

A regular meeting of the Bath Planning Board was called Tuesday, June 2, 2026, for the purpose of conducting regular business.

MEMBERS PRESENT

James Hopkinson, Vice Chair
Robert Gersh
Greg Johnson
Andy Omo
George Sprague
Cal Stilphen

MEMBERS ABSENT

Bob Oxton, Chair

STAFF PRESENT

Jenn Curtis, City Planner
John Rutecki, Assistant City Planner
Karly Perry, Recording Secretary

Planning Board Vice Chair, Jim Hopkinson, called the meeting to order in the third-floor Council Chambers at 6:00 pm on Tuesday, June 2, 2026.

Minutes:

May 5, 2026, meeting

MR. GERSH, SECONDED BY MR. STILPHEN, MOVED TO APPROVE THE MINUTES AS PRESENTED.

PLANNING BOARD UNANIMOUSLY APPROVED.

Old Business

None

Mr. Hopkinson announced that the Planning Board would be taking the agenda items out of order, beginning with Item 2.

New Business**Item 2**

Request for Historic District Approval – 1054 Washington Street (Map 21, Lot 8); Jerome Casey, applicant.

Mr. Rutecki presented the request for Historic District approval, in which the applicant is requesting to construct a 624 sf, two-car garage.

Mr. Rutecki noted that the Planning Board will need to consider conditions which include a six-month extension as well as a requirement that the applicant provide additional information regarding the garage doors.

Jerome Casey introduced himself and interested parties to the project. He then described the history of the property and invited the Board to ask any questions they may have.

Mr. Hopkinson opened the floor to public comment.

Bill Portman of York Street expressed his support for the project.

Jon Kmetz asked what material would be used for the façade. The applicant confirmed that the project would utilize wood siding consistent with the main structure.

Mr. Hopkinson closed the floor to public comment.

MR. GERSH, SECONDED BY MR. OMO, MOVED TO APPROVE THE REQUEST FOR HISTORIC DISTRICT APPROVAL FOR 1054 WASHINGTON STREET (MAP 21, LOT 8) WITH THE STANDARD AND ADDITIONAL CONDITIONS, WITH FINDINGS OF FACT, CONCLUSIONS, AND ADDITIONS DOCUMENTED IN THE STAFF MEMO DATED MAY 28, 2026, WITHOUT MODIFICATIONS.

PLANNING BOARD UNANIMOUSLY APPROVED.

Item 1

Public Hearing – Request for Land Use Code Text Amendment – A complete replacement of the Land Use Code with an updated version; City of Bath, applicant.

Mr. Hopkinson opened the Public Hearing at 6:14 PM, noting that the purpose of the hearing is to collect public comment on the proposed amendments to the Land Use Code. He then explained the procedure for the public hearing, noting that the Board will neither approve nor deny the amendments, rather they will be providing a recommendation to the Bath City Council.

Ms. Curtis presented the amendments to the Land Use Code, addressing a letter regarding upzoning and downzoning sent to impacted property owners. She noted that the C5 rezoning is now before the City Council and, if approved, amendments will likely be integrated into the Land Use Code. She then addressed the Golf Course District, explaining that State law now requires new criteria and standards for areas zoned for commercial use. Ms. Curtis then noted that the effective date of LD977 has been postponed to July of 2027, and as such the Planning Board may need to consider this in moving forward with proposed amendments.

Ms. Curtis then read the following written statement into the record in a memo drafted to the Planning Board members:

I am proposing that the city adopt the draft zoning code in place of the existing land use code. The draft has been through a rigorous and laborious editing and review process. It has been thoroughly reviewed by the public. It has been carefully edited to ensure that it will further the goals of the Comprehensive Plan and will be compliant with state laws. The draft is a much better zoning code for the City than the current one is. It is ready to be adopted and become the new basis for land-use decision making.

