

A regular meeting of the Bath Planning Board was called Tuesday, March 3, 2026, for the purpose of conducting regular business.

MEMBERS PRESENT

Bob Oxton, Chair
James Hopkinson, Vice Chair
Robert Gersh
Cal Stilphen
Andy Omo
George Sprague

MEMBERS ABSENT

Greg Johnson

STAFF PRESENT

Jenn Curtis, City Planner
John Rutecki, Assistant City Planner

DRAFT

Planning Board Chair, Bob Oxton, called the meeting to order in the third-floor Council Chambers at 6:00 pm on Tuesday, March 3, 2025.

Minutes:**February 3, 2026, meeting**

Mr. Gersh recommended various grammatical corrections in an email to the Board dated March 2, 2026.

MR. GERSH, SECONDED BY MR. OMO, MOVED TO APPROVE THE MINUTES AS AMENDED.

PLANNING BOARD UNANIMOUSLY APPROVED.

MR. OMO, SECONDED BY MR. GERSH, MOVED TO APPROVE MINUTES FOR PLANNING BOARD WORKSHOPS AS PRESENTED.

PLANNING BOARD UNANIMOUSLY APPROVED.

Old Business

None

Mr. Oxton stated that Item 2 would be reviewed first as it should be very quick.

New Business**Item 2**

Request for Site Plan Approval Extension – 163 Blackwater Cove Road (Map 7, Lot 45 & 46); Jack Kriskey, applicant.

Mr. Rutecki noted that the applicant is seeking a twelve-month extension of approval to March 4, 2027. No material changes have been proposed.

MR. HOPKINSON, SECONDED BY MR. GERSH, MOVED TO APPROVE THE REQUEST FOR SITE PLAN EXTENSION FOR 163 BLACKWATER COVE ROAD.

PLANNING BOARD UNANIMOUSLY APPROVED.

Item 1

Public Hearing – Request for Land Use Code Text Amendment – Article 8, Section 8.11 and Article 9, various sections; Marc Meyers, Bath City Manager, applicant

Ms. Curtis introduced the request for Land Use Code Text Amendment, which proposes reprocessing the recent amendments to the C5 Marine Business District to address a procedural deficiency, wherein the Planning Office did not properly notify ahead of the October 2025 Public Hearing.

City Manager Meyers reiterated Ms. Curtis' summary, wherein the City is seeking to correct the procedural issues on the recommendation of the City Solicitor.

Mr. Omo asked if any changes had been made to the text amendment since the original proposal, to which Ms. Curtis confirmed that no changes had been made.

Mr. Oxtan opened the floor to public comment.

Michael Tisack of 21 Bowery Street noted that his property abuts the cannery property to the south. He expressed concern regarding the lack of setback requirements to his property and suggested a buffer zone relative to any residential properties. He then presented the Board with an aerial photo of the properties. Mr. Tisack explained that a buffer area would preserve the existing tree canopy and the privacy it provides to residential properties, suggesting a 75' setback.

Mr. Oxtan closed the floor to public comment.

Mr. Hopkinson confirmed with Ms. Curtis that the Planning Board is not approving the amendment. Ms. Curtis stated that the role of the Planning Board is to provide a recommendation to City Council.

MR. HOPKINSON MOVED TO RECOMMEND THAT THE CITY COUNCIL ADOPT THE PROPOSED AMENDMENTS TO THE MARINE BUSINESS DISTRICT.

Mr. Gersh clarified that this recommendation is for the original application, noting that the Planning Board had previously not recommended the amendments.

Mr. Hopkinson noted that the City Council had made changes to the original amendment, and as the amendment is now being presented anew it is based on that which was previously approved by City Council. Mr. Hopkinson noted that the City Council will also have public hearings in order to consider recommendations such as the inclusion of a buffer, as the Planning Board does not have the authority to amend the proposed amendment.

MR. JOHNSON SECONDED THE MOTION.

