

A regular meeting of the Bath Planning Board was called on June 4, 2019 for the purpose of conducting regular business.

**MEMBERS PRESENT**

Bob Oxtan, Chair  
James Hopkinson, Vice Chair  
Greg Johnson  
Russell Martin

**MEMBERS ABSENT**

John Sunderland  
Andy Omo  
Cal Stilphen

**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, June 4, 2019.

**Minutes April 30, 2019, meeting minutes**

**MR. HOPKINSON MOVED, SECONDED BY MR. JOHNSON, TO ACCEPT THE MINUTES OF APRIL 30, 2019 AS SUBMITTED.**

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

**Final Subdivision Approval – Findings of Fact –** Prospect Street (Map 20, Lot 121); MECAP, LLC, applicant. (Continued from April 30, 2019 meeting)

Mr. Averill reviewed the previous approval from the last meeting on April 30<sup>th</sup>, noting that tonight's agenda item would be to formalize the findings of fact. Mr. Averill then confirmed that the findings could be reviewed individually or, if the board sees fit, approved as a complete set. Mr. Averill further noted that the findings have been reviewed with department heads, with special attention by Public Works, all of whom have agreed that the requirements can be met, specifically in consideration of sewage.

Mr. Hopkinson suggested that the findings be approved as a whole rather than individually.

Mr. Oxtan reviewed the findings as follows:

Land Use Code Article 13 (Section 13.13 – Performance Standards)

B. Pollution – Based upon plans and reports submitted by the applicant, the Board finds that this requirement has been met.

C. Sufficient Water – The Board finds that based on plans and reports from staff this requirement has been met.

D. Soil Erosion – Based upon the erosion and sedimentation control details of the plans the Board finds that this requirement has been met.

E. Traffic Conditions – Based upon the traffic reports submitted by the applicant this requirement will be met.

F. Sewage Disposal – Based upon plans submitted, peer review, staff comments, and planned mitigation efforts the Board finds that this requirement will be met.

G. Solid Waste – Based upon plans submitted the Board finds that this requirement will be met.

H. Impact on Natural Beauty, Esthetics, Historic Sites, Wildlife Habitat, Rare Natural Areas, or Access to the Shoreline – Based upon plans and reports submitted the Board finds that this requirement will be met.

I. Conformance with Ordinances and Plans – With review of the plans, surveys, and reports submitted the Board finds that this requirement has been met.

J. Financial and Technical Capacity – Based upon information in the application provided by MECAP, LLC the Board finds that this requirement has been met.

K. Impact on Water Quality and Shoreline – The Board finds that this requirement has been met.

L. Impact on Ground Water Quality and Quantity – The impact of a subdivision on the quality of ground water is from septic systems. This subdivision will be connected to the public sewer system. The impact of any subdivision on the quantity of ground water is from large wells providing drinking water. This subdivision will be connected to the public water system. Therefore, the Board finds that this requirement has been met.

M. Floodplain Management - The Board finds that this requirement is not applicable.

N. Identification of Fresh Water Wetlands – There are no wetlands on the site. The Board finds that this requirement has been met.

O. Storm Water Management – Based upon stormwater management plans designed by A.E. Hodsdon Consulting Engineers and approved by Lee Leiner, PE, Public Works Director, the Board finds that this requirement has been met.

P. Spaghetti-Lots Prohibited – The Board finds that this is not applicable.

Q. Impact on Adjoining Municipalities – The Board finds that this is not applicable.

**MR. HOPKINSON MOVED, SECONDED TO MR. JOHNSON, THAT THE BOARD ACCEPT THE FINDINGS OF FACT AS DRAFTED AS COMPLETION OF APPROVAL FROM THE APRIL 30, 2019 MEETING.**

## **UNANIMOUS APPROVAL**

### **New Business**

#### **Item 1**

**Request for Site Plan Amendment and Contract Rezoning – 700 Washington Street (Map 27, Lot 142); Bath Iron Works, applicant.**

Mr. Averill reviewed previous approval of the Site Plan from the November, 2018 meeting for the construction of turnstiles. The amendment presented is to add canopies to the turnstiles. Because this addition will reduce the setback, the amendment requires contract rezoning. Mr. Averill noted that the staff has reviewed the amendment with no concerns.

Chris Main, engineer, reviewed the amendment as a safety provision, noting that the canopies are an additional safety measure as they will light the area, in addition to protecting the areas from weather. Mr. Main noted that while the canopies will encroach on the setback, they will be consistent with neighboring building facades.

Mr. Oxtan confirmed that the lighting is contained within the canopies and is not, in fact, exterior lighting separate from the turnstiles.

Mr. Oxtan opened the floor to public comment. Seeing none, the item was closed to public comment.

**MR. HOPKINSON MOVED, SECONDED BY MR. MARTIN TO FIND THE APPLICATION IS CONSISTENT WITH CRITERIA IDENTIFIED IN 8.20 E 1-3.**

## **UNANIMOUS APPROVAL**

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

## **UNANIMOUS APPROVAL**

**MR. HOPKINSON MOVED, SECONDED BY MR. JOHNSON TO FIND THAT THE APPLICATION DEMONSTRATES STANDARDS HAVE BEEN MET AS OUTLINED IN ARTICLES 10, 11 AND 12.**

## **UNANIMOUS APPROVAL**

#### **Item 2**

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

Mr. Averill reviewed the request, which is a condition of a previous request for amendment set at the January 2018 meeting by the Board requesting that work be allowed on Saturdays. According to condition 7 the Board is to review the request at this time.

Curtis Neufeld of Sitelines spoke on behalf of the applicant, confirming that due to extended rain this spring Saturday work is still required for the applicant to meet project deadlines. Mr. Neufeld further noted that he is conscious of the importance of Heritage Days to the City of Bath and that no work is planned for the extended holiday weekend.

Mr. Oxton asked Mr. Averill if the City has received any complaints since the last request.

Mr. Averill noted that some interested abutters had contacted the Planning Office to review the request; however no real issues have been presented.

Mr. Oxton confirmed that the remaining outside work consists of finishing siding the building.

Mr. Martin noted that he had walked by the site recently on a Saturday and did not notice any work being done.

Mr. Neufeld noted that if the company finds that a full day's work cannot be completed due to weather, it is not cost effective to have employees work a Saturday, therefor some Saturdays are weather dependent. Mr. Neufeld also confirmed that the goal for project completion is still the end of August.

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

**UNANIMOUS APPROVAL**

**MR. HOPKINSON MOVED, SECONDED BY MR. JOHNSON, TO FIND THE APPLICATION HAS MET THE STANDARD OF ARTICLES 10 & 11.**

**UNANIMOUS APPROVAL**

**Other Business:**

Mr. Averill presented the board with a collection spring and summer poetry from a local resident.

Mr. Averill confirmed that the next meeting will be delayed one week to July 9, 2019.

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

**UNANIMOUS APPROVAL**

**MEETING ADJOURNED AT 6:30 PM.**

Minutes prepared by Karly Perry, Recording Secretary.