December 15, 2018

TO MEMBERS OF THE BRIDGTON, MAINE PLANNING BOARD

My name is John P. Smith. My residence is in Sweden, Maine but I am a property owner on Highland Lake and a tax payer of Bridgton.

I am writing to you concerning the Saunders LLC application under your current review. My purpose in writing to you is to simply make you aware of the most current State of Maine Subsurface Wastewater Disposal Rules. Perhaps you all are aware of these requirements, but if not, the attached pages stipulate what these are for a hotel.

On page 32, you will note that the state rules indicate that a hotel room with a private bath requires enough sewer disposal area to accommodate the discharge of 100 gallons per day per room; 68 rooms time 100 gallons per day equals 6,800 gallons. Added to this figure must be 12 gallons per day for each employee. Since it has been stated that the application you are considering will have ten employees working at this hotel, 120 gallons per day must be added to the 100 gallons per day room figure, for a total discharge rate of 6,920 gallons per day into the town's disposal field from the hotel being considered.

It is my understanding that the applicant has received approval for 41 EDU's to be discharged into the town sewer system. It is also my understanding that one EDU equals 90 gallons; 41 times 90 gallons equals 3,690 gallons.

I am not sure if the 3,230 gallons over the applicant's approval for 3,690 gallons going onto the town sewer system requires more independent professional research, but I just wanted to bring this matter to your attention.

Thank you for serving on the Bridgton Planning Board; having served on the Sweden Planning Board myself, I know full well that many times it can be a thankless job.

John P. Smith
Bridgton property owner and tax payer.

10-144

Chapter 241

## STATE OF MAINE SUBSURFACE WASTEWATER DISPOSAL RULES



# DEPARTMENT OF HEALTH & HUMAN SERVICES MAINE CENTER FOR DISEASE CONTROL & PREVENTION DIVISION OF ENVIRONMENTAL HEALTH 11 STATE HOUSE STATION AUGUSTA, MAINE 04333

EFFECTIVE DATE: January 18, 2011 2014

Appropriation 014-10A-2426-012-2658

#### TABLE 4C DESIGN FLOWS FOR OTHER FACILITIES

**NOTE:** The design flows calculated in this table represent the design flow for purposes of calculating the septic tank capacity (Section 6(G)7(F)) and the size of the disposal field (Table 4D), unless otherwise noted. Important: See notes 1, 2, and 3 at end of Tables.

Type of facility	Design flow per user or unit		
Airports	5 gpd per passenger plus 12 gpd per employee [1]		
Assembly areas (Meeting hall, no seats)	2 gpd per person		
Auditoriums/Stadiums:	5 gpd per seat		
Bakery	100 gpd per bakery plus 12 gpd per employee [1, 2]		
Bar/Tavern/Cocktail lounge	add 12 gpd per employee to each		
w/ limited food	15 gpd per seat or13 gpd per patron		
w/o food	10 gpd per seat or 7 gpd per patron		
Barber shop	50 gpd per chair		
Beauty salon	100 gpd per chair		
Bed and breakfast	90 gpd per bedroom per operator's quarters and 75 gpd per rental room		
Boarding houses with meals	180 gpd per house plus 40 gpd per boarder		
Bottle club	10 gpd per seat plus 12 gpd per employee		
Bunkhouses (no plumbing)	20 gpd per bed		
Bus service areas	5 gpd per passenger plus 12 gpd per employee [1]		
Butcher shop or department	100 gpd per shop plus 12 gpd per employee [1,2]		
Cafeteria, open general public	30 gpd per seat plus 12 gpd per employee [1,2]		
Cafeteria, private	15 gpd per seat plus 12 gpd/employee [1,2]		
Campground sites served by central toilets	60 gpd per site		
Campground sites served by individual water and sewer	75 gpd per site		
hookups	No Special Control of the Control of		
Campground/Transient dump station	50 gpd per user not served by individual water and sewer hookups		
Campground park model trailer sites	125 gpd per site		
Children's camps, day use only	15 gpd per sate  15 gpd per camper plus 12 gpd per staff person		
Children's camps, day and night	20 gpd per camper plus \(\frac{120}{20}\) gpd per staff person		
Churches	4 gpd per seat for general seating and 8 gpd per seat for		
Churches	seats in a dining area		
Dance hall	5 gpd per attendee plus 12 gpd per employee [1]		
Day care facilities serving meals	15 gpd per child plus 12 gpd per adult		
Day care facilities not serving meals	10 gpd per child plus 12 gpd per adult		
Dining hall (separate from any other facility)	5 gpd per meal per seat [2]		
Dog kennel (boarding and grooming)	15 gpd per dog or per run, cage, kennel or stall, whichever is greater;		
bog nomer (voutering und growning)	add 7 gpd per dog bath given; add 12 gpd per employee [5]		
Eating Places	add 12 gpd per employee for each [2, 4]		
Banquet /Dining hall	5 gpd per seat per meal		
Cafeteria	5 gpd per customer		
Catering	50 gal/ 100 sq. ft. floor space		
Delicatessen, food prepared and no seats	100 gpd per deli or 1 gpd per meal served plus 15 12 gpd per employee		
	[1, 2] (whichever is larger)		
Delicatessen, no food prepared and no seats	50 gpd per deli plus 12 gpd per employee [1]		
Drive-in, no full meals and no china service	30 gpd per car space plus 12 gpd/employee [1, 2]		
Eating place, takeout	100 gpd or 1 gpd per meal served plus 12 gpd per employee [1, 2] (whichever is larger)		
Eating place, paper service	7 gpd per seat plus 12 gpd/ employee [1, 2]		
Ice Cream Stands, ice cream only with no seats	150 gpd per stand plus 12 gpd per employee. [1, 2]		
Eating Place Imeal/day	10 gpd per seat plus 12 gpd per employee [1, 2]		
Eating Place, 2 meals/day	20 gpd per seat plus 12 gpd per employee (1,2)		
Eating Place, 3 meals/day	30 gpd per seat plus 12 gpd/employee [1, 2]		
Specialty food stand or kiosk	50 gpd per 100 sq. ft.		
Employees at place of employment with no showers	12 gpd per employee [1]		
Employees at place of employment with showers	20 gpd per employee [1]		
Fairgrounds/Flea market	3 gpd per attendee based on average daily attendance		
Gyms, not associated with schools	10 gpd per participant plus 3 gpd per spectator plus 12 gpd per employe		

