A regular meeting of the Bath Planning Board was called Tuesday, July 7, 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, July 7, 2026.

Minutes:
June 2, 2026, meeting

In an email dated July 5, 2026, Mr. Gersh recommended the following edits:

1. On Page 7 in the 6th bullet, change the word "padded" to "added" by removing the "p" at the beginning of the word.

2. On Page 7 in the 4th paragraph from the bottom of the page that begins "Mr. Omo agreed with Robert Gersh's suggestion...", change the 2nd sentence to read as follows: "He then suggested that the Golf Course District be re-examined in response to the information provided by the public."

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

PLANNING BOARD UNANIMOUSLY APPROVED.

Old Business
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 (Continued from June 2, 2026, meeting)

Ms. Curtis introduced the request, referring to a staff memo with proposed edits from the June 16, 2026, Planning Board workshop. The Board has proposed thirteen edits based on discussion at the June 2, 2026, Public Hearing.

Mr. Hopkinson opened the floor to public comment.

Robert Burgess, Brunswick resident, introduced himself as a member of the Brunswick Planning Board, a member of Dark Sky Maine, and a member of the Southern Maine Astronomers. He spoke to lighting and its impact. Mr. Burgess suggested that language be amended to incorporate dimming provisions for parking lots. He noted that language proposed exempting timed security lighting leaves a “gaping hole” in the ordinance that should be reviewed. Mr. Burgess suggested that the Board consider addressing spillover from indoor lighting, such as the BIW parking garage. He then recommended the model ordinance provided by Dark Sky International for sports lighting in regards to 9.8C.5, referencing Bowdoin College and their successful implementation for their athletic fields.

Jason McIntosh of Whiskeag Road addressed Item 2 of the proposed edits regarding the Golf Course District and asked for clarification.

Ms. Curtis noted that proposed amendments are available online.

Mr. Hopkinson further clarified that changes to the Golf Course District will not be included in the Land Use Code amendment at this time. Instead, the Planning Board is waiting to see if the Maine State law will still require changes to the Golf Course District zoning in July of 2027, when the law is supposed to go into effect.

Seeing no further public comment, Mr. Hopkinson closed the public comment session.

Mr. Gersh stated that he is open to considering changes regarding lighting but was unsure how to proceed.

Mr. Hopkinson suggested that the Planning Board recommend that staff incorporate provisions.

Ms. Curtis noted that City Staff has considered edits and found that dimmable lighting would be difficult to enforce. She acknowledged that the language regarding security timers may need to be reviewed as well as language for athletic fields, although Staff has made an effort not to incorporate regulations by reference.

Mr. Sprague addressed signage lighting.

Ms. Curtis stated that some provisions are included under exterior lighting, however there is a separate sign code for the City.

Mr. Hopkinson again addressed concerns regarding revisions to the Golf Course District, which will be left unchanged while awaiting guidance from State statute. This will allow one year for legal review and to enact any necessary requirements before the statute goes into effect in July of 2027.

Mr. Hopkinson noted other changes to the amendments that do not appear in staff notes including changes to submission requirements for Site Plan Review, Historic District Review, and Water Setback Review for clarification purposes. Phraseology changes for “zoning lot” and “entity” have also been made, as well as edits regarding substandard abutting lots.

Mr. Hopkinson clarified that the Planning Board does not have the authority to approve or deny amendments to the Land Use Code. Rather, the Board will vote as to whether or not to recommend the amendments for approval by the City Council, who will ultimately decide whether or not to move forward.

MR. GERSH, SECONDED BY MR. OMO, MOVED TO RECOMMEND APPROVAL OF THE DRAFT ZONING CODE IN PLACE OF THE EXISTING LAND USE CODE IN ACCORDANCE WITH THE STAFF MEMO OF JUNE 22, 2026, WHICH INCLUDES THE PROPOSED EDITS DISCUSSED DURING THE JUNE 16, 2026, PLANNING BOARD WORKSHOP. IN ADDITION, EDITS PROPOSED BY JIM HOPKINSON IN HIS EMAIL DATED JUNE 24, 2026, AS WELL AS REVISIONS TO THE SUBMISSION REQUIREMENTS PER THE STAFF MEMO DATED JULY 7, 2026, AND TO PERMIT PLANNING STAFF TO REVIEW THE LIGHTING IMPROVEMENT RECOMMENDATIONS MADE BY ROBERT BURGESS AT TONIGHT'S MEETING WERE ALSO INCLUDED.

