

A workshop meeting of the Bath Planning Board was held on Tuesday, January 7, 2025

MEMBERS PRESENT

Bob Oxton, Chair
James Hopkinson, Vice Chair
Phyllis Bailey
Robert Gersh
Greg Johnson
Andy Omo

MEMBERS ABSENT

Cal Stilphen

STAFF PRESENT

Jenn Curtis, City Planner
John Rutecki, Assistant City Planner

Planning Board Chair, Bob Oxton, called the meeting to order in the second-floor conference room at 5:00 pm on Tuesday, January 7, 2025.

He opened the floor to the City Planner, Jenn Curtis, who provided an update on the zoning recode with regard to feedback staff are seeking from the Board and noted that the Board had a memo.

Deb Keller provided the Board with an update on the process the Housing Committee is going through, and the progress they have made.

She noted that it's critical to design regulations that address the City's own specific policy objectives, and that standards must be transparent and enforceable.

She stated that it was important for the Board to work together with the Housing Committee on getting the definition of short term rental (STR), and that distinguishing commercial from non-commercial use is a key aspect. She suggested the PB should work with Housing Committee on deciding where they should be allowed and what the definition should be.

Ms. Keller gave an overview of "regulatory levers" the Housing Committee suggests as most suitable to address Bath's specific policy objectives:

- Defining STRs to include/exclude certain property types as subject to regulatory standards.
- Requirements for Registration, Permits, or both to operate STRs.
- Requiring STR operators to provide a "Good Neighbor" guide to all guests to discourage disruptive mis-use of accommodations.
- A Requirement that STR Hosts(Owners) must maintain their primary residence within Bath.

- Limiting STR occupancy through a cap on the number of parking spaces, a cap on the or number of guests per unit of STR, or prohibiting off-street parking for STRs
- An incentive to allow property owners who operate long term rentals to be allowed to have STR

Ms. Bailey expressed that she thought it would be good to have a way to address safety matters, such as smoke detectors. Ms. suggested that a self-certification safety checklist might be a good way to manage it from an enforceability standpoint.

Ms. Keller noted a difference between renting a room in a home to supplement income and the use of a residence primarily as a STR. Later in this meeting, this point was further refined to distinguish between “rooms” and “dwelling units,” the latter defined as including private kitchen and bathroom facilities. The group seemed to reach consensus that rental properties with four or more rooms/units should be treated as a commercial establishment subject to life safety codes and regulated separately from a short-term rental.

Jim Hopkinson noted that restricting STR use to Bath residents could be discriminatory if the basis of restriction were found to be arbitrary, as regulations must be fair and reasonable to any owner, and must be backed by proof that there is no alternative method of mitigating harm associated with STR.

He suggested that owner-occupied STRs might be subject to separate standards from non-owner occupant STRs, rather than prohibiting the latter outright. He stated that he thought a 10-mile limit for a responsible party made sense from a response-time perspective, and Ms. Keller suggested allowing residents of Sagadahoc County. Mr. Johnson added that non-owner-occupied STRs could be allowed if managed by an on-site agent.

The group calculated that STRs comprise an estimated 22% of total housing stock in Bath based on data provided by the City Assessor. Ms. Keller stated that 2% is an aggressive cap for a community that wants to preserve long-term rental housing, but that a cap to maintain the current 22% in Bath could adequately meet policy objectives.

Assistant Planner Rutecki gave a brief overview of the memo that he produced.

The meeting adjourned at approximately 5:50 PM.

Notes prepared by Assistant City Planner John Rutecki