PLANNING BOARD VOTED WITH THREE IN FAVOR (HOPKINSON, OXTON, STILPHEN) AND THREE OPPOSED (SPRAGUE, GERSH, OMO).

Item 3

Request for Site Plan Approval – 700 Washington Street (Map 27, Lot 142, 139, 140, and 141); Bath Iron Works, applicant.

Mr. Rutecki introduced the Request for Site Plan Approval, through which the applicant is seeking to build a parking garage with adjacent parking at the northwest corner of Bath Iron Works. He noted revisions to the staff memo presented to the Planning Board. Substantive revisions include landscaping plans and findings. Refuse disposal information is still outstanding, otherwise all other submission requirements have been satisfied and an additional condition of approval has been included for this purpose if necessary. An adjustment has been made to the conditions of approval regarding an easement to sidewalks along Washington Street to include an easement for access to all pedestrian and bicycle paths designed for public use within the project area. Mr. Rutecki further noted that Public Works has reviewed and commented on the application as well.

Jake Harriman, BIW Facility Manager, introduced himself and reviewed the application as previously presented to the Planning Board, including the overall vision for improvements to the BIW campus, Phase I being Shipbuilder Parking and Phase 2 being Campus Redevelopment.

Mr. Harriman briefly presented a map detailing Land Use Code amendments as approved by the City. He then displayed a map of the parking permitting strategy for the BIW campus, highlighting carpool and designated parking areas to improve circulation and dissipate the impact of end-of-shift traffic.

Mr. Harriman explained the Traffic Movement Permit (TMP), which is a collaborative effort with Maine DOT and the City of Bath. The traffic study is currently being conducted and will be reviewed in order to create a mitigation plan. He noted previous discussion which would tie construction of the garage to the results of this study, noting that BIW will not be able to occupy the garage without DOT approval that the TMP has been satisfied and requested that the Planning Board consider removing this condition.

Mr. Rutecki noted that proposed approval language has been amended to exclude demolition activities.

Mr. Harriman requested that no phase of the construction process be tied to the TMP in order to prevent construction delays, based on the safeguards built into the TMP.

Ken Costello of SMRT Engineering presented improvements to Washington Street and Commercial Street, which include a long and dedicated turn lane to Washington Street as well as a shared turn lane. A crosswalk at Union Street will direct pedestrians to the large parking area at Lot C to concentrate pedestrian traffic. He then provided a plan for garage circulation, which utilizes a double-helix design for efficiency.

Mr. Costello presented a map with traffic flow projection for traffic exiting the garage. Higher concentration will exit directly to Route One by way of Washington and Commercial Streets. He then presented an aerial video of the proposed garage to highlight traffic circulation. All employees will have assigned parking to know exactly where they will park rather than attempting to find a spot.

Mr. Costello presented the landscaping plan which includes three bioretention areas to collect stormwater. He noted that the eastern side of the lot is within the shipyard and accommodates BIW vehicles.

Mr. Costello presented a photometric plan, noting that lighting is being added along the sidewalks with lighting to Washington Street being replaced as existing utility poles will be removed and lines buried underground.

Mr. Costello presented elevation plans, highlighting the building facades to include brick, precast concrete, and glass stairwells as well as metal panels to add interest and reflect the metalwork that takes place within the shipyard. He displayed an artistic rendering of the garage which includes a large sign to be presented at a later date.

Mr. Oxton asked for information on the lighting.

Mr. Costello confirmed all lighting will be LED downcast cut off lighting, with higher lighting along the street with bell style lighting matching the Visitor's Center along the garage. He noted that the artistic rendering does not reflect the accurate lighting inside the garage. Lighting inside can be controlled and can be addressed with the City if this becomes an issue, however the garage is designed so that lighting is recessed within the supports. Mr. Costello then noted that the open lot is currently lit with flood lighting and the garage will be a decided improvement. He then confirmed that the photometric plan does not account for lighting spilling out as it is difficult to calculate. Roof parking will be lit with poles as bollard lighting would be blocked by parked vehicles.

