

A regular meeting of the Bath Planning Board was called on Tuesday, October 18, 2022, for the purpose of conducting regular business.

MEMBERS PRESENT

James Hopkinson, Vice Chair
Mark Hranicky
Greg Johnson
Andy Omo
Cal Stilphen

MEMBERS ABSENT

Bob Oxtan, Chair
Haley Blanco

STAFF PRESENT

Ben Averill, City Planner
Karly Perry, Recording Secretary

Vice Planning Board Chair, James Hopkinson, called the meeting to order in the third-floor Council Chambers at 6:00 pm on Tuesday, October 18, 2022.

Minutes: October 4, 2022, meeting

MR. STILPHEN, SECONDED BY MR. HRANICKY, MOVED TO ACCEPT THE MINUTES OF OCTOBER 4, 2022 AS PRESENTED.

UNANIMOUS APPROVAL.

Old Business**Item 1**

Request for Site Plan Approval – 361 High Street (Map 33, Lot 28); Shane & Kari McKenna, applicants. (Continue from October 4, 2022, meeting) (6:00 PM)

Mr. Averill introduced the request for site plan approval as presented to codify existing components in place at 361 High Street to utilize ten spaces for shared parking on site. Mr. Averill noted that the site is within the SPCCO overlay zone and does allow for shared parking. The applicant has submitted a plan to utilize ten spaces, as well as an amended plan in response to comments made by City staff. Mr. Averill noted that the applicant is requesting a waiver to landscaping, adding that while the amended plan has been submitted to City staff, staff has not had the chance to review the plan. He recommended that if approved the Board include a condition to allow for staff approval.

Attorney David King introduced himself as representation for the applicant, then reviewed the original plan to convert ten existing spaces into leased monthly parking primarily for Bath Iron Works. He noted that the applicant would be leasing for first shift only. He then detailed the original plan for seven or eight spaces along High Street and an additional two to three spaces along Week Street, which his applicant has now reduced to a total of eight spaces. Attorney King noted that due to the high volume of traffic and the existing conditions of the parking lot, the applicant is requesting minimal screening of vegetation and has also suggested a picket fence as an alternative solution.

Mr. Stilphen asked what the building is currently used for (residential use as well as a child care business). Mr. Stilphen asked if parking requirements will be satisfied with the

removal of these spaces, to which Attorney King confirmed that the ten spaces are in excess of what is required by code.

Mr. Stilphen stated his opinion that landscaping would improve the lot and suggested that the plan be included as a condition of approval to meet the satisfaction of the City Arborist.

Mr. Hopkinson opened the floor to public comment. Seeing none, Mr. Hopkinson closed the public comment section.

Mr. Johnson stated that the Land Use Ordinance has specific requirements regarding landscaping and expressed his desire to review the plan as a Board, to which Mr. Hranicky agreed that screening is beneficial to reducing glare from headlights as well.

Mr. Hopkinson confirmed that the Board was satisfied with the other components of the plan, to which there was no objection.

MR. JOHNSON, SECONDED BY MR. OMO, MOVED TO CONTINUE THE REQUEST FOR SITE PLAN APPROVAL TO THE NEXT AVAILABLE MEETING.

PLANNING BOARD UNANIMOUSLY APPROVED.

New Business

Item 2

Request for Site Plan Amendment – South End Park (Map 33, Lot 198); City of Bath, applicant. (6:12 PM)

Mr. Averill presented the item as an amendment to the existing site plan as a modification to allow for shoreline stabilization and repair. He noted that the applicant has received both State and Federal approval for permitting and that City approval is the final step in order to move forward.

Jan Wiegman of Wright Pierce Engineering introduced himself and Steve Balboni of Bath Parks and Recreation. He then reviewed the erosion to the South End Park along with the need for long-term erosion and stormwater controls. He highlighted the areas of focus on a map of the property, including a shore land access point next to fencing, noting that the site was previously a landfill which has been capped off. He reviewed the wharf with wood cribbing which will need to be replaced with a concrete foundation, and the walkway area which has become damaged by stormwater. He then highlighted the field wherein barriers will be added to slow runoff. The demarcation barrier over the landfill will be replaced with riprap to be added as well as a replacement fence to further deter foot traffic from eroding the shoreline. The layout of the park will remain in its current configuration. Mr. Wiegman confirmed that the Army Corps of Engineers and the DEP have both reviewed the plan and approved the work as presented.