PLANNING BOARD UNANIMOUSLY APPROVED.

New Business
Item 1
Request for Site Plan Approval – 700 Washington Street (Map 27, Lot 142); Bath Iron Works, applicant.

Mr. Rutecki introduced the request for Site Plan approval, noting that the applicant has requested waivers as well as additional conditions of approval. In addition, Fire Department staff has provided feedback with response from the applicant.

Brian Salter, Principal Civil Engineer for Bath Iron Works (BIW) introduced himself and his associates. He then provided a brief overview of the project, in which BIW is seeking to demolish and replace the Blast and Paint 5 building within the shipyard. He noted that minimum lot size, height, and setback requirements have all been satisfied. Mr. Salter then provided site plans of the property and reviewed improvements to utilities, including upgrades to both water and sewer as well as stormwater management which in addition to improving the site will also provide relief to the Bath wastewater treatment process. Utilities will also include compressed air and underground power.

Mr. Salter presented elevation views for all sides of the project. He then addressed comments from the Fire Department regarding access drives and traffic impacts. Because no new public access points are being created and all improvements are internal and serviced mainly by internal fire support, Mr. Salter recommends that details be provided with the final site plan in order to satisfy City Staff.

Mr. Salter reviewed waivers for the project, which a waiver for access control and traffic impacts as all improvements are internal as previously stated. A waiver has been requested for parking and loading as there will be no increase in staffing and BIW is actively supplementing parking throughout the campus. An exterior lighting waiver has been requested for safety purposes, consistent with previous applications approved by the Planning Board. A waiver for landscaping and screening has been requested as all buildings are internal to BIW and as such are screened from public view. Lastly is a waiver regarding appliances to allow for office spaces to feature basic cooking appliances, consistent with previous applications approved by the Planning Board.

Mr. Salter addressed the conditions of approval, noting that material will be provided at the time that the applicant applies for the demolition permit, however site exemptions do not require DEP approval for this project and as such he requested that Conditions of Approval Item #6 not be included, should the Board move forward with approving this application.

Ms. Curtis asked for further clarification.

Dan Diffin, Vice President of Sevee & Maher Engineers, explained that the manufacturing exemption allows facilities such as BIW to redevelop areas up to 40,000 SF per year without amended permitting. Because approval is not needed for this project, doing so could impact future projects.

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

PLANNING BOARD UNANIMOUSLY APPROVED.

Mr. Hopkinson opened the floor to public comment, to which there was none.

MR. OMO, SECONDED BY MR. GERSH, MOVED TO APPROVE THE REQUEST FOR SITE PLAN APPROVAL FOR 700 WASHINGTON STREET (MAP 27, LOT 142) SUBJECT TO THE CONDITIONS OF APPROVAL AND WAIVERS AS LISTED IN THE STAFF MEMO DATED JULY 2, 2026, EXCLUDING CONDITIONS OF APPROVAL ITEM #6.

PLANNING BOARD UNANIMOUSLY APPROVED.

Other:
Adoption of Bylaws
Ms. Curtis explained that the Planning Board has voted once to adopt its bylaws and is now required to vote a second time in order to adopt them.

MR. OMO, SECONDED BY MR. JOHNSON, MOVED TO ADOPT THE BYLAWS AS PREVIOUSLY WRITTEN.

PLANNING BOARD UNANIMOUSLY APPROVED.

MR. STILPHEN MOVED TO ADJOURN, SECONDED BY MR. JOHNSON.

MEETING ADJOURNED BY UNANIMOUS ACCLAMATION AT 6:48 PM.

Minutes prepared by Karly Perry, Recording Secretary