

A regular meeting of the Bath Planning Board was called on Tuesday, September 6, 2022, for the purpose of conducting regular business.

**MEMBERS PRESENT**

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

**MEMBERS ABSENT**

Haley Blanco

**STAFF PRESENT**

Ben Averill, City Planner  
Karly Perry, Recording Secretary

Planning Board Chair, Bob Oxton, called the meeting to order in the third-floor Council Chambers at 6:00 pm on Tuesday, September 6, 2022.

**Minutes: August 16, 2022, meeting**

**MR. STILPHEN, SECONDED BY MR. JOHNSON, MOVED TO ACCEPT THE MINUTES OF AUGUST 16, 2022 AS PRESENTED.**

**UNANIMOUS APPROVAL.****Old Business**

None

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

**Request for Site Plan and Historic District Approval – 67 Centre Street (Map 27, Lot 90), Yuan Qian, applicant.**

Mr. Averill introduced the item, noting that the applicant is actually Yum Mee restaurant who has recently relocated to Centre Street. The applicant is requesting the addition of an 8' by 12' shed. Mr. Averill noted that the applicant is requesting a waiver to the site plan requirement as the plan submitted is outdated. Mr. Averill recommended that the Board review the request for site plan approval and request for historic district approval separately as they are two separate applications.

Adam Gilbert, general manager for Yum Mee introduced himself to the Board.

Mr. Stilphen noted a recommendation from the Fire Chief that the parking lot be restriped and asked Mr. Gilbert if he has reviewed staff comments.

Mr. Gilbert stated that he had not seen the comment but agreed that the lot can be restriped.

Mr. Johnson confirmed that the zoning district does not require the applicant to meet setback or parking requirements.

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

Mr. Oxtan noted that the shed has already been constructed.

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

**UNANIMOUS APPROVAL.**

**MR. OMO, SECONDED BY MR. JOHNSON, MOVED TO APPROVE THE REQUEST FOR SITE PLAN APPROVAL FOR 67 CENTRE STREET.**

**UNANIMOUS APPROVAL.**

Mr. Stilphen expressed concern with the plastic shed located in the historic district and asked if a wood or brick material could be substituted. Mr. Gilbert agreed that it is possible to use an alternate building material.

Mr. Oxtan asked if the applicant would be comfortable with delaying approval up to 30 days. Mr. Gilbert agreed that this would not be a problem.

Mr. Johnson stated that he is not opposed to the shed material, then expressed concern regarding the condition of the parking lot and dumpsters. The Board agreed that this is an issue for the Code Enforcement Officer to address.

Mr. Omo noted that the dumpsters are not located on the site plan.

**MR. OMO, SECONDED BY MR. HRANICKY, MOVED TO TABLE THE APPLICATION FOR HISTORIC DISTRICT REVIEW TO THE NEXT MEETING.**

**UNANIMOUS APPROVAL.**

## **Item 2**

**Request for Site Plan Amendment – 15 Wing Farm Parkway (Map 29, Lot 31); Custom Composite Technologies, applicant.**

Mr. Averill introduced the request for site plan amendment for which the applicant is requesting to increase the parking area by approximately 5400 sf. He noted that the applicant has been working with staff and has recently received comments which he may not have had time to address. Mr. Averill noted that the applicant is requesting a landscaping waiver in order to use the existing landscaping on site.

Steve Hassett, co-owner of Custom Composite Technologies, introduced himself to the Board. He then explained that his building produces marine parts as well as renewable energy composites such as windmill blades.

Nate Hassett, co-owner and project manager, explained that the request to increase the parking area is to allow more room for trucks to maneuver, as well as increased space for access to move products in and out of the building.

Mr. Omo asked for clarification regarding swale.

Nate Hassett reviewed the site plan with the Board noting the location of a silt fence.

Steve Hassett confirmed that the swale area would be expanded alongside the proposed parking.

Mr. Averill referenced comments from Public Works requesting erosion control plans as well as details regarding stormwater management.

Mr. Omo asked if the materials for the project are on site.

Nate Hassett stated that most material for fill is located on site, while additional material will be added from a nearby location within the Wing Farm Industrial Park.

Mr. Averill noted that the applicant intends to use the existing lighting and landscaping.

Nate Hassett stated that they are agreeable to additional requests if necessary.