The City posted the second draft zoning code and draft zoning map for public comment on April 21st, 2026, at the website <https://www.bathzoningupdate.com/>. At the end of the public comment period, a few minor edits were made, and then

the public hearing draft of the code and map were posted on May 19, 2026, at <https://www.bathzoningupdate.com/presentations-reports> and other locations. It is linked to from the City homepage, under the Land Use Code Update project page. Public notifications about the public hearing on June 2nd, 2026, went out to every property owner in the city in accordance with City land use code at 1.07. Some property owners were sent more than one notification, because they require an extra notification due to State requirements at 30-A, 4352, Sub 10.

The public hearing draft was presented at the City Council workshop on May 20th, 2026, to gather feedback for the Planning Board from the City Council about specific concerns. At the meeting, the Planning Director reviewed the history of the project, explained why it was being done, and stepped through the highlighted changes to each article as documented in the Executive Summary document. The City Council expressed concern over the proposal to eliminate minimum parking requirements. Several members stated a preference for flexibility in the standards, so that the Planning Board could make decisions based on project-specific information. Staff have developed possible options to address City Council concerns, and that may add value, and are providing a series of targeted options for parking regulation, for your consideration.

Ms. Curtis then reviewed the process for the land use update, including funding the update, consulting, draft language, and collection of staff and public input. She noted that the purpose of the update, in addition to compliance with both the Comprehensive Plan and new State legislation, is for better comprehension and use by City Staff as well as residents.

Mr. Hopkinson opened the floor to public comment.

Peter Blachly of Trufant Street addressed updates to the Golf Course District, recalling the referendum vote to uphold existing language which was successfully passed by the City to forbid cluster housing. He spoke to the spirit of the vote, which was to preserve the golf course. Mr. Blachly expressed his opinion that the amendments are incompatible with the Comprehensive Plan and asked that this language be removed from the update.

Morgan Decker of Bedford Street stated that the intention of the City referendum vote was to maintain both the rural nature of the Golf Course District as well as the 18-hole golf course. She stated that adoption of the amendments would go against the outcome of the referendum. Ms. Decker stated that LD977 specifically addresses commercial areas, and that technically the Golf Course District is zoned separately from commercial areas. She quoted the Comprehensive Plan addressing the preservation of rural areas and stressed the importance of maintaining the rural attributes of the location.

Miley Hoffman of Ridge Road stated that citizens have expressed their desire to preserve the Golf Course District. She noted that the proposed amendments are in direct conflict with the City referendum language. Ms. Hoffman stated that the public needs further clarification on why State law requires this amendment.

Dick Hill of South Street stated that he was previously unaware that the Golf Course District was included in the amendments to the Land Use Code. He asked why the City would not respect the referendum vote. Mr. Hill then expressed his displeasure that no hard copies of the amendments were available at the current hearing and asked if there were any amendments to Middle Street regarding commercial zoning. Mr. Hill then expressed his appreciation for Bath Iron Works cooperation with the city in their current project.

James Hummer of Varney Mill Road expressed his opposition to proposed language regarding the Golf Course District. He accused poor management for the golf course issues and spoke to the unique design of the course, which would be destroyed by development. Mr. Hummer stated that housing cannot be addressed by destroying a historic landmark. He further stated that if the golf course were to be sacrificed, the City would need to ensure that it would not be done in order to create second homes for seasonal residents who would utilize them infrequently.

David Matero addressed the proposed zoning map, stating that housing is in opposition of the Golf Course District. He asked that the map identify areas which can be preserved. Mr. Mattero noted that the definition of golf course has been amended from 18 holes to 9 holes, contrary to the existing course. He expressed his hope that the Golf Course District be preserved while providing for housing in other areas.

Zac Cowan of High Street asked for written documentation of State changes and expressed concern regarding transparency for the Golf Course District amendments. He asked if other non-residential areas are similarly impacted and requested that the City walk the public through State requirements and whether any alternative solutions were considered. Mr. Cowan asked if hotels are included in the statute and if State requirements allow for residential units with commercial use on the first floor. He then concluded that these amendments are not yet ready for approval.

Ron Lowery of Varney Mill Road expressed concern with road maintenance throughout Ward 7, specifically Whiskeag Road. He stated that infrastructure must be maintained if improvements are intended, noting that the voters of Bath have already made their voices heard and as such the referendum vote should be respected.

