.**

**MR. SUNDERLAND APPROVED, SECONDED BY MR. STILPHEN, TO FIND THE APPLICANT HAS SATISFIED ARTICLE 10.34 D 9.**

**UNANIMOUS APPROVAL.**

**MR. SUNDERLAND APPROVED, SECONDED BY MR. STILPEHN, TO FIND THE APPLICANT HAS SATISFIED ARTICLE 10.34 D 10.**

**UNANIMOUS APPROVAL.**

**MR. SUNDERLAND, SECONDED BY MR. JOHNSON, MOVED TO APPROVE THE REQUEST FOR SITE PLAN AMENDMENT AS SUBMITTED, WITH THE CONDITION THAT DOCUMENTATION OF 2 SIGNS FOR NO PARKING BE ADDED TO THE PLAN.**

Mr. Martin asked who would enforce parking. After discussion, the board resolved that this will be the determination of the condo association.

**UNANIMOUS APPROVAL**

**Other Business**

Election of Officers

Mr. Oxton asked the board if there were any nominations for Chair and Vice Chair.

**MR. STILPHEN MOVED, SECONDED BY MR. SUNDERLAND, TO NOMINATE BOB OXTON AS CHAIR FOR THE PLANNING BOARD.**

**UNANIMOUS APPROVAL.**

**MR. SUNDERLAND MOVED, SECONDED BY MR. OXTON, TO NOMINATION JAMES HOPKINSON FOR VICE CHAIR OF THE PLANNING BOARD.**

**UNANMIOUS APPROVAL.**

**MR. MARTIN MOVED TO ADJOURN, SECONDED BY MR. OXTON.**

**UNANIMOUS APPROVAL**

**MEETING ADJOURNED AT 7:05 PM.**

Minutes prepared by Karly Perry, Recording Secretary.