Type of Facility	Design Flow per User or Unit		
Health care facility :	add 12 gpd per employee to each		
Adult daycare (no overnight, 4 to 8 Hrs. per day)	25 gpd per client		
Hospitals, medical	165 gpd per bed (includes laundry)		
Hospitals, psychiatric	100 gpd per bed		
Nursing/Convalescent home	w/ laundry 125 gpd per bed		
Nursing/Convalescent home	w/o laundry 75 gpd per bed		
Medical office/Dental office	80 gpd per medical staff, plus 5 gpd per patient		
Residential care/ Retirement home	60 gpd per resident		
Health clubs	10 gpd per participant plus 3 gpd per spectator plus 19-12 gpd per		
1 1 1 1 1 1 boths	80 and per bedroom plus 12 gpd per employee [1]		
Hotels and motels with shared baths	100 gpd per bedroom plus 12 gpd per employee [1]		
Hotels and motels with private baths	60 gpd per bed (2 person)		
Hotels/Motel with kitchen	50 gpd per bed (2 person)		
Hotels/Motel without kitchen	300 gpd per ocd (2 person) 300 gpd per machine plus 12 gpd per employee [1]		
Laundry, self-service	45 gpd per owner/occupant plus 12 gpd per hunter/guest		
Limited operation hunting camp	100 gpd plus 10 gpd per slip or mooring (clothes washers are not		
Marina	included; design flow for clothes washers must be calculated separately);  w/bethrooms add 30 gpd per slip; w/o bathrooms add 100 gpd per slip.		
Medical offices, clinics, and dental offices	80 gpd per medical staff plus 5 gpd per patient plus 15 gpd/office employee [1]		
	150 and per hed plus 12 and per employee [1]		
Nursing Homes	3 gpd per attendee or 40 gpd per parking place, which ever is greater,		
Parks and picnic areas, public rest rooms and no showers	plus 12 and per employee [1]		
Parks and picnic areas, public rest rooms and showers	8 gpd per attendee or 40 gpd per parking place, which ever is greater, plus 12 gpd per employee [1		
Prison/jail	120 gpd per inmate, plus 12 gpd per employee		
Public restrooms	325 gpd toilet, 162 gpd per urinal, or 3 gpd per user		
Rooming houses, no meals	180 gpd per house plus 30 gpd per roomer		
Recreation/sporting camps	45 gpd per owner/occupant plus 25 gpd per bed/sportsperson		
Rental cabins and cottages	50 gpd per bed plus 12 gpd per employee [1]		
Rental cabins, housekeeping	50 gpd per cabin, plus 50 gpd per bed		
Rental cabins, with no plumbing fixtures	20 gpd per bed		
School, Grades Kindergarten to 12	10 gpd per student plus 12 gpd per teacher and other employees; w/cafeteria add 3 gpd per student; w/cafeteria, gym & showers add 8 gpg per student. [1]		
G.L. I haveling	75 and per student plus 12 gpd per teacher and other employees [1]		
School, boarding	40 and per student plus 12 and per employee		
Dormitory/Boarding hall (no eating facilities) Service stations	100 gpd per fuel pump cabinet or 250 gpd per toilet plus 12 gpd per		
Shopping centers or stores, public rest rooms and showers [3]	325 gpd per toilet plus 20 gpd per shower plus 45-12 gpd per employee [1] Design flows for any eating places or butcher shops must be determined and added to total design flow.		
Sports Bars	20 gpd per seat plus 12 gpd per employee [1, 2]		
Sports enters	add 12 gpd per employee		
Bowling center w/ snack bar	75 gal per lane		
Country clubs	60 gal per member or patron		
Fitness, exercise, karate or dance center	50 gal per 100 sq. ft.		
Tennis or racquetball	300 gpd per court  10 gpd per member, plus 3 gpd per spectator		
Gyms/Health clubs (not associated with schools)			
Golf course/Driving ranges, only snack food, no showers	250 gpd per toilet		
Go-kart/Motocross/Batting cages/Mini-golf	250 gpd per toilet		
Pool halls/Arcades	250 gpd per toilet		
Swimming pools, Bathhouses & Spas	10 gpd per person or 250 gpd per toilet		

Lots of facts, figures, and technical data were mentioned during the hearing for the Bridgton Hotel project, and the Planning Board has stated that it must not be emotional when considering a project, which makes sense. They must be fair to each applicant and objectively determine whether a project abides by the rules. But what about the intangible factors?

The very first objective stated in ARTICLE VII — REVIEW STANDARDS for the Town of Bridgton — implying it is the most important objective — is to "preserve the traditional New England character of the downtown." This is inherently subjective and emotional. It involves the "character" of a place, which cannot be measured with facts and figures. A tremendous amount is at stake regarding the proposed hotel project, and the wrong decisions could mean the beginning of the end — the start of a slide downhill to mediocrity, at best. However, with careful thought and consideration, this can be avoided.

Not everything that counts can be counted. The character of a town is its soul. How do you measure a soul? It is the essential quality that makes a place unique and stand out from the crowd. In Bridgton, it is based on strong community and history, a slower pace of life away from the "rat race," and beautiful natural surroundings. It is why people choose to visit, settle, raise families, and retire here. It is also why Bridgton has long been a popular destination for returning, long-stay tourists, as well as rustic summer camps for boys and girls. Think about it — why do you (planning board members) live here? (Note: the project applicant does not live in Bridgton).

A soul cannot be measured with facts and figures — it is a feeling, an ambience, an indefinable essence that draws people. It is harmony, aesthetics, and uniqueness. It is community, neighbors, neighborhoods, Main Street, and small businesses. It is also very fragile, precious, and priceless — once it is destroyed, it is gone forever. The people of Bridgton must establish some sort of vision for the future that includes thoughtful, careful, considered growth and sustainable development to preserve the town's character and attract the right kind of businesses and people. The Town is now at risk of becoming generic and unlivable, just like other towns suffering from a lack of vision that results in big box urban blight. Bridgton deserves better than that.