Mr. Johnson asked if the barrier strips will be vegetated, to which Mr. Wiegman noted that the strips will be grassed with a reduced mowing schedule to allow for grass to grow higher in order to further control the flow of water.

Mr. Stilphen stated that he is a regular visitor to the South End Park and confirmed that the amendments are necessary to the upkeep of the area.

Mr. Hopkinson opened the floor to public comment. Seeing none, Mr. Hopkinson closed the public comment section.

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

PLANNING BOARD UNANIMOUSLY APPROVED.

MR. OMO, SECONDED BY MR. JOHNSON, MOVED TO APPROVE THE REQUEST FOR SITE PLAN AMENDMENT AS PRESENTED.

PLANNING BOARD UNANIMOUSLY APPROVED.

Item 3

Request for Site Plan Amendment – 26 Summer Street (Map 26, Lot 218); The Uptown, LP, applicant. (6:20 PM)

Mr. Averill introduced the request for site plan amendment noting that the plan was originally approved in July 2021, with amendments made in both 2021 and 2022. He noted that the applicant is currently requesting an amendment in order to meet the necessary requirements to complete utility work. He then referenced staff comments provided to the Board noting that additional information can also be included as a condition of approval.

Amy Cullen, VP for the Szanton Group, introduced herself and colleague Michael Tadema-Wielandt of Terradyn Consultants. She then reviewed meetings with Central Maine Power which have resulted in the request to amend the plan to include removing trees to the west of the property in order to allow access by CMP to the utility pole. Those trees will be replaced with shrubbery in order to satisfy screening requirements. She then reviewed the original plan to move a pole at Elm Street, to which CMP has since requested that the pole be removed and line buried. The final amendment requested is the addition of grading to the site in order to add riprap for stabilization of the area.

Mr. Hopkinson asked the applicant to review comments from Public Works.

Mr. Tadema-Wielandt introduced himself as the civil engineer for the project, then reviewed the request by Mr. Leiner that the catch basin empty directly to the manhole, to which the applicant has agreed to comply. He then verified that easements for utilities within the City Right of Way will also be obtained as well as necessary permitting prior to work on both septic and stormwater components.

Mr. Hopkinson acknowledged comments made by the Fire Chief, noting that no changes have been made to the plan in regards to life safety components.

Mr. Johnson confirmed that CMP would not agree to the trees originally planned for the western side of the property due to access issues, to which Mr. Tadema-Wielandt confirmed, noting that the shrubs to be planted are dogwood and other significant varieties which will grow to roughly ten feet wide and fifteen feet high, allowing for as much screening as possible to the neighboring property.

Mr. Averill noted that the Planning Board may choose to provide a formal landscaping waiver, then confirmed that City Staff has reviewed the proposal as satisfactory.

Mr. Hopkinson opened the floor to public comment. Seeing none, Mr. Hopkinson closed the public comment section.

Mr. Omo confirmed that the riprap would span the entire southern edge of the parking area.

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

PLANNING BOARD UNANIMOUSLY APPROVED.

MR. JOHNSON, SECONDED BY MR. STILPHEN, MOVE TO APPROVE THE REQUEST FOR SITE PLAN AMENDMENT WITH THE CONDITION THAT THE APPLICATION MEET THE SATISFACTION OF PUBLIC WORKS, AND WITH THE CONDITION THAT EASEMENTS REQUESTED BY PUBLIC WORKS ARE ALSO SATISFIED.

PLANNING BOARD UNANIMOUSLY APPROVED.

Item 1

Request for Historic District Approval – 26 Centre Street (Map 27, Lot 109); Benjamin St. John, applicant. (6:35 PM)

Mr. Averill observed that the applicant is not present and recommended that the item be tabled.

MR. STILPHEN, SECONDED BY MR. JOHNSON, MOVED CONTINUE ITEM 1 TO THE NEXT AVAILABLE MEETING.

PLANNING BOARD UNANIMOUSLY APPROVED.

Other Business

None

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

UNANIMOUS APPROVAL, MEETING ADJOURNED AT 6:36 PM.

Minutes prepared by Karly Perry, Recording Secretary.