Andrea Tebben of High Street spoke to rezoning and expressed concern with existing infrastructure, stating that the vision does not reflect the current state of the City. Ms. Tebben expressed concern with pedestrian safety and asked whether a traffic study had been completed. She also asked what businesses are anticipated with the rezoning.

Shannon Giggey of Frisbee Lane expressed concern with rezoning based on current infrastructure, including parking. She described the Winnegance community as historic and not wanting commercial opportunities. Ms. Giggey expressed her displeasure with the limited notice, which did not allow adequate time for proper research on the proposed changes.

David Rawson of High Street observed that the uses for the NC Zone does not include public schools and asked whether this would need to be addressed.

Linda Dever of Barque Road expressed concern regarding height allowances for the NC Zone, which would significantly change the nature of the area. She expressed concern that the historical overlay area is paid more attention, possibly because it is a wealthier area.

John Dever of Barque Road expressed concern with notification by the city, which did not allow time for proper research. He spoke in opposition of increased height allowances for the NC Zone and the impact that zoning changes would have on the spirit of the neighborhood, adding that there are existing safety concerns regarding speeding traffic and a lack of sidewalks.

Christopher Sewall of Front Street spoke in support of some of the rezoning, then expressed concern regarding the Marine Commercial District. He described the potential developers as disingenuous based on their proposed high-density residential zoning.

Irene Drago of Washington Street expressed concern with potential condominiums based on existing infrastructure – specifically in regard to recent water main breaks. She reiterated previous concerns with building heights and the need to preserve the historic nature of the city.

Stefanie Veneziano of Front Street expressed concern with amendments to the Marine Commercial District, as well as safety concerns that development would bring. She stated that the nature of the neighborhood would be negatively impacted by these changes.

Phyllis Oravetz of Washington Street expressed concern that she only recently received notice of the updates. She addressed the potential for parks or recreation at the South End Boat Launch, then described deviant behavior and transient activity, which may be exacerbated by these amendments, expressing concern with speeding and general public safety issues which would also be made worse by development. Ms. Oravetz expressed concern that it is still unknown what would become of this area.

Myra Keeble of High Street pondered how these changes, including the new NC Zoning, would impact previous discussions regarding the former Morse High School property, and how the area would be impacted. She noted that high-density housing may pose a safety concern if placed next to the new fire station on High Street.

Michael Tiseck of Bowery Street addressed amendments to the C5 District, expressing his opposition to the changes and the negative impact that they would have on the character of the neighborhood. He stated that existing infrastructure cannot support high-density traffic and will be costly to residents. Mr. Tiseck asked that the City restore the Marine Commercial District as has historically been intended.

Gina Ripley of Butler Head Road spoke to the work that residents have done to preserve both the Golf Course District and the green space of North Bath. She described the charm of the city and the need to preserve both the nature of the neighborhood and respect the referendum vote by the residents.

Margaret Allen of Highland Street described moving to Bath in 2000 assuming that the area was safe from development. She expressed concern that the marshland may be developed and asked that preservation areas be identified in order to show what areas are protected from development. Ms. Allen asked for clarity on setbacks and improved transparency. She asked that the City preserve the urban forests unique to Bath, which provide value to the city.

Mary Caron of Washington Street expressed support for progress through improvement, then voiced concern for concrete development. She asked that the City preserve the quaint historic charm and respect its existing residents. Ms. Caron then addressed pedestrian safety, specifically in regard to a new playground in the area. She asked that the City respect the neighborhood and its residents.

Joseph Fargo of Washington Street recalled his initial excitement regarding the development of the Marine Commercial District and asked what consideration was given by the Board prior to recommending these changes. He asked that the City step back to listen to residents' desire to preserve the historic nature of the City and spoke to the impact that development will have on future city planning.

Maureen Goss of Drummond Point spoke to the number of abandoned properties and the potential income that these could provide the city if they were rehabilitated. She requested the City prioritize addressing abandoned properties.