Clearly the Hotel Bridgton as proposed for the Saunders Mill site does not fit in with the traditional character of Bridgton's downtown. It is blatantly too big for the site. It is not "harmonious with the terrain and existing buildings in the vicinity" (Review Standard 2), it is not "of compatible scale and size" (Review Standard 2a), and it is questionable that it "protect[s] the value of abutting properties" (the fourth objective of the Review Standards). It would dwarf the surrounding homes, inundate a very busy public Town Beach, and drastically disrupt an established residential neighborhood where families, children, and elderly residents live. It does not represent "traditional New England character," unless "traditional New England character" is the malignant, unchecked growth that can be seen in places like Windham and North Conway. Big box, cookie cutter architecture cannot be disguised by slapping dormers, awnings, or varying rooflines on a looming hulk. That is "putting lipstick on a pig" and it is not acceptable.

The fact is, this could be a win-win situation for all parties — the town, residents, tourists, and the applicant. No one is saying (or has ever said) that the Saunders Mill site should not be

developed — just put something more appropriate there that would fit in with the essential character of the town.

Why not build a smaller hotel, maybe half the size of the one proposed? Problem solved. A residential project or retail or restaurant spaces (like some of the applicant's other constructions) would also be suitable and much less objectionable. One citizen suggested a nursing home, which could offer much-needed services and create more well-paying jobs for local workers than the Hotel. It would also be much quieter, less intrusive, and possibly even more lucrative. There are many other possibilities to consider outside the big box. The ultimate visionary act would be to create a public park on the site as an extension of Shorey Park. That would be a significant contribution to the downtown for residents and visitors alike, and it would earn the applicant a great deal of respect.

No one is saying (or has said) that they are against a hotel in Bridgton. The current proposed Hotel Bridgton complex could be built on the outskirts of town where the roads can more easily handle the increased volume of traffic and it would not disrupt residential neighborhoods. Problem solved. Some see it as aesthetically appealing, so it could even fulfill the second objective of the review standards: "to present an attractive gateway area." Also, if built elsewhere it would "preserve the traditional New England character" of Bridgton's downtown—the primary objective stated in the Review Standards.

"You don't know what you've got 'til it's gone." (Joni Mitchell) To lose Bridgton's essential nature would be a great tragedy, especially because it does not have to happen. The proposed big box hotel, associated buildings, and parking lots, which are more appropriate elsewhere, will destroy the town center and irreversibly alter the character of Bridgton for the worse. The Planning Board has the power to prevent this. I urge them to think VERY carefully about the fragile, intangible qualities at stake and protect the uniqueness of the downtown. Do not sell Bridgton's soul to the highest big box bidder.

Perri Black, citizen

Please see below info: Public Comments in RED applicant comments in blue

Hotel Bridgton Application:

- The burden of proof is on the applicant to provide evidence of compliance with all 28 Bridgton Site Plan Review (SPR) Standards.
- Since the Steven's Brook passes through the Hotel Bridgton properties, the applicant must also provide evidence of compliance with all Shoreland Zoning Regulation in order for the application to be approved.

The following is from the narrative provided by the Applicant that claims compliance with key Bridgton Site Plan Review Standards.

#### 19. Protection of waters and shoreland:

Whenever situated in whole or in part, within 250 feet of any pond, lake, river, will not adversely affect the quality of such body of water or unreasonably affect the shoreline of such body of water, and will be in compliance with the Shoreland Zoning Ordinance of the Town of Bridgton.

(Applicant Narrative): The area within 75 feet of Stevens Brook is in the General Development District as shown on the Town's Official Shoreland Zoning Map. The proposed development was designed to meet all applicable review standards of the Shoreland Zoning Ordinance and will not adversely affect the water quality or shoreline of Stevens Brook.

Tax Map/Lot 22/85 0.76 acres parcel purchased from the Town of Bridgton by the Applicant is in FACT designated as **Stream Protected District** in the Shoreland Zoning Map (see attached high resolution map inset and Bridgton Shoreland Zoning Ordinance SZO). NOT designated as in the General Development District as stated in the narrative provided by the Applicant. The applicant must show that they meet all the SZO requirements.

#### Page 13 SZO Regulation:

In areas adjacent to great ponds classified GPA and adjacent to rivers flowing to great ponds classified GPA, the designation of an area as a General Development District shall be based upon uses existing at the time of adoption of this Ordinance. There shall be no newly established General Development Districts or expansions in area of existing General Development Districts adjacent to great ponds classified GPA and adjacent to rivers that which flow to great ponds classified GPA.

#### Page 14 SZO Regulation:

Section 13. Establishment of Districts

#### D. Stream Protection District

The Stream Protection District includes all land areas within seventy-five (75) feet, horizontal distance, of the normal high water line of a stream, exclusive of those areas within two hundred and fifty (250) feet, horizontal distance, of the normal high-water line

of a great pond or river, or within two hundred and fifty (250) feet, horizontal distance, of the above water bodies or wetlands, that land area shall be regulated under the terms of the shoreland district associated with that water body or wetland.

Extending the 25 foot setback line on Lot 75 from Steven's Brook on the Applicants blueprints to the proper required 75 foot setback on land designated in the Stream Protection District shows the proposed main Hotel building is actually within the 75 foot setback and therefore **does NOT meet this Standard**. There are no provisions for a variance of waiver of this requirement in the Bridgton SZO. The burden of proof is on the applicant to show they meet all the requirements of the SZO.

#### Page 16 SZO

#### Section 14. Table of Land Uses

27. Filling & earthmoving of less than 10 cubic yards (SP - NO)

28. Filling & earthmoving of greater than 10 cubic yards (SP - NO)

33. Earthmoving, vegetation removal, Or construction affecting more than 100 square feet of land area on any property parcel with-in any two year period. (SP – CEO Approval)

34. Earthmoving, vegetation removal, or construction affecting more than 10,000 square feet of land area on any property parcel within any two year period. (SP – PB Approval) The Applicant Blueprints show a proposed Storm Drain (SD5 & SD6) installation passing through the 75 foot SP area of Lot 75 (currently the storm drain is on lot 76, but will need to be relocated to go around the Hotel building, which as stated previously is inside the 75 foot setback. It is not clear if digging this storm drain should be approved by the CEO or PB)

#### Page 19 SZO

#### Section 15. Land Use Standards

**B. Principal and Accessory Structures** 

1. In the General Development Districts the setback from the normal high water line shall be a minimum of fifty (50) feet horizontal distance.

