

MEMBERS PRESENT

Steve Collins, Chair

Deb Brusini, Vice Chair

Cathy Pinkham

Ken Gibbs

Diane Paul-voting alternate

Dee Miller

Doug Oakley

MEMBERS ABSENT

STAFF PRESENT

Robert Baker, Code Enforcement

Brenda Day, Secretary

Item #1 Call to Order

Steve, Chair, called the meeting to order in the downstairs conference room at 6:00p.m. on May 7, 2019.

Item #2 The Pledge of Allegiance

Item #3 Appoint Alternate(s)

All regular members in attendance. No alternates were appointed.

Item #4 Approval of Minutes

March 13, 2019 Dee moved to approve Ken 2nd. 5 approved 0 opposed

Item #5 Old Business-

Elmers Woods

Martin Mason

Chipmunk Lane Map 38 Lot 2-3,3

Review of Findings of Fact and Conclusion of Law

Motion-Deb moved to approve the Findings of Fact and Conclusion of Law. Second made by Cathy. Discussion of the motion. Hearing none. 5 approved 0 opposed.

20 Depot Street Mixed Use Development

Peter and Bonnie Motel

20 Depot Street Map 23 Lot 135

Represented by Michael Tadema-Wielandt, Terradyn Consultants, LLC

Review of Findings of Fact and Conclusion of Law

Motion-Deb moved to approve with two (2) changes: Change 4000 to 5000. Add to number four, I guess a letter A that says uses are restricted by the shoreline zoning ordinances section 15 a 1 as applicable to the general development one district to conditions of approval. Second made by Ken. Discussion of the motion. Discussion ensued by the board. 4 approved 1 opposed.

Item #6 New Business-

Becca Jewett & Scott Hendricks

Ski Hot, Inc.

1 Mountain Rd. Map 12 Lot 18

Retail Ski and Paddle Shop

Motion-Diane moved that we accept the application as substantially complete. Second made by Cathy. Discussion of the motion. Hearing none. 5 approved 0 opposed.

Board agreed we didn't need to take this application to a hearing.

As stated in Article VII Review Standards of the Site Plan Review Ordinance, "standards presented in the Site Plan Review Ordinance are intended to achieve the following objectives: Preserve the traditional New England character of the downtown; present an attractive gateway area; facilitate safe vehicular and pedestrian access; protect the value of the abutting properties and the character of natural surroundings; promote intelligent, attractive and useful design; ensure economic investment and vitality; anticipate future growth". Performance Standards required for any approval by the Planning Board. The Planning Board shall approve or approve with conditions a submitted application if there is an affirmative finding based on information presented that the application meets the following standards. The applicant shall have the burden of establishing by demonstrable evidence that the application and project is in compliance with the requirements of this Ordinance.

1. Preserve and Enhance the Landscape: The landscape shall be preserved in its natural state by minimizing disturbance of soil and removal of existing vegetation during construction. Landscaping shall be incorporated into the final plan and shall be designed and planted in such a way that shall define, soften or screen off-street parking areas from the public right of way and abutting properties, will enhance the physical design of the building and site and will minimize adverse impact on neighboring land uses. Invasive plants shall not be used in any landscaping project.

Applicant has met.

2. Relationship to Surroundings: Proposed structures or additions to existing structures shall be harmonious with the terrain and existing buildings in the vicinity and shall; a. Be of compatible scale and size; b. Not to exceed thirty-five (35) feet in height measured from the ground or rise in sight above the Main Street church steeple; c. Be of compatible architectural style, incorporating features such as, but not limited to, simple rectangular shape, gable roof or other traditional compatible roof line, dormers,

compatible windows, doors and trim; d. Include as an integral element of design varying roof lines, awnings and canopies above windows or doors and other architectural elements to reduce bulk or scale of buildings. Designs shall seek to eliminate unadorned or blank walls through use of varying architectural elements, windows or other reflective surfaces. The Planning Board shall consider the use, location and surroundings of the structure when determining the appropriateness of the building's façade. Site Plan Review Application – Review Standards Page 2 of 16 June 14, 2016 e. Have exterior of wood, stone, brick, or other material having the same architectural and visual properties; f. Present minimal disruption to such natural features as slope, soil type and drainage ways;

Applicant has met.

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. Applicants shall make all reasonable efforts to incorporate shared driveways, providing primary access to adjacent properties, reducing curb cuts on the main road.

