

A regular meeting of the Bath Planning Board was called on June 15, 2021, for the purpose of conducting regular business.

**MEMBERS PRESENT**

Bob Oxton, Chair  
James Hopkinson, Vice Chair  
Greg Johnson  
Andy Omo  
Haley Blanco  
Cal Stilphen

**MEMBERS ABSENT****STAFF PRESENT**

Ben Averill, City Planner  
Karly Perry, Recording Secretary

Planning Board Chair, Bob Oxton, called the meeting to order using Zoom conferencing at 6:00 pm on Tuesday, June 15, 2021. Mr. Averill then reviewed procedure for the remote meeting.

**Minutes: May 4, 2021, 2021, meeting**

**MR OMO, SECONDED BY MR. STILPHEN, MOVED TO ACCEPT THE MINUTES OF MAY 4, 2021, AS PRESENTED.**

**ROLE CALL VOTE:**

**YEAS: MR. OMO, MR. STILPHEN, MR. JOHNSON, MR. OXTON, MS. BLANCO, MR. HOPKINSON**  
**NAYS: NONE**

**MOTION PASSED UNANIMOUSLY, 6-0.**

**Old Business:**

**None**

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

**Request for Site Plan and Final Subdivision Approval – 301 & 401 Oak Grove Avenue (Map 19, Lots 4 & 5); JMC Partners, LLC, applicant.**

Mr. Averill reviewed the request as previously seen by the Board in March in the sketch plan review and pre-application workshop. The applicant has amended the layout in response to staff and neighborhood feedback among other reasons. The new proposal is for a 30-unit multi-family, multi-building structure with parking. The applicant is requesting waivers to section 13.01.b for stormwater management as well as section 10.06 for parking requirements. In addition to continuing staff review, staff has requested a peer review of the wastewater management plan, which has not yet been completed.

Bill Pearse of CFO Realty Resources and JMC Partners introduced Joseph Cloutier, Owner; Nichole Lorentzen, Development Officer; Heather Dean, CEO; Dan Miller, Architect; and Tom Saucier, Engineer.

Mr. Pearse then reviewed the original site plan, noting that the focus will be on a 30-unit development in response to neighborhood feedback. Mr. Pearse further reviewed the building layout which includes a community area, office and laundry facilities. He then went on to review the apartment sizes and proposed rent schedule, noting that there is a significant market for those who do not qualify for low income housing. Mr. Pearse concluded his presentation by reviewing subsidies that the applicant will be applying for which will require City Council review and approval in order to move forward in competing for.

Tom Saucier of Site Design Associates reviewed the project location as well as zoning and boundaries. He then reviewed the reduction of the parcel size in addition to the reduction of the development, noting that the project will continue to meet density requirements. Mr. Saucier then reviewed available water and sewer maps, setback map, grading map, and landscape plan.

Dan Miller of TAC Architectural Group further reviewed the unit layout design. He then presented a photometric sketch for proposed lighting which is dark sky compliant, noting that the lighting is adequate for the parking lot with no overflow outside of the property in part due to the building design.

Mr. Saucier reiterated that lighting will not be an issue due to the placement of the buildings.

Mr. Saucier went on to review waiver requests to the stormwater management requirements (noting that the City's requirements refer to a standard which no longer exists) as well as a waiver to parking (the City would require 53 spaces, whereas the current plan allows for 40 spaces). Mr. Saucier defended the reduction in parking by noting that the current plan meets ITE standards for parking, further noting that neighbor units have ample unused parking to allow for overflow due to gatherings. Mr. Saucier added that the additional impermeable surface would have the potential to further impact stormwater management.

Mr. Saucier then continued to review staff comments, noting that Public Works is requesting a third party review of the stormwater management and sewer usage, both of which Mr. Saucier believes will go favorably.

Mr. Hopkinson reviewed comments from Public Works regarding recycling.

Mr. Pearse stated that JMC encourages recycling and will have a designated area for the disposal of recyclable material.

Ms. Blanco confirmed that the recycling area will also house a dumpster or similar container, then asked if there is an incentive to recycling, noting the current state of the City landfill.

Mr. Pearse noted that there is no incentive to recycle other than ample containers and storage for recyclable material.

Mr. Hopkinson confirmed that the dumpster pad will allow for multiple containers, which it will.

Mr. Averill recommended that, if approved, the Board include a conditional approval that a note be added to the site plan stating that the dumpster pad will also accommodate recycling, further noting that a new site plan with reduced parcel side will need to be filed with the Planning Office.

Mr. Johnson reviewed sidewalks on the plan and suggested that additional sidewalks be added to connect to overflow parking.

Mr. Saucier objected, noting that there is no expectation that overflow parking will be necessary, further citing the expense and difficulty of maintaining additional curb cuts.

Ms. Blanco asked if the parking lot is wide enough to accommodate the possibility of children playing within the parking area.

Mr. Saucier noted that the Fire Department has requested that the parking area be further expanded, which will allow ample room.

Mr. Oxton clarified that the applicant does not intend to add sidewalks to connect to overflow parking.

Mr. Stilphen asked if the landscaping plan had been reviewed by the arborist, to which Mr. Averill had not received any comment from the arborist. Mr. Stilphen observed the original comments which had not been addressed.

Mr. Saucier noted that all trees kept within the project footprint will be 14" or larger.

Mr. Stilphen observed that the tree removal is significant.

Mr. Saucier agreed was typical of a sizable project such as the one proposed, noting that the reduction of the parcel will significantly reduce the amount of trees taken in the area.