The Planning Board may reduce the setback requirement for projects in the General Development District by up to 50% upon a positive finding of fact that, for any lot of record, all of the following provisions are met:

The Applicant proposed Building 2 and adjacent parking area are just outside a 25 foot setback of Stevens Brook and almost entirely contained within the 50 foot setback requirement. The Applicant must be assuming that the PB will grant the 50% reduction in setback from 50 feet to 25 feet. The applicant has not directly provided any narrative describing how they meet all of the requirements for being granted this reduction.

a. The total area impacted by the proposed setback reduction shall not exceed 25% of the portion of the lot lying within 50 feet of the normal high water mark of any river or tributary stream regulated by this Ordinance.

The proposed building 2 and adjacent parking lot appear to impact a far greater portion of the lot within 50 feet, and the applicant does not appear to provide the data with proof of less than 25%. The applicant t is required to show they meet all the requirements for

the waiver. There is no data showing they meet this requirement. cannot be met the waiver cannot be granted.

b. Infiltration systems shall be installed and maintained to infiltrate storm water runoff from all man-made impervious surfaces on the property. Systems shall be sized to accommodate all runoff from a two inch precipitation event of 24-hour duration and shall be located at least 50 feet from the normal high water mark of any river or tributary stream regulated by this Ordinance.

The applicant does provide design and specification numbers for an infiltration system that appears to be adequate. A third party Engineering review should be required to confirm this.

c. There shall be a net increase in the area of the lot which is covered by multi-level vegetation combining ground cover, bushes and trees with at least 50% evenly-distributed tree leaf canopy as viewed from above. All areas of the property not covered by structures (roads, buildings, parking areas, septic systems, etc.) shall be revegetated and maintained in such a manner.

The proposed Hotel, Building 2, and all parking areas cover nearly the entire property that is within the land designated as General Development District, including the land with the residential dwelling on the corner. It is impossible to see how the Applicant has meet the requirement to increase the area on the lot covered by multi-level vegetation ... at least 50% as viewed from above. If this requirement cannot be met the waiver cannot be granted.

d. The proposal shall be designed and built to reduce the gross amount of phosphorus exported from the property by a minimum of 10%.

The Applicant claims that the project will reduce the gross amount of phosphorus, but does not appear to specify to current levels or the percentage of reduction to a minimum of 10%. The applicant must supply data showing they meet this requirement or the waiver cannot be granted.

#### Other Requirement:

3. Vehicular Access: The proposed layout shall ensure that vehicular and pedestrian traffic conditions shall not exceed reasonable limits for the neighborhood. Special consideration shall be given to the location, number and control of access points, adequacy of adjacent streets, traffic flow, sight distances, turning lanes, and existing or proposed traffic signalization and pedestrian-vehicular contacts.

The project was designed to ensure the safety of vehicular and pedestrian traffic on the site and throughout the neighborhood. A Traffic Impact Study was conducted by Maine Traffic Resources to assess the traffic impacts that the project is expected to have on the neighborhood. A copy of the Study is provided with the Site Plan Application materials.

Vehicle access to the site will be from a single full-movement driveway located off Bacon Street. A formerly proposed second access from Kennard Street has been eliminated. Maine Traffic Resources measured sight distance at the proposed driveway to be 275' to the right (to Main Street intersection) and 225' to the left (to Kennard Street intersection), both of which exceed MaineDOT requirements.

The project is expected to generate between 38 and 49 one-way vehicle trips during peak hours. Vehicle trips are primarily expected to travel through the intersection of Main Street and Bacon Street. This intersection currently operates at a good Level of Service (LOS "B") during both the weekday AM and PM Peak hours and is expected to remain at this level with the hotel fully occupied. As a result, the proposed layout will ensure that vehicular and pedestrian traffic conditions will not exceed reasonable limits for the neighborhood.

There are no high crash locations, as determined by MaineDOT, in the vicinity of the

project.

- 1. Google maps primary (fastest) driving directions from Norway, Paris, Oxford etc. to Shawnee Peak or points West instruct drivers to go ME-117 S to Dugway Road to Highland Road to Creamery Street , then back on US-302.
- 2. April Traffic Study did not account for Bridgton specific seasonal traffic. The data set used was gathered in the first week of April (extremely low traffic time for Bridgton) and seasonal correction averages for towns of similar size in Maine were applied. This could have easily been done in the summer when the data could have been useful. It appears that the time frame was chosen as it would yield the best results for the applicant, This doesn't pass the simple logic test. The study should have been done with traffic cameras at all the intersections around the project as well as Main Hill per a traffic engineer I spoke with. A peer review is definitely in order. Neglecting this could put Bridgton into gridlock for many months during the summer.
- 3. April Traffic Study did not account for the 175 person conference center (conferences, weddings etc.). The effect of this many vehicles coming and going for hotel functions cannot be minimized.
- 4. Limited parking during large events will likely clog Town Beach parking area and result in street parking on Kennard St, Bacon St, Nulty St, and possibly Highland Rd.
- 5. Traffic Study had data only for Highland Road and only for 2013 (no data for 2005, 2007, 2010, or 2016). No data for Dugway, Kennard, Bacon, Nulty, or Chadbourne Hill Rd toward Bridgton Academy (also a common short-cut)
- 6. Traffic study did not include the impact of seasonal speed bumps now being installed on Highland Road in front of the Town Beach since 2018 was the first summer the bumps were deployed. These speed bumps being used during peak season shows that the Town acknowledges a traffic hazard already exists for beach goers at the Town Public Beach.

7. Plan calls for pedestrians traveling from off-site (Nulty St) parking to the hotel will be encourage to walk out to Main St then turn on to Bacon St. (does anyone believe this?) Shuttle service will be offered, but no mention of the route the shuttle will travel (likely Nulty St to Bacon).

Section 15. SZO Land Use Standards
G. Parking Areas

NOTE: Section 16 . H of this Ordinance provides significant penalties for violations involving vegetative cutting , earthmoving or other construction conducted before or after the issuance of any permit .

1 . Parking areas shall meet the shoreline and tributary stream setback requirements for structures for the district in which such areas are located.

The setback requirement for parking areas serving public boat launching facilities, in Districts other than the General Development Districts, shall be no less than fifty (50) feet, horizontal distance, from the shoreline or tributary stream if the Code Enforcement Officer finds that no other reasonable alternative exists further from the shoreline or tributary stream.