Applicant has met.

4. Parking and Circulation: The design of vehicular and pedestrian circulation areas including walkways, interior drives and parking areas shall be safe and convenient and promote clearly delineated traffic patterns for pedestrian, private vehicle and service use. a. Loading areas and general parking areas shall be separate and not detract from the proposed building or from neighboring properties. b. Parking lots serving multiple establishments or providing general off street parking are strongly encouraged. Applicant must provide adequate turning capacity for all public safety vehicles. c. New construction, substantial enlargements or adaptive reuse of existing buildings subject to Planning Board review shall be required to provide adequate parking for employees and customers. d. Applicants may satisfy parking requirements by entering into a written agreement with another property owner or through the utilization of municipal parking lots allowing for overnight and winter parking. The applicant must demonstrate to the Planning Board a long term lease or other arrangement within close proximity of the proposed development site. The lease or other arrangement must have a duration of at least five (5) years plus two consecutive five (5) year automatic renewal periods. The Planning Board shall have the ability to determine if alternative agreements or use of public lots is sufficient to address the needs of the proposed development.

Applicant has met.

5. Surface Water Drainage: Adequate provision shall be made for surface drainage so that removal of surface waters will not adversely affect neighboring properties, downstream water quality, soil erosion or the public storm drainage system. On-site absorption shall be utilized to minimize discharges whenever possible. All drainage calculations shall be based on a ten-year storm frequency.

Applicant has met.

6. Applicants shall be required to meet any and all state and local regulated setbacks from all applicable vehicle rights of way. The applicant shall be restricted from building any non-impervious development within the setback area. This shall not restrict the construction of vehicular or pedestrian entrances to

and exits from the property. Applications subject to dimensional requirements set forth in Article XI Section 2 and Section 2.a through 2.b are exempt from this section.

Applicant has met.

7. Existing Utilities: The development shall not impose an unreasonable burden on public utilities. Site Plan Review Application – Review Standards Page 3 of 16 June 14, 2016

Applicant has met.

8. Advertising Features: The design and lighting of signs and other advertising structures shall be shielded and non-flashing and not detract from the design of the proposed building and other surrounding structures and properties.

Applicant has met.

9. Special Features of the Development: Exposed storage areas, exposed machinery installation, service areas, truck loading areas, utility buildings and similar structures shall have sufficient setbacks and screening to provide an audiovisual buffer sufficient to minimize their adverse impact on other land uses within the development area and surrounding properties.

Applicant has met.

10. Exterior Lighting: All exterior lighting shall be shielded and non-flashing, energy efficient and ensure safe movement of people and vehicles. Placement of lighting shall minimize glare and reflections on adjacent properties and the traveling public. Adverse impact is to be judged in terms of hazards to people and vehicular traffic and potential damage to the value of adjacent properties.

Applicant has met.

11. Emergency Vehicle Access: Provisions shall be made for providing and maintaining convenient and safe emergency vehicle access to all buildings and structures.

Applicant has met.

12. Municipal Services: The development will not have an unreasonable adverse impact on the municipal services including municipal road systems, fire department, police department, emergency medical unit, solid waste program, schools, open spaces, recreational programs and facilities, and other municipal services and facilities.

Applicant has met.

13. Protection Against Undue Water Pollution: a. In making this determination, the Planning Board shall at least consider the elevation of land above sea level and its relation to the floodplains, the nature of soils and subsoil's, and, if necessary, their ability to adequately support waste disposal and/or any other approved licensed discharge; the slope of the land and its effect on effluents; the aquifers and aquifer recharge areas; the existence of streams and surface runoff characteristics; cumulative impact of increased phosphorus loading to lakes; and the applicable federal, state and local laws, ordinances, codes and regulations. b. The proposed development will not alone or in conjunction with existing activities, adversely affect the quality or quantity of groundwater.

Applicant has met.

14. Protection Against Undue Air Pollution: The applicant shall consult federal and state authorities to determine applicable air quality laws and regulations, and shall furnish evidence to the Planning Board of compliance with the required consultation.

Applicant has met.

15. Water Use: There is sufficient water available for the reasonable foreseeable needs of the development and will not cause an unreasonable burden on an existing water supply, if one is to be utilized.

Applicant has met.

16. Protection against unreasonable soil erosion or reduction in the capacity of the land to hold water so that a dangerous or unhealthy condition will not result.

Applicant has met.