Mr. Omo asked if significant vegetation will need to be removed to which Nate Hassett stated that most of the area is grass, with one pine tree at the corner of the proposed parking area.

Mr. Hopkinson asked what the status of the erosion and sediment control plan is. Nate Hassett stated that the architect is willing to provide more information if necessary. Mr. Hopkinson reviewed the information required by Public Works, including both an erosion control plan as well as the necessary stormwater calculations.

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

Mr. Hopkinson observed that there are still questions regarding the completeness of the application and suggested that the Board table the item in order to review all information.

Mr. Averill asked for the applicant's timeline for the project.

Nate Hassett stated that the project will take approximately a week to complete, but is dependent on starting prior to the ground freezing.

The Board agreed that reviewing the application in October would allow sufficient time for the project to be completed.

**MR. HOPKINSON, SECONDED BY MR. OMO, MOVED TO CONTINUE THE REQUEST FOR SITE PLAN AMENDMENT TO THE NEXT MEETING.**

**UNANIMOUS APPROVAL.**

**Item 3**

**Request for Site Plan Approval** – 14 Governors Lane (Map 15, Lot 50-4); Julie Kenny, applicant.

Mr. Averill introduced the request for site plan approval for the addition of 400 yards of fill to be located at 14 Governors Lane. He noted that due to the amount of fill, Planning Board approval is required. The applicant is requesting waivers to the both the site plan as well as the erosion control plan. Mr. Averill noted that the Board has received comments from City staff as well as an abutter comment.

Julie Kenny of 14 Governors Lane introduced herself, then reviewed her request to add fill to her yard in order to change the grade of the slop as well as the addition of a berm to the back of the property in order to prevent erosion. Ms. Kenny noted that this action is being taken to correct current erosion issues on the property.

Ms. Kenny addressed comments she received, noting that the project has not started however a silt fence has been brought in to mitigate current erosion issues. There is a plan in place to have CMP review the site for underground lines as well as the installation of a new silt fence prior to beginning work.

Mr. Oxtan noted comments regarding obstruction to the ditching and culvert.

Ms. Kenny stated that when last observed there was nothing obstructing the culvert, and then agreed to remove any material necessary. She then reviewed issues with icing on the property over the winter which has exacerbated the erosion issues.

Mr. Omo confirmed that the area is currently clear of vegetation. Ms. Kenny stated that the area has been turned and once fill is added will be seeded for grass only.

Mr. Stilphen asked what the timeframe for completion is. Ms. Kenny stated that she is hoping for fill to be delivered within two weeks and all work to be completed within a week of delivery.

Mr. Stilphen asked if the applicant has a contingency plan if grass does not grow before winter.

Ms. Kenny assured the Board that seed will be down before winter, noting that the additional berm and shrubbery will mitigate erosion as well.

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

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

**PLANNING BOARD APPROVED WITH 5 IN FAVOR AND 1 OPPOSED.**

Mr. Hopkinson offered clarification regarding comments by Public Works stating that grass planting is not always successful and that an erosion control plan offers additional mitigation in the event that the planting fails.

Mr. Johnson noted abutter comments regarding icing.

Ms. Kenny described the position of the neighboring properties for which 14 Governors Lane is at a higher elevation. She then described the unusual weather conditions of the previous year wherein there was rain after the area had iced over.

Mr. Omo noted that the position of the driveway will not change and therefor it is an existing issue.

**MR. OMO, SECONDED BY MR. HRANICKY, MOVED TO APPROVE THE REQUEST FOR SITE PLAN APPROVAL FOR 14 GOVERNORS LANE WITH THE CONDITION THAT AN EROSION CONTROL PLAN BE SUBMITTED TO CITY STAFF AND APPROVED BY PUBLIC WORKS.**

**PLANNING BOARD APPROVED WITH 5 IN FAVOR AND 1 OPPOSED.**

**Other Business**

Mr. Averill verified that the Board is available for a second meeting if necessary, to which the Board agreed that a second meeting in September is not necessary. The Board agreed to hold their next meeting as scheduled on October 4, 2022.

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

**UNANIMOUS APPROVAL**

**MEETING ADJOURNED AT 6:45 PM.**

Minutes prepared by Karly Perry, Recording Secretary.