- 2. Parking areas shall be adequately sized for the proposed use and shall be designed to prevent storm water runoff from flowing directly into a water body, tributary stream or wetland and where feasible, to retain all runoff on-site.
- 3 . In determining the appropriate size of proposed parking facilities, the following shall apply:
- a. Typical parking space: Approximately ten (10) feet wide and twenty (20) feet long, except that parking spaces for a vehicle and boat trailer shall be forty (40) feet long.

- 25

- b. Internal travel aisles: Approximately twenty (20) feet wide. Section 15. Land Use Standards
  - H . Roads and Driveways

NOTE: Section 16 . H of this Ordinance provides significant penalties for violations involving vegetative cutting, earthmoving

or other construction conducted before or after the issuance of any permit.

The following standards shall apply to the construction of roads or driveways and drainage systems, culverts and other related features.

I . Roads and driveways shall be set back at least one-hundred (100) feet, horizontal distance, from the normal high-water line of a great pond classified GPA or a river that flows to a great pond classified GPA, and seventy- five (75) feet, horizontal distance from the normal high-water line of other water bodies, tributary streams, or the upland edge of a wetland Wiless no reasonable alternative exists as determined by the Planning Board. If no reasonable alternative , the road and/or driveway setback requirement shall be no less than fifty (50) feet, horizontal distance r upon clear showing by the applicant appropriate techniques will be used to prevent sedimentation of the water body, tributary stream, or wetland. Such techniques may include, but are not limited to, the installation of settling basins, and/or the effective use of additional ditch relief culverts and turnouts placed so as to avoid sedimentation of the water body, tributary stream or wetland.

On slopes of greater than twenty (20) percent the road or driveway setback shall be increased by ten (10) feet, horizontal distance, for each five (5) percent increase in slope above twenty (20) percent.

Section 15 (H) (1) does not apply to approaches to water crossings or to roads or driveways that provide access to permitted structures, and facilities located nearer to the shoreline or tributary stream due to an operational necessity, excluding permanent or temporary docks for recreational uses. Roads and driveways providing access to permitted structures within the setback area shall comply fully with the requirements of Section 15 (H) (1) except for that portion of the road or driveway necessary for direct access to the structure.

The parking spaces in the SZ do not meet these requirements. The burden of proof is on the applicant to show they meet all requirements of the SZO.

A sidewalk network is proposed within the site to facilitate safe pedestrian access to and from the buildings. A sidewalk is also proposed on the west side of Bacon Street for pedestrians to safely connect to the existing Main Street sidewalk in order to access the shops and restaurants in the downtown area.

Any crossings over the stream must be approved by DEP. Applicant has not shown they have the required approval for this.

The Stevens Brook Trail traverses the project site starting at Bacon Street and running along the north side of Stevens Brook. The trail, which is and will remain accessible to the public, will be improved with a more uniform surface and low level lighting.

### 7. Existing utilities: The development shall not impose and unreasonable burden on public utilities.

The project will utilize the public water and public sewer utilities. The Bridgton Water District has confirmed that it has the ability to serve the project. A copy of the confirmation letter was previously submitted to the Planning Board. According to the design flow rates provided in Appendix B of the Bridgton Sewer Ordinance, the project is expected to generate wastewater at a rate equivalent to 40 single family homes (40 EDU). The applicant has reserved an allocation of 42 EDU from the Town of Bridgton.

The applicant claims he has purchased the last 42 EDUs in March 5, 2018. This will prevent any further development in the area served by Dodge Field. The town is concerned enough about this they are applying for a increase in the Dodge Field approved capacity. It is unclear that this will be approved by DEP as the test results from that field do not meet the requirements for the expanded use. This leaves the town with zero capacity for any purpose. (The chart provided by Woodard and Curran shows a discrepancy as it shows he purchased 41 units) The documents show he did purchase 42 units. This allocation of 42 EDUs is 20% of the entire capacity of Dodge Field.

This should have been discussed publicaly as it exhausted the sewerage capacity and was not disclosed to the public. This is an excellent example of why we should have impact fees.

17. Provisions for adequate sewage waste disposal:

According to the design flow rates provided in Appendix B of the Bridgton Sewe r Ordinance, the project is expected to generate wastewater at a rate equivalent to 40 single family homes (40 EDU). The applicant has reserved an allocation of 41 EDU from the Town of Bridgton. Wastewater will flow by gravity to a series of septic tanks and a pump station located on the project site. Effluent will be pumped to the town's public sewer system, and will ultimately be disposed of at the Dodge Field, located off Wayside Avenue. The design team is continuing to work with wastewater superintendent Mike Harris on the final details of the wastewater system design.

The Town of Bridgton does not have the sewer capacity for any further growth in the area served by Dodge field. The 42 units the applicant has purchased would cover the addition of 18-20 new businesses that could otherwise come to Bridgton. Any new growth will be stymied until the new system comes on line in 3 plus years. The Applicant has not provided a letter of approval from the Wastewater Superintendent for this project, likely because he is aware that Bridgton no longer has the capacity for this project.

The Saunders LLC submittal does NOT meet the Bridgton Sewer Ordinance (June 14, 2016) wherein it says that:

1. Anyone who proposed to build a structure within the Town that is a source of sewage shall conform to the requirements of this Ordinance. (shall is mandatory, may is permissive).

2. The SUPERINTENDENT shall have the following powers and duties relative to the

Bridgton Sewer System:

J. To issue permits for connections to the Bridgton Sewer System; to designate Equivalent Uses including equivalent use values; to supervise and participate in inspection of private sewer connection to the public sewer, including Town sewer lines and all plumbing tributary thereto, and to assure compliance with this ordinance.

3. Subject to any allocation policies adopted pursuant to Section 4D and upon the

Superintendent's determination pursuant to 4B2N

(To determine, in accordance with this Ordinance and any applicable rules adopted by the municipal officers, and after consultation with the Town Engineer, which structures or properties within the Bridgton Service Area may or may not be allowed to connect to the Bridgton Sewer System. Such determinations shall be based at least the following considerations:

- (1) Bridgton Sewer System location, capacity and use.
- (2) The volume and character of existing and potential wastewater generation from the subject property or structure(s).
- (3) Ability to treat wastewater on site in accordance with the Maine Subsurface Wastewater Disposal Rules, 10-144 C.M.R. ch. 241.)

of this Article that the owner is allowed to connect to the Bridgton Sewer System, the Superintendent shall issue a Public Sewer Connection Permit consistent with this Ordinance.