17. Provision for adequate sewage waste disposal.

Applicant has met.

18. Protection against any undue adverse effect on the scenic or natural beauty of the area, aesthetics, historic sites or rare and irreplaceable natural areas. Site Plan Review Application – Review Standards
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Applicant has met.

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 has met.

20. Limit of Noise levels. Will not raise noise levels to the extent that abutting and/or nearby residents are adversely affected. a. Noise: Excessive noise at unreasonable hours shall be required to be muffled so as not to be objectionable due to intermittence, beat frequency, shrillness, or volume (please refer to table below). b. The maximum permissible sound pressure level of any continuous regular or frequent source of sound produced by any activity regulated by this Ordinance shall be as established by the time period and type of land use listed below. Sound pressure levels shall be measured on a sound level meter at all major lot lines of the proposed site, at a height of at least four (4) feet above the ground surface. Sound Pressure Level Limit 7a.m. - 8p.m. 8p.m. - 7a.m. 70 dB (A) 55 dB (A) c. The following uses and activities shall be exempt from the sound pressure level regulation: 1. Noises created by construction and maintenance activities between 6:30a.m. and 8:00p.m. 2. The noises of safety signals, warning devices, and emergency pressure relief valves and any other emergency activity. 3. Traffic noise on public roads.

Applicant has met.

21. Conformance with Comprehensive Plan for the Town.

Applicant has met.

22. ADA Compliance. All new construction and substantial enlargements or renovations of existing buildings as defined in this ordinance, requiring a permit, shall adhere to all applicable sections of the American's with Disability Act (ADA).

Applicant has met with condition they have an ADA parking spot which is marked.

23. Location in Flood Zone: The sub divider shall determine, based on the Federal Emergency Management 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 area, the applicant shall determine the one hundred (100) year flood elevation and flood hazard boundaries within the development. The proposed development plan shall as a condition of site plan approval assure that principal structures on lots 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.

Applicant has met.

24. Proof that the applicant has adequate financial and technical capacity to meet the above standards. SPECIAL REGULATIONS AND DIMENSIONAL REQUIREMENTS The following regulations shall be complied with in addition to the performance standards contained in Article VII "Review Standards" of the Site Plan Review Ordinance for residential-institutional, industrial and commercial. Site Plan Review Application – Review Standards Page 5 of 16 June 14, 2016

Applicant has met per oral representation from Scott Hendricks.

25. Special Regulations a. An institutional use requiring federal, state and or local licensing shall obtain such license before a Conditional Use Permit is granted by the Planning Board. b. The applicant shall furnish the Planning Board detailed information relating to projected numbers and types of clients; planned and projected numbers of staff and duties, so that the Planning Board can determine the availability of necessary Town services. c. The Planning Board, as a condition of approval, may require assurances or bond to protect the health, safety and general welfare of the community. d. All residential child care and/or educational institutions and/or facilities shall comply with Rules for the Licensure of Residential Child Care Facilities as adopted by the Department of Mental Health and Mental Retardation, Department of Educational and Cultural Services, Bureau of Mental Health and Bureau of Instruction. e. Any industrial use which is found by the Planning Board to constitute a public nuisance by reason of the emission of dust, fumes, gas, smoke, odor, noise, vibration or other disturbance shall be expressly prohibited. No such finding shall be made by the Planning Board until after a public hearing has been held. f. Any outdoor storage of articles, supplies, and materials shall not be within the required setback and shall be screened from view of abutting residential property owner or streets by a solid wall or vegetative hedge.

Not applicable

26. Dimensional Requirements 1. Lots and structures for residential-institutional, industrial, commerce and commercial uses, shall meet the following standards where applicable. Minimum road frontage 100 feet Minimum front setback from edge of ROW 25 feet Minimum side and rear setback 20 feet Minimum shoreland setback Refer to Town of Bridgton Shoreland Zoning Ordinance a. All structures in the Village Center District shall meet the following standards (See Downtown Site Plan District Map). Minimum side and rear setback 2 feet Minimum front setback from edge of ROW 0 feet b. On any parcel that is 20,000sf or greater within the Village Center District (See Village Center District Map) at least 25% of the portion of the building which fronts on any street shall be used for retail, office, business or professional use. Home occupations and usual appurtenant uses associated with the building are exempt from this provision. Notwithstanding the provisions of 1 MRS §302, and regardless of the date on which it is approved by the Town, this Article XI Section 2.1.b shall be retroactive to February 20, 2012 and shall be applicable to any and all applications for permits or approvals required under the Site Plan Review Ordinance Site Plan Review Application – Review Standards Page 6 of 16 June 14, 2016 that were or have been pending before any officer, board, or agency of the Town of Bridgton on or at any time after February 20, 2012. The Reviewing Authority may modify or waive the 25% minimum requirement when it determines that one of the following factors is applicable. a. Special circumstances of the site; b. building placement; c. building design; d. building use; e. surrounding building placement; or f. surrounding building uses. Furthermore, granting a waiver will not adversely affect the abutting landowners and the general health, safety and welfare of the Town. LARGE SCALE WATER EXTRACTION The Review Standards outlined above shall be inclusive with the following for Large Scale Water Extraction Applications.