Mr. Harriman reviewed the permitting and communication schedule, which continues through September 2026 and includes public meetings with the opportunity for community feedback. The construction schedule has begun with most lots to be complete by July 2026, and the garage construction scheduled into 2027.

Mr. Oxton opened the floor to public comment.

Patty Poisson of Middle Street stated that she did not support the parking garage, nor does she support lots scattered throughout the City, noting her preference for remote parking with shuttle service. She expressed concern for pedestrian safety and the ability to bicycle from the southern end of the City to the downtown area. Ms. Poisson expressed concern that widening Washington will exacerbate safety issues and asked for a more realistic plan that allows for safe pedestrian and bicycle access. She recalled the dangers of the current traffic noting that now is the ideal time to restructure access.

Councilor Roo Dunn expressed concern that the design for the northern side of the garage, which is mostly concrete, is visible both from the bridge and Woolwich and suggested that the façade be consistent throughout all four sides. He then expressed concern regarding lighting specifically spillover lighting generated by the garage. Mr. Dunn addressed the coupling of the TMP to sitework and expressed concern that without restrictions building may commence without first meeting the necessary criteria.

Richard Hill of South Street introduced himself and expressed his opinion that the garage is long overdue. He then asked if traffic exiting towards the bridge would be able to go downtown, which Mr. Harriman confirmed it would. Mr. Hill expressed his hopes that parking lots near his house will be eliminated with the construction of this garage.

Mr. Harriman addressed the TMP and stated that BIW would absorb the risk by beginning construction prior to TMP approval, assuring the Board and public that BIW is fully committed to compliance with the TMP in order to have the garage operational as soon as possible. He noted additional safeguards that BIW is taking above and beyond TMP requirements to do what is right and best for the City. Mr. Harriman then noted that the TMP will review pedestrian safety and may determine additional requirements.

Mr. Harriman stated that BIW has been working intimately with the Bicycle Committee and is deeply committed to improving safety for cyclists. He noted the improvements to sidewalks in moving them further from the street and relocating crosswalks for cleaner and safer pedestrian access.

Mr. Costello noted that the intersection of Washington and Commercial Streets will have adaptive lighting for pedestrian safety.

Mr. Costello addressed lighting at the parking garage stating that BIW is required to provide light as they would with any parking area and will work to provide controlled lighting to best accommodate the City. He then addressed the façade, explaining that BIW must mitigate costs whenever practical, which is driving the concrete areas. Brick and metal work will break up the large structure. He then compared the lot to the newest construction in Portland, which is a solid gray mass.

Mr. Oxtan encouraged the applicant to take a second look at the façade.

Mr. Harriman confirmed that the cost savings with the eastern façade are significant. He noted that architects intentionally blended the design in order to make the structure as aesthetically appealing as practical.

Ms. Curtis expressed support of the design based on the lack of performance standard for building design, noting her opinion that the design blends well with the mixed-use space in which it is located.

Mr. Gersh noted discrepancies in the artistic renderings, to which Mr. Harriman identified the most accurate rendering.

Brian Salter, Civil Engineer for BIW, noted the architectural design for the eastern façade combines all materials utilized along the other sides in order to break up the structure and add interest. He emphasized that no side of the garage is entirely concrete.

Mr. Salter addressed garage lighting by explaining that the recessed lighting inside the garage cannot be aimed, rather they will be generally directed downward. The poles at the top of the garage can be directed to specifically light certain areas to avoid spillover.

Mr. Salter concluded by explaining that the TMP will include stipulations for mitigation efforts, rather than just giving BIW a green light to move forward. He then expressed concern regarding tying construction to the TMP permit as the current language proposed is vague and vulnerable to interpretation.

Mr. Omo confirmed with Mr. Salter that BIW is obligated to follow the terms set forth by the State.

Mr. Harriman added that not only is BIW required to follow the State recommendations, they must be compliant prior to receiving occupancy permitting from the State. He then explained that the TMP includes twenty intersections reaching as far as Brunswick.

