

BRIDGTON PLANNING BOARD MEETING AGENDA

Downstairs Meeting Room

**December 5, 2019
6:00 p.m. to 9:00 p.m.**

- 1. Call to Order**
- 2. The Pledge of Allegiance**
- 3. Appoint Alternate(s)** to vote in place of any absent regular member(s), if Necessary
- 4. Approval of Minutes-** September 17, 2019
October 1, 2019
October 16, 2019
November 5, 2019
November 19, 2019
- 5. Old Business: -**
LEA
Colin Holme
230 Main St. Map 9 Lot 51
Expansion of Parking Lot
Presented by: Colin Holme, Executive Director, Lakes Environmental Association
- 6. New Business-**None
- 7. Approved Applications** as per Bridgton Site Plan Review Ordinance 4.A.1
None
- 8. Topics of discussion**
 1. Interpretation of Non-conformance clause of LUO
 2. Assignment of PB subcommittee to amend LUO
 3. Medical marijuana information for December 9, 2019 Workshop
 4. SPRO Review Process
- 9. Adjourn**

**TOWN OF BRIDGTON
BRIDGTON PLANNING BOARD**

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Property Owner/Applicant: Lakes Environmental Association
Owner Address: 230 Main St. Bridgton, ME 04009

Property Location: 51 Willett Rd., Bridgton, Maine 04009
Tax Map 9 Lot 51

Project Name: Maine Lake Science Center

I. PROCEDURAL HISTORY

On October 7, 2019, a formal application was submitted to the Town of Bridgton with the required application fee and escrow.

On November 5, 2019, The Bridgton Planning Board accepted the application and began its review. On this date, Colin Holme met with the Bridgton Planning Board to begin discussion of a proposal to add a 24 by 24-foot garage off of the driveway an additional parking at the end of the existing driveway. Also, on this date the Bridgton Planning Board rendered a tentative approval.

On December 3, 2019, The Bridgton Planning Board rendered a formal decision.

II. FINDINGS OF FACT

1. The property owners/applicants for the proposed project is Lakes Environmental Association located at 51 Willett Rd., Bridgton, ME 04009.

2. The subject property is located on Willett Rd., Bridgton, Maine 04009 and is known as Bridgton Tax Map 9 Lot 51.

3. Lakes Environmental Association, submitted an application for a 24 by 24-foot garage which would be set approximately halfway down the driveway to the Maine Lakes Science Center. It will be used for storage of monitoring buoys and equipment, boats and their vehicle.

4. The application also included additional parking at the end of the Science Center's driveway, near Willett Road, and add to the existing parking already present. Both the width and depth of this lot will be expanded to make for more parking and safer exiting into Willett Road.

5. This application for the garage and parking lot will amend a previously approved site plan application for the Maine Lake Science Center.

6. The garage will be placed on a floating concrete slab approximately 400 feet back from Willett Road and more than 300 feet back from the nearest property line. The entire inside of the garage will be open with the exception of stairs in the back which will lead to a storage space on the second floor.

7. The floor area of the garage will be 576 square feet.

8. There are no new signs or new lighting associated with this project.

9. There are no easements, restrictions, or covenants on the property.

10. Construction for this project will be the fall of 2019 and completed in the summer of 2020

11. As per Article V Section 1 Subsection 4.g of the Town of Bridgton Site Plan Review Ordinance all property owners within one hundred (100) feet from the property involved of the proposed application were properly notified. Also, as required by Article V Section 1 Subsection 4.g the Bridgton Town Manager at Bridgton Town Office, Three Chase Street, Suite 1, Bridgton, Maine 04009 was also notified.

12. The application was reviewed by the Department Heads and Impact Statements were submitted by each Department Head with comments and concerns. The Planning Board and the applicant were provided copies for any appropriate action that might be necessary.

III. APPLICABLE SECTIONS OF THE SITE PLAN REVIEW ORDINANCE

Article VII. Review Standards

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 the Site Plan Review Ordinance.

1. Preserve and enhance landscape; Met
2. Relationship to surroundings; Met
3. Vehicular access; Met
4. Parking and circulation; Met
5. Surface water drainage; Met

6. Regulated setbacks from vehicle rights of way; Met with condition That the parking lot expansion abutting Willett Road meets the required Setbacks of the Land Use Ordinance.
7. Existing utilities; Met
8. Advertising features; N/A
9. Special features of the development; Met
10. Exterior lighting; Met
11. Emergency vehicle access; Met
12. Municipal services; Met
13. Protection against undue water pollution; Met
14. Protection against undue air pollution; N/A
15. Water use; N/a
16. Protection against unreasonable soil erosion; Met
17. Provision for adequate sewage waste disposal; N/A
18. Undue adverse effects on scenic or natural beauty of the area, aesthetics, historic sites or rare and irreplaceable natural areas; Met
19. Protection of waters and Shoreland and compliance with the Shoreland Zoning Ordinance; N/A
20. Limit of noise levels; Met
21. Conformance with comprehensive plan; Met
22. ADA Compliance; N/A
23. Location in flood zone; Met
24. Proof of adequate financial and technical capacity; Met conditional on grant funding.
25. Special Regulations; Met
26. Dimensional Requirements; N/A
27. Large Scale Water Extraction Requirements. N/A

