

A regular meeting of the Bath Planning Board was called on January 8, 2019 for the purpose of conducting regular business.

MEMBERS PRESENT

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

DRAFT**MEMBERS ABSENT**

James Hopkinson, Vice Chair

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, January 8, 2019.

Minutes November 6, 2018, meeting minutes

Mr. Sunderland noted the following edits:

Page 2, Item 1, Paragraph 3: should read "asked if buildings will be ~~the buildings have~~"

Page 3: after the final motion to approve the amendment for approval, it should be written that this motion was unanimously approved.

Page 4, Paragraph 9: should read "that the landscaping requirement should be waived"

Mr. Averill noted that Page 2, Item 1, Paragraph 4: the word gymnasium should be replaced with the word gym in both instances.

MR SUNDERLAND MOVED, SECONDED BY MR. STILPHEN, TO ACCEPT THE MINUTES OF NOVEMBER 6, 2018 AS AMENDED.

UNANIMOUS APPROVAL**Old Business**

None

New Business**Item 1**

Request for Historic District Approval – 1111 Washington Street (Map 21, Lot 190); Mason & Murphy Trust, applicant.

Mr. Averill reviewed the request for historic district approval, noting that the applicant is proposing the removal and replacement of the rear of the structure. Mr. Averill referenced Section 8 of the Land Use Ordinance, noting that the applicant provided a detailed application.

Michael Mason introduced himself and co-applicant Peter Murphy, then proceeded to review the proposed remodel stating that the current structure is not aesthetically pleasing, also noting that the current state of the building is unsafe. The new construction will add one foot to protect the

original structure. In addition, a circular design mimicking the tower at the front of the building, will add ten feet to the existing structure. The applicant also noted that a third party review was conducted with a recommendation to approve the application

Mr. Oxton opened the discussion up to the public. Hearing no comments, Mr. Oxton closed the public comment session.

Mr. Stilphen thanked the applicant for the detailed application.

Mr. Sunderland agreed and complimented the applicants on a well-organized, quality application.

MR. OMO, SECONDED BY MR. JOHNSON, MOVED TO FIND THE APPLICATION FOR HISTORIC DISTRICT APPROVAL COMPLETE.

UNANIMOUS APPROVAL.

MR. OMO, SECONDED BY MR. MARTIN, MOVED TO APPROVE THE REQUEST FOR HISTORIC DISTRICT APPROVAL AS PRESENTED.

UNANIMOUS APPROVAL

Item 2

Request for Historic District Approval – 160 Front Street (Map 26, Lot 246), Sean Ireland, Applicant.

Mr. Averill reviewed the request for historic district approval at 160 Front Street (also known as the “Medanic Block”), noting that the request is for both interior and exterior renovations, however the interior renovations will not be reviewed by the board. Mr. Averill further noted that the applicant is utilizing a historic building tax credit, which requires State and Federal review and will be more scrutinizing than local review. Mr. Averill also stated that a third party review of the proposal has been done.

Sean Ireland introduced himself and then continued to review the project to bring the building back to its period of historical significance. Renovations include the reconstruction of the Elm Street entrance (which will help in connecting North Front Street), floor to ceiling glazing on windows, and the renovation of the second floor (which has been empty for approximately 25 years). Mr. Ireland noted that neighborhood feedback on the project has been supportive.

Mr. Sunderland asked about parking, to which the applicant responded that the property does include parking spaces across the street.

Mr. Oxton asked about a spot on the building sketch which showed up in printing, but is not part of the design, and also complimented the applicant on his lighting design.

Mr. Ireland went on to discuss the benefits of the historic tax credit.

Mr. Sunderland complimented the applicant on the completeness of his application.

Mr. Omo asked about the condition of the windows. The windows for the first floor are in acceptable condition, second floor windows will need repairs and third floor windows will be replaced entirely with actual functioning windows of original quality.

Mr. Johnson asked if third floor windows will be large enough to conform to current egress standards, which Architect Evan Carroll confirmed.

Mr. Omo asked about the north side of the building, which was recently redone. There are currently no plans to further renovate the north side.

The applicant also noted that the building is fully sprinkled.

Mr. Oxtan opened the discussion up to the public. Hearing no comments, Mr. Oxtan closed the public comment session.

MR. MARTIN MOVED, SECONDED BY MR. OMO, TO FIND THE APPLICATION FOR HISTORIC DISTRICT APPROVAL COMPLETE.

UNANIMOUSLY APPROVED.

MR. JOHNSON MOVED, SECONDED BY MR. SUNDERALD, TO APPROVE THE APPLICATION FOR HISTORIC DISTRICT APPROVAL FOR 160 FRONT STREET AS PRESENTED.

