

A meeting of the Zoning Board of Appeals was held December 6, 2010 for the purpose of reviewing applications.

MEMBERS PRESENT

William Truesdell, Chair
Bruce Goodwin
Eleanor Holland
Pam Murray
Rick Davis

MEMBERS ABSENT

Harry Story
Thomas Watson

DRAFT**STAFF PRESENT**

Scott Davis, Codes Enforcement Officer
Marsha Hinton, Recording Secretary

Chair William Truesdell called the meeting to order in the Zoning and Planning Room at 7:00 p.m.

Mr. Truesdell stated the following: "Welcome. The December 6, 2010, meeting of the Bath Zoning Board of Appeals will come to order. I appreciate your presence here and your recognition of the authority of this board. This is a public proceeding and, unless the Board specifically votes to go into executive session, you have the right to hear everything that is being said and to look at all of the exhibits that are offered. Please notify me if you are unable to hear or see. The Board works from a prepared agenda and will be considering tonight's items in the following order." Mr. Truesdell read the agenda.

"Generally speaking, appeals from adverse decisions must be filed with the appropriate Appeals Board or Superior Court, as otherwise provided by law, within 45 days of this Board's decision. Also, to be certain that you preserve your individual right to file any such appeal, you must be certain that this Board's record evidences your appearance this evening in opposition and the basis for your opposition. Are there any questions?"

Hearing no questions, Mr. Truesdell called on the applicant to present the appeal.

Appeal Number 1024

Request from Sagadahoc Preservation Inc., for a sign code waiver at 880 Washington Street (Map 26, Lot 174).

Ms. Carolyn Lockwood, representing Sagadahoc Preservation Inc., explained that a 6 square foot sign is not enough for passersby to know that it is a community center available for anyone to rent. Ms. Lockwood stated that the proposed sign is smaller than the sign that is currently there and smaller than other signs in the area.

The Zoning Board of Appeals held discussion on the location, the appearance of the building, and the size of the sign.

Mr. Truesdell stated for the record that he had made some calculations outside of the hearing on his own which he discussed with the Code Enforcement Officer and by those calculations the approximate size of the proposed sign would be 12 feet square.

Mr. Truesdell, chair, opened the floor to members of the public who wished to comment.

Mr. Paul Sargent, 890 Washington Street, asked if the lighting would shine into his house.

Mr. Davis explained that the lighting is directed lighting and would shine down.

There being no further comments from the members of the public present, Mr. Truesdell closed the public portion of the meeting.

Mr. Truesdell polled the Board with regard to the following criteria from section 3.211.II of the Sign Ordinance:

- A. That the need for the waiver is due to the unique circumstances of the property, its location or unusual configuration of structure or property boundaries, and is not due to the general characteristics of the neighborhood;

The Board unanimously agreed that this application meets standard A

- B. That the granting of the waiver will not alter the essential character of the neighborhood or impact in a negative fashion surrounding properties particularly as relates to lighting, additional pedestrian and vehicle traffic as a result of signing, screening of the pedestrian or vehicle traffic, noise or similar types of impact;

The Board unanimously agreed that this application meets standard B

- C. That the hardship is not the result of action taken by the applicant or prior owner on their own to create the hardship;

The Board unanimously agreed that this application meets standard C

- D. That the design of the sign is generally consistent with the sign design standards for the district in which the sign is to be located.

The Board unanimously agreed that this application meets standard D

THERE BEING NO FURTHER DISCUSSION FROM THE BOARD, MS. MURRAY MOVED, SECONDED BY MS. HOLLAND TO GRANT THE WAIVER FOR APPEAL NUMBER 1024 A REQUEST FROM SAGADAHOC PRESERVATION INC., FOR A SIGN CODE WAIVER AT 880 WASHINGTON STREET (MAP 26, LOT 174).

UNANIMOUS APPROVAL

Mr. Truesdell explained that members of the public objecting to the decision of the Board of Appeals would be able to file a suit with the Superior Court for the next 45 days.

Minutes of July 6, 2009

MS. MURRAY MOVED SECONDED BY MR. GOODWIN TO APPROVE THE MINUTES OF THE JULY 6, 2009 MEETING AS PRESENTED.

UNANIMOUS APPROVAL

ELECTION OF OFFICERS

MS. MURRAY MOVED, SECONDED BY MR. DAVIS TO ACCEPT AS OFFICERS MR. TRUESDELL – CHAIR, MR. GOODWIN – VICE CHAIR.

UNANIMOUS APPROVAL

There being no further business before the Board, **MR. TRUESDELL MOVED, SECONDED BY MR. GOODWIN TO ADJOURN**

UNANIMOUS APPROVAL

Meeting adjourned 7:13 p.m.

Minutes prepared by Marsha Hinton, Recording Secretary