The submittal does NOT show a permit for sewer connection NOR any documentation to support the assertion that they have reserved an allocation for 40 edu. It has been stated publicly that such a reservation has been made (Bear Zaidmen said it I believe) but the submittal provides no documentation of the reservation.

#### 23. Location in Flood Zone:

The sub divider shall determine, based on the Federal Emergency Managem ent Agency's Flood Boundary and Floodway Maps and Flood Insurance Rate Maps, whether the proposed development in whole or part, is in a flood prone area. If the proposed development, or any part of it, is in such an a rea, the applicant shall determine the one hundred (100) year flood elevation and flood hazard

boundaries within the development. The proposed development plan shall a s a condition of site plan approval assure that the principal structures on I ots in the subdivision shall be constructed with their lowest floor, including basement, at least one (1) foot above the one hundred (100) year flood elevation.

The project is located within a C Zone, but is adjacent to the A5 Zone per the FEMA FIRM Panel 2300410010B. The flood zone elevations vary between 417' at the dam upstream of the site along Stevens Brook, to 410' at Bacon Street Culvert along Stevens Brook. The proposed buildings will be located at a finished floor elevation of 420', at least 3' above the 100-year Flood Zone.

It is likely that the applicant has used the outdated old data for their determination of compliance. In addition, the finished floor of the buildings will be at the 420' elevation. This will require up to 6 feet of fill on the downhill side of the structures. SZO requires the height measurement restriction be measured from the original grade at the lowest point of the structure or the original grade, not the top of the fill. The applicant has not accounted for this in the height of the buildings (they are measuring from the 420 foot elevation to the ridge. This is incorrect. The burden is on the applicant to show they meet all the requirements of the SZO.

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December 11, 2018

Bridgton Planning Board Town of Bridgton 3 Chase Street, Suite 1 Bridgton, Maine 04009

Re: Site Plan Application Bridgton Hotel, 12 Bacon Street, Bridgton

Dear Members of the Planning Board:

We wish to call your attention to several omissions and inconsistencies in the revised application for Hotel Bridgton (October 25, 2018) as well as the Supplemental Information (March 22, 2018).

#### Shoreland Zoning

- 1. No where in either the application, nor in the supplemental information is it acknowledged that the former Town plot (Tax Map 22/Lot 85) is within the Shoreland Zone Stream Protection District, i.e. that protection extends on that parcel 75 feet from the normal high water mark of Stevens Brook, a tributary of Long Lake. The FACT that the project site is within the Shoreland Zone limits not only what can be done within the 75 foot Shoreland Zone, but requires the applicant to indicate the steps that they will undertake to conform to ALL the requirements of the Shoreland Zone Ordinance. The parcel is within the stream protection district as defined in Section 9, Part A and in addition, that same parcel is bisected by the Erosion and Sedimentation Control District line for Highland Lake (between 250 and 500 feet from the lake).
- 2. Even though Saunders LLC purchased three lots which have become one property for tax purposes, that does NOT change the designation of the former Tax Map 22 Lot 85 from Stream Protection District to General Development District 1 because the Ordinance in Section 13 C. 2 states" There shall be no newly established General Development Districts or EXPANSIONS in area of existing General Development Districts adjacent to great ponds or adjacent to rivers that flow to great ponds."
- 3. The applicant has not acknowledged Section 11 Land Use requirements which state "No Building, structure or land shall hereafter be used or occupied, and no building or structure or part thereof shall hereafter be erected, constructed, expanded, moved, or altered and no new lot shall be created except in conformity with all of the regulations herein specified for the District in which it is located".
- 4. The applicant has not addressed how "Within the Erosion and Sedimentation Control District, no construction related activity or land use condition shall

cause or contribute erosion or sedimentation to any land area within 250 horizontal distance, of the normal high water line of any great pond or within 250 feet horizontal distance of the upland edge of any freshwater wetland

contiguous to a great pond."

5. The applicant has not addressed Table 1 Land Uses in the Shoreland Zone, under the Stream Protection zone, where no residential, commercial, industrial, governmental or institutional uses are allowed, nor are structures accessory to an allowed use permitted in this zone, nor is filling or earthmoving less or more than than 10 cubic yards. Excerpts from Table 1 nd Uses in the Shoreland Zone are reiterated helow

and Uses in the Shorelend Zone are re and Use	Shoreland Protection
Nonintensive Recreational Use	Yes
Existing Roads and Trail Use	Yes
Clearing or Removal of Vegetation	CEO
Fire Prevention	Yes
Wildlife Management	Yes
Soil and Water Conservation	Yes
Principal Structures and Uses Residential Commercial Governmental and Institutional Small non-residential Driveway for residential	No No No PB
Parking Facilities	No
Filling and Earthmoving of 10 yards or less	No

6. Section 15. A. If more than one residential dwelling unit, principal governmental, institutional, commercial or structure or use, or combination thereof is constructed or established on a single parcel, ALL dimensional requirements shall be met for each additional principal structure or use.

7. Section 15. B. In the General Development District, the setback is 50 feet. While the Planning Board may reduce the setback by 50%, the applicant must prove that the total area impacted by the proposed setback reduction does not exceed 25% of the portion of the lot lying within 50 feet of the normal high water mark of the stream; infiltration systems must be install and maintained to infiltrate storm water runoff from all impervious surfaces from a 2 inch precipitation event of 24 hour duration, AND there shall be a net INCREASE in the area of the lot which is covered by multilevel vegetation combining ground cover, bushes and trees with at least 50% evenly distributed tree leaf canopy as viewed from above. The applicant has not addressed these three requirements.

8. The required permit from MEDEP pursuant to 38 M.R.S.A. Section 480-C. A person performing any of the following activities shall require a permit from the Department of Environmental Protection pursuant to 38 M.R.S.A. section 480-C if the activity occurs in, on, over, or adjacent to any freshwater wetland, great pond, river, stream or brook and operates in such a manner that material or soil may be washed into them: Dredging, bulldozing, removing or displacing soil, sand, vegetation, or other materials; draining or otherwise dewatering; filling; or any construction or alteration of any permanent structure.