Brian Salter, Principal Civil Engineer for Bath Iron Works, expressed his gratitude to the Planning Board, City Council, and City staff for their efforts. He then detailed some concerns with the amendment:

- Zoning map should be amended to align with properties/ownership – for example, the former Midcoast Pizza property across Washington Street from the Post Office, now owned by BIW, should be included in the Shipyard District not the C1 District. In addition, the former King/Water Streets should be removed from the map and the west side of the Lot C boundary should be adjusted, as well as the SupShip lot.
- Definitions of EV vehicles should be rated in kilowatt hours (kWh).
- Setbacks in the shoreland zone should be further clarified.
- The definition of Zoning Lot should be eliminated to avoid any ambiguity.
- Definition of front setback on a Flag Lot should be further clarified.
- Building height in CC District may need to be redefined to match language for the DB and CX Districts.
- Contractor/temp offices currently prohibit cooking devices and as such BIW consistently requests waivers. As such, this language should be reconsidered.

Ms. Curtis summarized the following written comments received by City staff:

- John Baxter of Park Street requested that his property (Map 20, Lot 90) not be included in the NC district.
- Alicia Romac spoke against changes to the Golf Course District.
- Tim Blair expressed support from the Bicycle, Pedestrian and Transportation Committee regarding parking space requirements, specifically the removal of parking minimums in 11.2, A.
- Becky Kolak, Executive Director of KELT, requested that KELT owned properties that make up Lilly Pond Community Forest be placed in the PO District.
- Robert Gersh requested updates to the map to reflect changes made at the new Morse High School, including Shipbuilder Drive.
- Jenn Curtis requested that Shoreland Zoning should include the amendment to the stream under Centre Street in the Wing Farm area that was added in July of 2023.
- Jenn Curtis requested that text about through-traffic in Subdivision E, 1, A, should be revised to read "(a) The vehicular access to the subdivision must be arranged to discourage high-speed through-traffic use of proposed streets, where high-speed is defined as greater than the 25 mph speed limit for residential areas.
- Comments from the Climate Action Committee in support of parking maximums and amendments to language surrounding solar energy.

Kevin Welch of Cherry Street spoke to recent development in Brunswick as potential for how Bath's appearance could be negatively impacted by the amendments.

Mr. Hopkinson closed the floor to public comment.

The Planning Board discussed tabling their recommendation in order to consider comments received. Discussion followed on what direction to give City Staff.

Mr. Omo agreed with Robert Gersh's suggestion to fix the new Morse High School area roads on the zoning map. He then suggested that the Golf Course District be re-examined in response to the information provided to the public. The Board then agreed to postpone amendments regarding the Golf Course District until the State legislation is enacted in July 2027 and that the classification of the Golf Course District as a commercial district be reviewed further with the City Solicitor.

Ms. Curtis confirmed that education facilities are allowed in the NC District, including universities.

Mr. Omo agreed with concerns regarding height requirements and suggested that the existing height restrictions be reviewed as well as setback requirements in the NC Zones.

Mr. Hopkinson asked Mr. Salter to submit written material for City Staff to review.

Mr. Omo noted that the Marine Commercial District design standards do not include a requirement to break up the facades as currently required, as well as transparency consistent with other commercial districts.

The Board discussed parking requirements. Ms. Curtis recommended that parking minimums be eliminated based on staff comments with the following alternatives:

1. Require parking for larger residential projects.
2. Require parking for larger non-residential projects.
3. Allow a parking demand study or transportation demand management plan to reduce parking requirements (including shared parking arrangements and off-site parking)
4. Allow a fee-in-lieu option for required parking.
5. Establish a bonus for provision of structured parking (such as additional building height to incentivize including parking).

After discussing the merits of these alternatives, the Planning Board agreed that options 1 through 4 should be included, however increased building height should not be utilized to incentivize parking.

MR. OMO, SECONDED BY MR. STILPHEN, MOVED TO CONTINUE THE PUBLIC HEARING TO TUESDAY, JULY 7, 2026.

PLANNING BOARD UNANIMOUSLY APPROVED.

Other Business:

None

MEETING ADJOURNED BY UNANIMOUS ACCLAMATION AT 8:31 PM.

Minutes prepared by Karly Perry, Recording Secretary