Mr. Stilphen confirmed that the applicant believes the City standard for parking is outdated, to which Mr. Saucier quoted ITE standards.

Mr. Pearse spoke to the neighboring apartments whose parking is to code and significantly underutilized.

Mr. Stilphen asked if a City TIF agreement will be necessary in order to proceed with the development, to which the applicant confirmed that without the TIF, the project will require serious reconsideration.

Mr. Johnson expressed his displeasure with the steepness of grading at the perimeter of the units.

Mr. Saucier could not confirm whether the area is ledge, then spoke to the above-average backyards as compared to existing developments in the area.

Mr. Johnson suggested that staggering buildings may allow for less grading.

Mr. Saucier countered that the additional expense to stacking buildings, as well as complex ADA requirements, makes the current design preferable.

Mr. Omo asked if blasted material will stay on site.

Mr. Saucier stated that blasted material will be trucked off-site.

Mr. Johnson echoed concerns with grading and possible drainage issues.

Mr. Hopkinson stated that the peer review will satisfy his concerns regarding drainage.

Ms. Blanco also expressed concerns with grading and drainage.

Mr. Omo confirmed that the elevation cuts are 8-9" and agreed with previous concerns regarding stormwater and drainage.

Mr. Saucier noted that the current grade meets the maximum allowed by both the City and ADA codes, assuring the Board that a third party review will confirm this.

Discussion followed regarding review by the Fire Department, noting that no comments have been received regarding the turnaround area.

Mr. Averill noted that the access drive will require its own street name, also noting that depending on the project time frame, the applicant may need to ask for an additional six month extension for permitting.

Mr. Pearse noted that the prospective start date for the project would be no later than April 2022, confirming that a six month extension would be necessary for permitting.

Mr. Oxtton opened the floor to public comment.

Adrian Van Benthuisen, of 14 Seekins Drive, expressed concern with the stormwater runoff, which is currently an issue for residents of Seekins Drive as well as the neighboring street. Mr. Van Benthuisen also asked where residents could address concerns should this later become an issue.

Mr. Saucier reviewed the drainage plan which will direct stormwater towards Oak Grove Avenue, noting that runoff will be reduced by development with the assistance of a detention basin.

Mr. Van Benthuisen thanked the applicant for his review and asked how the Oak Grove Avenue area will be impacted, to which the applicant noted there will be no impact as most runoff currently drains to ponds.

Mr. Averill noted that once construction begins, any issues or concerns should be directed to the Code Enforcement Officer, further noting that the applicant is held to standards for noise complaints as well.

Larry Larochelle of 17 Seekins Drive asked if any clearing will be done outside of the parcel.

Mr. Saucier confirmed that clearing will take place within the designated parcel only.

Mr. Larochelle asked if there will be a common play area for the community.

Mr. Saucier stated that due to the sizeable backyards, there is not plan for a common play area.

Sara Wright, of 17 Seekins Drive, expressed appreciation to the applicant for scaling down the project and then expressed concern with the lack of sidewalks to overflow parking, specifically during the winter months.

Mr. Saucier stated that the grassed area along the road will be more maintainable than curb cuts during snow removal.

Mr. Johnson asked if the school bus will go into the property of pick up at Oak Grove Avenue, noting that an Oak Grove pickup would make sidewalks necessary.

Ms. Blanco further reviewed the grade of the back yard, which slopes upward at the perimeter.

Mr. Saucier noted the low impact of traffic and sizeable cost of installing sidewalks connecting parking.

Mr. Pearse noted that school buses are required to drop young children in site of their unit.

Ms. Blanco expressed her appreciation to the applicant for the reduction in parking and impervious surfaces, then further expressed her concern for the impact of the development on the City landfill.

Mr. Stilphen asked if the plan accounts for snow removal.

Mr. Saucier noted that snow will be cleared to islands and other areas and hauled away as necessary, to which Mr. Pearse confirmed snow removal will be handled in the standard fashion.

Mr. Oxtan confirmed that power will be underground coming into the drive then asked for a review of the Kelvin rating on light poles (4K).

Mr. Oxtan reviewed that staff is currently awaiting peer review and that final comments have not been received from either the City Arborist or the Fire Department.

Mr. Averill recommended that any motion include ensuring staff approval for peer review and landscaping plan, as well as a request for a new site plan including snow storage, landscaping, recycling and Fire Department notes on widening the access drive. Mr. Averill then stated that if the Board chooses to table the request, he will work with the applicant to compile necessary information.

Mr. Hopkinson expressed his discomfort approving the project without the results of the peer review and support of Public Works.

**MR. HOPKINSON, SECONDED BY MR. STILPHEN, MOVED TO CONTINUE THE DISCUSSION TO THE NEXT PLANNING BOARD MEETING TO ALLOW THE OPPORTUNITY TO RECEIVE AND REVIEW THE PEER REVIEW COMMENTS.**

**ROLE CALL VOTE:**

**YEAS: MR. OMO, MR. STILPHEN, MR. JOHNSON, MS. BLANCO, MR. HOPKINSON, MR. OXTON**

**NAYS: NONE**

**MOTION PASSED UNANIMOUSLY, 6-0.**

**Other Business**

None

**MR. HOPKINSON MOVED TO ADJOURN, SECONDED BY MR. OMO.  
MOTION PASSED UNANIMOUSLY, 6-0**

**MEETING ADJOURNED AT 7:25 PM.**

Minutes prepared by Karly Perry, Recording Secretary.