#### Floodplain Ordinance

9. The fact that the project site is within the 100 year flood plain of Highland Lake/Stevens Brook has NOT been adequately addressed. While the original application states that the first floor of the hotel is expected to be above the floodplain, neither the application nor the supplemental information address the requirements of construction in the floodplain as presented below from the Floodplain Ordinance (date June 12, 2007) "Before any construction or other development (as defined in Article XIII) begins within any areas of special flood hazard established in Article I, a Flood Hazard Development Permit shall be obtained from the Code Enforcement Officer. This permit shall be in addition to any other building permits which may be required pursuant to the codes and ordinances of the Town of Bridgton, Maine.

#### The Application MUST include:

A site plan showing location of existing and/or proposed development, including but not limited to structures, sewage disposal facilities, water supply facilities, areas to be cut and filled, and lot dimensions;

#### **Public Utilities**

- 10. The Applicant does not show an actual PERMIT from the wastewater superintendent for connection to the current wastewater system.
- 11. Inconsistency with regard to proposed water use and wastewater discharge volumes. Attachment 2 in the Supplemental Information confirms an estimated water useage of 10,020 gallons per day. However, the revised Application shows a design flow of 40 equivalent dwelling units that at 90 gallons per day per dwelling unit is 3,600 gallons per day, but this does NOT include the POOL shown on the first floor Plan A-3. This leaves 6,420 gallons of wastewater per day unaccounted for and untreated and no way to drain the pool if it needs maintenance.
- 12. The Wastewater Flow Estimate does not address requirements of the Bridgton Sewage Ordinance (June 14, 2016) Section 5, Part J with regard to determination by the Town Engineer in the matter of connection to the existing sewer and the manner of accomplishing such a connection.

- 13. The Wastewater Flow Estimate does not address Section 6, Part E of the Bridgton Sewage Ordinance (June 14, 2016) with regard to a long term service contract and special sewer service charge as the waste loading exceeds 2,000 gallons of wastewater a day.
- 14. The proposed hotel is in the Dodge Field disposal area. According to the Wastewater System Upgrades Preliminary Engineering Report Table 2-1 (Woodard and Curran, May 2017), The Dodge Field treatment units have a design capacity of 18,900 gallons per day, of which 10,000 gpd is already used (average flow per day through September in 2018) and the maximum flow recorded this year was 16,384 gallons per day leaving 2,516 gallons capacity for wastewater treatment. This is less than the 3,600 gallons of wastewater flow calculated in Attachment 3 and far less than the water use requested in Attachment 2 of 10,020 gallons per day. In short, the capacity to treat the hotel flow is NOT there.
- 15. At the Selectboard's public meeting for a revised NPDES permit for Dodge Field, technical issues were brought up including flow and current treatment data that indicate that there is insufficient capacity at the Dodge Field subsurface disposal site. The technical memorandum is appended.

It is imperative that these omissions be addressed in yet another supplement to the application. The major inconsistency of the difference between the water demand into the hotel and the wastewater generated out of the hotel as well as the lack of capacity of the Dodge Field disposal field has no good solution and makes the Town vulnerable to violations of the existing MEDEP permit.

Sincerely,

Catherine S. DiPietro, P.E. 77 South High Street December 11, 2018

To: Town Manager and Select Board

From: Catherine DiPietro

Re: Proposed Increase in Discharge to Dodge Field

I believe that there are both technical and public relations issues that make this NPDES application unwise. The technical issues are outlined below.

The April 19, 2018 renewal of the MEDEP waste discharge license permitted discharge of 30,800 gallons a day between the two separate wastewater discharge fields (Dodge and Lower Ballfield). It mandated a wastewater treatment plant operator which the Town has hired, and reporting of the average weekly flow to each wastewater discharge site every month.

The permitted flow to each field as well as the actual reported flows through October of this year are presented below.

		Lower
	Wayside	BallField
Permit, GPD	18,900	12,670
Date		
1/2/18	10,859	11,237
1/9/18	11,994	12,223
1/16/18	16,384	14,051
1/25/18	13,930	13,176
2/6/18	13,467	12,448
2/13/18	12,250	12,575
2/21/18	13,654	13,113
2/27/18	13,763	14,749
3/6/18	11,308	12,708
3/13/18	11,568	13,441
3/21/18	12,448	13,941
3/27/18	12,133	13,063
4/4/18	11,337	13,960
4/10/18	11,621	14,554
4/17/18	12,621	15,094
4/24/18	12,872	16,632
5/1/18	9,912	12,774
5/8/18	5,100	13,830
5/15/18	8,716	13,878

5/23/18	8,679	10,979
5/30/18	7,348	12,327
6/5/18	3,847	11,855
6/12/18	7,238	11,406
6/19/18	6,243	10,778
6/26/18	7,362	10,772
7/3/18	No Data	No Data
7/10/18	No Data	No Data
7/17/18	5,949	7,605
7/24/17	8,399	12,481
7/31/18	9,319	9,602
8/7/18	8,630	10,148
8/14/18	9,140	9,785
8/21/18	8,439	9,594
8/28/18	9,458	9,894
9/4/18	8,309	9,329
9/12/18	9,236	7,025
9/19/18	12,606	10,495
9/25/18	10,333	8,655

As can be seen by the data in red, the Lower Ballfield system is the one that is currently over the permitted flow limit, not Dodge Field.

In August of this year, the Town, the Town Engineer and the MEDEP (August 17, 2018 letter from W&C to MEDEP), discuss the desire for a license increase for LOWER BALLFIELD to its former capacity of 21, F462 gallons per day. The letter from the TOWN ENGINEER to MEDEP reviews the capacity of both disposal areas and states

"It appears from this increase from the original designed combined capacity of 32,235 was due to the increased capacity of each bed from the original 768 gpd with the installation of the Oxypro systems. It appears that this was essentially changed in the Dodge Field calculation that adjusted the capacity to 18,900 gallons per day. IN CONCLUSION, it appears that the Dodge Field loading rate and capacity is APPROPRIATE based on the soils, hydraulic loading, and strength of waste due to the OxyPro pretreatment system performance."

Finally, the Table in the same letter provides data with regard to total suspended solids (TSS) and biological oxygen demand (BOD5) removal through the Oxypro units for both Lower Ballfield and Dodge Field. The Lower Ballfield achieved greater than 90% removal of both of these critical parameters while Dodge Field achieved greater than 90% of the TSS but only 71% of the BOD.