Mr. Gersh noted the applicant has not responded to comments from the Bath Police Department and Public Works. He noted that these comments may be contingent upon the outcome of the TMP.

Mr. Salter concluded that most mitigation tactics have been anticipated by BIW, while others may be further from the site. He noted that he had spoken with Chief Booth to his satisfaction.

Mr. Rutecki noted that he has not yet received confirmation from the Police Department but has reached out.

Mr. Salter noted that aside from the TMP, BIW is amenable to all other conditions set forth by the City.

Mr. Costello addressed Public Works comments by stating that BIW met with the Bicycle and Pedestrian Committee. He confirmed that most comments will be addressed through the TMP permit, which the City will also have the chance to weigh in on in order to add additional stipulations.

Mr. Salter noted that Condition of Approval #4 can be removed as paperwork has been sent to the Planning Office.

Mr. Rutecki then addressed Condition #5 regarding the easement for sidewalk access.

Mr. Salter verified that BIW is comfortable including pedestrian areas, such as the park area, as well.

Mr. Omo asked if the landscaping plan has a full schedule of plantings, which Mr. Costello confirmed has been submitted.

Mr. Omo suggested an additional condition to provide a cut sheet and information for the lighting to the parking garage.

Ms. Curtis clarified a public comment submitted by Chief Booth expressing concern with the proposed width of Washington Street and his preference for a median. She then noted similar comments from the Bicycle and Pedestrian Committee expressing concern with the length of the crosswalk.

Mr. Costello confirmed that this area will be reviewed through the TMP as well.

Ms. Curtis clarified that it is also under the Planning Board's purview and should the State not require additional safeguards, the Board still has the authority to provide for them.

Mr. Harriman noted that the City does have the opportunity to weigh in through the TMP and can include this requirement at a later date as well.

Mr. Costello noted that all pedestrian lighting will be changed through this project and as such the timing may increased for improved safety.

Ms. Curtis stressed that the intersection must serve the City as a whole.

Ms. Curtis further noted a comment by the Bicycle Pedestrian Committee asking that the sidewalk at the intersection of Washington and Commercial Streets be retained.

Mr. Salter noted that the existing sidewalk will be replaced with a path further from the street for safety purposes.

Mr. Salter countered that while Washington Street is being widened, the crosswalk timing will be increased commensurate with the time to cross. This was a solution also suggested by Chief Booth. He then reviewed comments provided to Chief Booth, noting the assigned parking spaces to mitigate traffic backups.

Mr. Salter then noted a suggestion for a bicycle lane along Washington Street, which was not feasible, however the esplanade was designed at 8' in order to allow for bicycle traffic to utilize the sidewalk.

Ms. Curtis noted that the Bicycle Pedestrian Committee was seeking a wider sidewalk for two-way traffic. Mr. Salter noted that during off-peak hours, bicycles would be able to utilize both Washington Street as well as the esplanade.

Ms. Curtis asked if BIW is comfortable tying the City's Certificate of Occupancy to the TMP.

Mr. Harriman confirmed that this would be acceptable as they would essentially be one in the same. He further expressed satisfaction with all other conditions set forth by the City.

Ms. Curtis noted a public comment regarding the connection between the garage and the downtown area, which remains as previously presented.

Mr. Hopkinson noted that bollards may be required by the TMP in order to discourage pedestrian traffic under the viaduct.

Mr. Hopkinson confirmed that BIW is planning to stagger release times. Mr. Harriman clarified that shifts will not be staggered, however parking will be issued based on release times in order to stagger traffic flow to the garage.

Mr. Hopkinson asked that detailed final plans of the northeast area be submitted to the Planning Department specific to accessing the downtown area once the TMP has been finalized.

Mr. Oxtan recalled parking restrictions implemented at the Mid Coast Hospital building and suggested that similar restrictions could be put in place.

Mr. Harriman confirmed that parking will be utilized by all three shifts, noting that there is difficulty especially during the winter months when daylight hours are more limited.