Not applicable

27. The Review Standards outlined above shall be inclusive with the following for Large Scale Water Extraction Applications: a. Any vehicular demand on existing town roads or public easements occasioned by the operation of the extraction and related storage and transfer facility(ies) shall not exceed the capacity of those roads as determined by the Bridgton Road Commissioner, or cause the premature failure, aging or diminished utility of those roads; b. To the extent the extraction facility(ies) will be served by pipes, pipelines, aqueducts or similar, such installations shall be sited and constructed in a manner which shall not interrupt the public's use of any existing roadway, interrupt the public's access to any private facility, great pond or similar; interrupt private access to private property; or pose the risk of damage to any property along or through which such installation traverses as a result of any failure or malfunction which might cause ponding, erosion, run off or similar; c. The proposed extraction and activities incident to such extraction such as increased traffic (volume and type), parking, noise, glare from lights, or similar potential for nuisances shall not cause a negative impact on adjacent properties, and nearby vicinity as a whole. Hours of operation to be determined by the Planning Board and implemented according to type of activity; d. All water extraction meters must be calibrated, certified and sealed annually by the Maine State Department of Weights and Measurers with all costs to be born by the applicant or the extractor; e. The quantity of ground water to be extracted will not have a negative impact on ground water flow patterns relating to the aquifer, its recharge areas, or other ground water sources within the Town of Bridgton; f. The quantity of ground water to be extracted will

not negatively impact, diminish or alter any surface waters within the Town of Bridgton, including during any periods of drought; g. The quantity of ground water to be extracted will not cause any ground subsidence beyond the property lines of applicant's property; Site Plan Review Application – Review Standards Page 7 of 16 June 14, 2016 h. The quantity of ground water to be extracted will not adversely affect the long-term sustainability of the aquifer, or its recharge areas, including during periods of drought; i. The quantity of ground water to be extracted will not negatively impact the quality of the ground water in the aquifer; j. Trucks transporting water must only use roads approved by the Planning Board; k. Representative(s) of the Town of Bridgton shall have access to all wells and facilities for oversight purposes; l. Extraction well(s) shall not have a negative impact on the water quality or quantity of any public or private wells or spring in the Town of Bridgton, Maine; m. Provisions shall be made for vehicular access to extraction facility(ies) and for circulation, loading and unloading upon the lot in such manner as to safeguard against hazards to traffic and pedestrians on adjacent streets or roads, to avoid traffic congestion and traffic safety hazards, or other safety risks; n. Any driveways or access roads to the extraction facility(ies) shall be designed in profile and grading and located so as to provide sight distances as specified by the Maine Department of Transportation; o. Driveways or access roads to the extraction facility(ies) shall conform to the standards outlined in the Town of Bridgton Subdivision Regulations. SURFACE AND SUBSURFACE MINERAL EXTRACTION APPLICATIONS

Not applicable

Motion-Dee moved to tentatively approve the project as presented, submitted conditional upon a marked ADA space in front of the ADA entry withhold final judgment pending review of the finding facts and conclusions that law. Second was made by Ken. Discussion of the motion. Hearing none. 5 approved 0 opposed.

Item #7 Approved Applications as per Bridgton Site Plan Review Ordinance 4.A.1

none.

Item #8 Topics of Discussion

1. Maine Townsmen
2. Other

Steve mentioned that it is imperative to have all regular members at the meeting on the 22nd for the hotel.

Item #10 Adjourn

Motion-To adjourn the meeting at 7:18 p.m. was moved by Ken and a 2nd by Doug. Discussion of the motion. Hearing none. All in favor 5 to 0 to adjourn.