The USEPA standards for treated wastewater (40 CFR 133.102) are presented below. The following paragraphs describe the minimum level of effluent quality attainable by secondary treatment in terms of the parameters - BOD5, <u>SS</u> and pH. All requirements for each parameter shall be achieved except as provided for in <u>§§ 133.103</u> and 133.105.

- (a)BOD5.
- (1) The 30-day average shall not exceed 30 mg/l.
- (2) The 7-day average shall not exceed 45 mg/l.
- (3) The 30-day average percent removal shall not be less than 85 percent.

The Dodge Field oxypro effluent was unable to achieve ANY of the above requirements in the samples collected for the August letter. Treatment efficiency typically goes down as the water temperatures cool and the microbes growth rate diminishes. Thus, it is likely that the Dodge Field BOD removal is less now than it was when the samples were collected prior to the August letter.

In short, there are no good TECHNICAL reasons while the Town should be pursuing an increase to the loading capacity to the Dodge Field.

Which brings us to the public relations issue.

So why exactly is the Town asking to increase the loading capacity of Dodge Field?

The Town campaigned hard to get voter approval of a totally new system in November and was ultimately successful. In all of the mailings, presentations, publications and official announcements from the Town, the existing wastewater system was described as both "at capacity" and "can't be expanded". The new systems was, as you know, voted in.

What now can the Town say to voters if it appears that those statements were not true?

What could it potentially do to voter trust when the Town needs another major capital expenditure ?

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#### **Brenda Day**

From: Sent:

Wilbert Libbey <56highland@gmail.com> Saturday, December 8, 2018 3:28 PM

To:

Brenda Day

Cc:

Tom S; Cathy Dipietro; Perri Black

Subject:

Hotel Proposal

Dear Ms. Day,

I am writing to point out two concerns that I have pertaining to the Hotel Project by MEH. I hope these concerns can be entered into the recorded notes of the up coming Planning Board meeting.

Colin Holme wrote in the last LEA News Letter that he is concerned that Maine DEP is not checking projects to see if they meet state stormwater standards. Colin writes: "DEP role in permitting review is to assure that professionals are using the correct procedures and formats in the application, and not to check to see if the application meets any other engineering or design standards. This news is particularly alarming since local town planning boards rely heavily and sometimes exclusively on the DEP's review of large projects. Until this problem is addressed, town review boards should require third- party review of stormwater plans to make sure they comply with current standards". I would also add that the cost of this third party should be paid by the developer, in this case MEH.

My second concern pertains to the porous asphalt that MEH plans on using in the parking lots. When I was the "clerk of the works" for the Bridgton Public Library parking lot, this material was considered as a possible surface for the new parking lot. Tom Peters of Peters Construction who did the parking lot, Jim Kidder of our Public Works and Colin Holme all discouraged us from using this product. It has to do with our northern location and the fact we use a great deal of sand, salt and calcium on our asphalt surfaces in the winter. I will quote the Minnesota Department of Transportation: "Porous pavements eventually clog with dirt and organic debris, reducing permeability advantages. Vacuuming and other cleaning methods employed to maintain the surface are absolutely critical to the success of the product. Toxic spills (example: motor oil) would have a more direct path to groundwater through porous pavements, in such incidents, pavements may have to be removed to address the problem. Deicers also drain directly through porous pavements. Finally, porous pavements often provide less strength and shorter life spans than standard dense-graded mixes". MEH would be tasked to maintain the porous nature of this asphalt material forever. I am assuming MEH is using this material to allow for fewer storm drains, which would lower their overall costs? We must remember Stevens Brook is already in a high risk situation and we can not let the all mighty dollar dictate what is best for the environment.

My belief that the Planning Board's role is to be sure that a developer meets the existing rules/standards. These rules/standards the board has determined will allow Bridgton to grow with environmentally safe and harmonious development. The Board should not feel any obligation to help the developer. It is *incumbent on the developer* to meet these rules/standards. The Board's decision concerning this project will affect the character of Bridgton forever!

Thank you for your time.

Sincerely,

Wilbert E. Libbey

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33 Morday Lane Bridgton ME 04009 December 29, 2018

Steve Collins Chairman Planning Board Town of Bridgton 3 Chase St. Suite 1 Bridgton ME 04009

Dear Mr. Collins:

As a summer resident of Bridgton, I would like to weigh in on the new hotel that is proposed for the former Saunders Mill property in town.

I am aware that these matters are not always simple or straightforward. However, I have a few questions.

Has any other site in town been considered? I'm thinking particularly of the old elementary school at the end of Depot Street. While I understand that a hotel can have a positive impact on business in town, the current site under consideration is adjacent to a residential neighborhood and the town beach and could affect the nature of those areas. If it were located at the end of Depot Street, no residential neighborhood would be impacted, nor would the lure of the town beach be quite so strong, and yet that site is still close enough for hotel guests to walk to businesses in town.

If the Saunders Mill site is the only one that can be considered, are there things that can be done to mitigate the impact on the Kennard Street area and the town beach?

For example, can parking for hotel guests, and guests of parties or weddings being held there, be limited to hotel property? Parking is always a big Site and Design issue and unless the developer can insure that parking will not impact either the residential neighborhood or the beach area, I would think that is enough to turn down the developer's request.

Can use of the town beach and boat launch area be restricted to town residents? That is done in many communities in order to preserve those limited spaces for residents.

My final question is why the developer cannot specify when the second building

Steve Collins
Chairman
Planning Board
Lown of Bridgion
Chase St. Suite 1
Bridgion Mit 94000

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1946 of secretary May site is the poly our that can be expediently and there this can be done to ampact on the Kermard Street area and the town beach?

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Can use of the town beach and boat launch area be restricted to town residents? That is done in many communities in order to preserve those limited spaces for land.

My final question is vivy the developer cannot specify when the second building

will be built? It is that building that will house a cafe, a gym and an indoor pool. Those are amenities that might, at least, address the issue of the hotel's impact on the town beach.

I understand that Site and Design Review cannot prevent a developer from building on property he legitimately owns. But I do believe that it allows restrictions to be placed on that development in order to protect town residents and abutters. That is, I believe, the main purpose of having Site and Design Review in the first place.

Sincerely,

Christine White

Christine White

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