

Town of West Bath

Planning Board Meeting Minutes

Planning Board:

Darlene Estabrook, Chair, present
Gerry Mitchell, Vice Chair, present
Jim Williams, present
Jeremie Whorff, present
Jay Paris, Alt., absent
Scott Andresen, Alt., absent

Selectboard Liaison: Suzanne Andresen, present

Staff Liaison: Julia House, Treasurer, present
CEO/Fire Chief: Jonathan Beane, present

Public present: Theodore Crooker, Curt Neufeld, Derek and Kathleen Dudzik, Andrew and Melissa Whitaker, Christopher Smith, Rick Farnham, Sam Blatchford, Al Hodsdon, Bobby Lajoie and Jeffery Allen.

A Public Hearing was held on Tuesday March 9, 2021 at 6:00 pm, followed by the West Bath Planning Board meeting at the West Bath Fire Dept, 192 State Road, West Bath, Maine.

Agenda

- I. Meeting was called to Order - 6:20 p.m.
- II. Establish a quorum – quorum established.
- III. Amendments to the Agenda – Motion by Jim to move the February minutes from item VII. #2 to item IV, seconded by Jeremie. Unanimously voted to move minutes to agenda item IV.
- IV. Approval of minutes- Motion by Gerry to approve the February meeting minutes as written, seconded by Jeremie. Minutes approved by unanimous vote.

V. Applicants

1. Name: Theodore Crooker
Reason: Subdivision Preliminary Plan
Location: Libby Lane
Map/Lot: U03-016

Mr. Crooker along with Curt Neufeld of Sitelines presented the Subdivision Preliminary plan application along with plans to the Planning Board. The subdivision will have 4 lots. The road was built more than 20 years ago, and the underground power service is already in place. The building envelopes do not reflect the wetlands and resource protection zone. The topo map is showing a 250' shoreland zone setback at the resource protection zone for the stream which should be verified. The Planning Board went down the Preliminary Plan check list verifying all required items are provided. The existing lots adjacent to the subdivision need to have the building outlines and septic locations added to the plan. The current storm water conditions were discussed with the abutting property owners. There has never been any kind of wash out or erosion issues along the existing road. Motion by Gerry to waive the stormwater design plan requirement, seconded by Jeremie. Unanimously voted to waive the stormwater design requirement for this application.

Motion by Gerry to approve the subdivision's preliminary plan as presented, seconded by Jim. Unanimously voted to approve application as presented.

2. Name: American Steel
Reason: Site Plan Final approval
Location: New Meadows Rd
Map/Lot: U05-19 & 19A

Before proceeding with American Steel's application Darlene addressed an accusation of bias.

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After the February meeting American Steele (ASA) asked the Selectmen to have the Chair, Darlene Estabrook recuse herself from their application process, stating that she has been obstructive and purposely delayed their application process. Darlene read a statement and rejected claims of any bias existing on her part, that she has always voted in the positive at every ASA application and that the Board has only required that ASA follow the submittal process and provide all the required information for the Board to make their decisions. Concerned that the applicant might proceed with legal action if the meeting outcome did not go their way, she decided to recuse herself, despite having no bias in the matter.

Gerry Mitchell, Vice Chair, stepped in to facilitate the meeting and called American Steel to proceed.

Jeffery Allen with A E Hodsdon engineering presented the Site Plan Final application along with Sam Blatchford, President of ASA. The February meeting American Steel was given a list of additional information required for the Final application submission.

The following is the list provided to ASA at the February meeting:

- Application: Provided and completed
- Revised site plan road design: Provided and completed
- Revised building design including site lighting and lumens around building: Provided and Complete.2-foot candles
- MDOT road entrance permit application and approval: Application was provided but approval from MDOT is still pending
- Revised grading and erosion plan: Provided no change
- Revised septic design: Provided 50 feet setback
- Revised stormwater data: Provided and complete
- MDEP modification application and permit approval: Application was provided but approval from MDEP is still pending working with the State
- MDOT property sale agreement and plan showing revised property line: Provided and complete

The new Site Plan application includes a 12,000 square foot building addition. The building will be 37.7 feet high. The lighting design includes building mounted fixtures that will provide no more than 0.2-foot candles at property lines, the State limit is .5-foot candles. There are no lighting fixtures along the railroad track side of the building.

The MDOT entrance permit for the driveway is still pending. The driveway is off New Meadows Road which is a State Road so MDOT has jurisdiction not the Town. American Steel is requesting a 106-foot-wide road entrance at the edge of the pavement with 86 feet wide at the right of way line. Motion by Jim to waive a Town driveway entrance permit subject to the MDOT approval. ASA must provide MDOT entrance approval to the Town CEO within one week of approval. Jeremie seconded the motion. Unanimously voted to waive the Town issued driveway permit.

The septic system will move so it will be 50 feet from the wet pond. The septic design has been provided to the CEO for review.

The stormwater plan has very little change. The stormwater before traveled from the back of the building and drained to the pond in a ditch. Now the rainwater will be collected on the roof and drained via piping directly to the pond.

The MDEP permit is awaiting State approval and ASA will provide to the Town CEO upon approval. The MDOT property easement agreement is included with the application. The site security gate will be placed as close to the wet pond as possible. There will be always between 2 and 4 trucks onsite.

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Deliveries will be primarily Monday through Friday during the day. On occasion there may be a night or weekend delivery but not a normal practice.

Motion by Jeremie to waive the building height restriction from 35 feet to 37.7 feet. Jim seconded the motion. Unanimously voted to waive the height restriction to allow the building to be 37.7 feet tall.

Motion by Jim to approve the Final Site Plan application with the conditions that the MDOT and MDEP approval be provided to the Town CEO within 10 days of approval. Jeremie seconded. Unanimously approved as presented with conditions.

Motion by Jeremie to bring Darlene back to the meeting. Seconded by Jim. Motion is unanimously approved.

VI. Public Information and Comment - none

VII. Other Business –

1. Set the next meeting date April 13, 2021
2. Motion by Gerry to not hold the scheduled workshop tonight. Seconded by Jeremie. Unanimously approved to cancel workshop.

VIII. Adjourn

Motion by Darlene to adjourn, seconded by Jim. Unanimously voted to adjourn at 8:00 pm.

Respectfully submitted

Julia House