UNANIMOUSLY APPROVED.

Item 3

Request for Site Plan Amendment – 133 Commercial Street (Map 26, Lot 258); JHR Development, applicant.

Mr. Averill reviewed the request for site plan amendment, noting that representatives from Sitelines and JHR Development are present. This request is to amend the conditional approval to allow work on Saturdays from 7:00am to 3:00pm.

Michael Barton of JHR Development introduced himself and Curtis Neufeld of Sitelines, then went on to review the current projects at the Bath Riverwalk. Poor fall weather has caused delays amounting to a loss of 29 work days. Mr. Barton went on to review that the building is not yet weather tight, and that adding an extra work day is crucial to keeping the project on schedule for completion by Summer 2019.

Mr. Sunderland asked why the applicant chose a start time of 7:00am.

Mr. Barton explained that this is the current start time for the weekday, but the project manager is flexible and would be agreeable to 8:00am if it pleased the board. The applicant also

responded that they had not reached out to neighbors other than the required notice of the request for amendment.

Mr. Omo confirmed that this would be a request for the duration of the project, and not a temporary request.

When asked for a project completion date, Mr. Barton stated that, without working Saturdays and with no further delays, the project is predicted to be completed July 24, 2019. The additional day would allow the applicant to recover a week and a half. The original completion date was slated for the end of June.

Mr. Oxton opened the floor to public comment.

Bill King, 300 Front Street, stated that he lives across the street from the project. Mr. King noted that the applicants were not respecting the original terms of the contract when construction began. Mr. King went on to review neighborhood opinion that, if Saturday were approved, construction not begins before 9:00 am (although 8:00 am to 8:30 am would be acceptable). Beeping from forklifts, diesel engine noise, dust and other disturbances have been significant, although the additional interruption would be preferred in order to expedite project completion.

Mr. Oxton clarified that the abutters are not forcibly against the project.

Mr. King concurred, noting that the neighbors will be taking this matter up with the City at a later time in order to address this issue for future projects.

Mr. Oxton closed the floor to public comment.

Mr. Sunderland noted that the beeping of forklifts is a safety feature, which most likely cannot be altered.

Mr. Martin asked if a lack of daylight would impact how late work can be done: it would not.

Mr. Oxton suggested a four-month approval to allow the board to review in the spring.

Mr. Sunderland asked Mr. King his preference on the time constraint, to which Mr. King agreed a four-month approval seemed prudent. Discussion followed regarding when the applicant should return to request further site-plan amendment.

MR.SUNDERLAND MOVED, SECONDED BY MARTIN, TO FIND THE APPLICATION FOR SITE PLAN AMENDMENT COMPLETE.

UNANIMOUSLY APPROVED.

MR. SUNDERLAND MOVED, SECONDED BY MR. OMO, TO APPROVE THE APPLICATION TO TEMPORARILY WAIVE THE RESTRICTION ON SATURDAY WORK WITH THE FOLLOWING CONDITIONS:

- 1. WAIVER APPLIES ONLY TO THE HOURS OF 8:30AM TO 4:30PM ON SATURDAYS**
- 2. EQUIPMENT USING A BACK UP ALARM SHALL NOT BE USED PRIOR TO 9:30AM**
- 3. WAIVER WILL BE APPLICABLE FROM THE JANUARY 8, 2019 TO MAY 31, 2019. IF THE APPLICANT WISHES TO EXTEND THEY WILL NEED TO COME BACK TO THE PLANNING BOARD TO SEEK ADDITIONAL APPROVAL**
- 4. WAIVER IS SPECIFIC TO BUILDING FOUR ONLY**

UNANIMOUSLY APPROVED.

Item 4

Request for Site Plan Approval Extension – 243 Washington Street (Map 38, Lot 10); Maine Maritime Museum, applicant.

Mr. Averill reviewed the request for site plan approval extension, noting that the board approved the original request on July 11, 2018. The applicant is requesting a six month extension to allow for delays in the DEP permitting (initial DEP approval has been granted).

Mr. Oxtan opened the discussion up to the public. Hearing no comments, Mr. Oxtan closed the public comment session.

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

UNANIMOUS APPROVAL.

MR.SUNDERLAND MOVED, SECONDED BY MR. JOHNSON, TO APPROVE THE REQUEST FOR A SIX MONTH EXTENSION.

UNANIMOUS APPROVAL

Other Business: NONE

MR. OMO MOVED TO ADJOURN, SECONDED BY MR. JOHNSON.

UNANIMOUS APPROVAL

MEETING ADJOURNED AT 7:00 PM.

Minutes prepared by Karly Perry, Recording Secretary.