Mr. Costello confirmed that the Planning Department can receive a finalized lighting plan along with cut sheets for proposed lighting.

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

PLANNING BOARD UNANIMOUSLY APPROVED.

Mr. Rutecki detailed the waivers, beginning with Section 10.2.A which limits the number of access drives. Planning Board did not express any concerns.

Mr. Rutecki noted a waiver to Section 10.2.C regarding the access drives, both of which exceed 30'. Planning Board did not express any concerns.

Mr. Rutecki noted a waiver to Section 10.2.L regarding distance from access drive to the intersection. **PLANNING BOARD DID NOT EXPRESS ANY CONCERNS.**

Mr. Rutecki noted a waiver to Section 10.3.E regarding the slope of the access drive which will exceed the maximum slope, following the existing grade of 9.5%. **PLANNING BOARD DID NOT EXPRESS ANY CONCERNS.**

Mr. Rutecki noted a waiver to Section 10.6.A.4 regarding minimum parking requirements. Mr. Rutecki clarified this waiver will not impact EV parking requirements. **PLANNING BOARD DID NOT EXPRESS ANY CONCERNS.**

Mr. Rutecki noted a waiver to Section 10.6.D regarding off-street loading standards. **PLANNING BOARD DID NOT EXPRESS ANY CONCERNS.**

Mr. Rutecki noted a waiver to Section 10.27.B regarding lighting. Mr. Rutecki suggested that a condition be added granting a limit of .2 footcandles and that all other standards apply. **PLANNING BOARD AGREED.**

Mr. Rutecki noted a waiver to Section 11.31.B in order to allow the temporary contractors office to contain small appliances such as a coffee maker and sink. **PLANNING BOARD DID NOT EXPRESS ANY CONCERNS.**

MR. HOPKINSON MOVED, SECONDED BY MR. OMO, TO APPROVE THE WAIVERS AS REQUESTED SUBJECT ONLY TO PROVIDING FINAL APPROVAL TO THE SITE PLAN REQUEST.

PLANNING BOARD UNANIMOUSLY APPROVED.

MR. HOPKINSON MOVED, SECONDED BY MR. GERSH, TO APPROVE THE REQUEST FOR SITE PLAN APPROVAL FOR 700 WASHINGTON STREET SUBJECT TO THE STANDARD CONDITIONS OF APPROVAL AND SUBJECT TO THE ADDITIONAL CONDITIONS OF APPROVAL AND PROPOSED CONDITIONS 3-8 WITH THE FOLLOWING AMENDMENTS:

- **THAT CONDITION 6 BE REWORDED TO DELETE THE PHRASE “PRIOR TO OBTAINING A BUILDING PERMIT” AND REPLACE WITH “PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY”.**
- **THAT AN ADDITIONAL CONDITION 9 BE INCLUDED THAT PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY THE APPLICANT SUBMIT A FINAL LIGHTING PLAN WITH CUT SHEETS TO THE PLANNING DIRECTOR.**
- **THAT AN ADDITIONAL CONDITION BE ADDED TO THE CONDITIONS OF APPROVAL THAT PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY THAT UPDATED CONSTRUCTION PLANS INCORPORATING THE REQUIREMENTS OF THE TMP BE SUBMITTED TO THE PLANNING DIRECTOR THAT WILL SHOW AMONG OTHER THINGS THAT THE APPLICANT HAS SATISFACTORILY ELIMINATED THE POSSIBILITY OF CROSSING FROM THE NORTHER ENTRANCE ONTO VINE STREET.**

Discussion followed as to whether to add a condition regarding the intersection of Washington and Commercial Street. The Planning Board agreed that they anticipate these issues will be addressed and resolved through the Traffic Movement Permit with input from City Staff.

PLANNING BOARD UNANIMOUSLY APPROVED.

Bath Planning Board
March 3, 2026

Other Business
None

MEETING ADJOURNED BY UNANIMOUS ACCLAMATION AT 8:04 PM

Minutes prepared by Karly Perry, Recording Secretary