28. Surface and Subsurface Mineral Extraction Requirements. N/A

IV. CONCLUSIONS OF LAW

1. The Planning Board reviewed the criteria for a site plan in its entirety. As a result, it was determined that Item #8 Advertising Features; Item 14 Protection Against Undue Air Pollution; Item 15 Water Use; Item #17 Provision for adequate sewage waste disposal; Item 19 Protection of waters and shoreland; Item 20 Limit of noise levels ; Item 22 ADA Compliance; Item 26 "Dimensional requirements" item 27 "Large Scale Water Extraction" and 28 "Surface and Subsurface Mineral Extraction Applications" are not applicable to the application.

2. Therefore, based on the foregoing Findings of Fact the Bridgton Planning Board concludes that the application subject to the Conditions of Approval set forth below will be in compliance with the Review Standards set forth in paragraphs 1 through 11 inclusive of Article VII "Review Standards" of the Site Plan Review Ordinance.

3. The Planning Board also review the criteria for the Land Use Ordinance in its entirety. As a result, it was determined that Item 3a and 3.c.i. Placement; Item #4 Street Wall; Item #6 Corner Lots; and Item #7 Landscaping in conjunction with Project Development are not applicable to the application.

V. CONDITIONS OF APPROVAL

1. Parking lot expansion abutting Willett Road to meet the required setbacks of the Land Use Ordinance.

2. Height to be 18 feet if Land Use amendments do not pass on November 5, 2019

VI. WAIVER(S)

None.

VII. DECISION

Based upon the application submitted and representation to the Planning Board of the proposed project by the applicant's agent the project is approved conditional upon the foregoing Conditions of Approval. Plan approval is also conditioned upon compliance by the applicant with the plans and specifications which have been received by the Planning Board in connection with the development proposal as well as with any oral commitments regarding the project which were specifically made by the applicant or the applicant's agent to the Board in the course of its deliberations.

Deborah Brusini, Chair
Bridgton Planning Board

Date

Board Members		Staff Member	
Deb Brusini, Chair	✓	Robert Baker, Code Enforcement	✓
Ken Gibbs-Vice Chair	✓	Brenda Day, Secretary	✓
Greg Watkins	<input type="checkbox"/>		
Dee Miller	✓		
Dan Harden	✓		
Paul Tworog-Alternate	✓		
Doug Oakley-Alternate	✓		

Item #1 Call to Order

Deb Brusini, Chair, called the meeting to order in the downstairs conference room at 4:30p.m. on September 17, 2019.

Item #2 The Pledge of Allegiance

Item #3 Appoint Alternate(s)

Paul Tworog was appointed voting member until Dee Miller arrived at 4:35p.m.

Paul Tworog was also appointed voting member at 6:15pm when Dan Harden left the meeting.

Item #4 Approval of Minutes:

- August 16, 2019- Dan moved to approve minutes as written. Second by Ken 5 approved 0 opposed
- September 3, 2019- Dan moved to approve minutes as written. Second by Ken. 5 approved 0 opposed.

Item #5 Workshop-The purpose of this meeting is to review the amendments to the Site Plan Review Ordinance to permit and regulate Medical Marijuana with the Board of Selectmen:

1. Address remaining written questions from August 16, 2019 workshop
2. Select Board questions and any additional questions
3. Public participation (20 minutes total)

Discussion ensued regarding the definition of schools and whether this would include daycare/preschools, if so, would this include state licensed facilities only.

Dee moves to include private and public preschools in the Town's definition of schools for the purpose of Marijuana cultivation/sales. Seconded by Doug. Further discussion, motion amended to include licensed facilities. Question posed all in favor/opposed. Deb Miller and Doug Oakley in favor; Dan Harden, Deb Brusini, and Ken Gibbs opposed.

Dee moved to add Health Officer to the list of approved designees. Ken seconded. Motion passes 5/0.

Dee moves to remove outdoor grow from the ordinance, seconded by Doug. Voted 4 in favor; Dan Harden opposed. Motion Passes.

Paul moves to change the testing requirement for Medical Marijuana to be more stringent than Adult Use. Seconded by Doug. All in favor, so voted 5/0.

Item #6 Old Business

None

Item #7 New Business

None

Item #8 Approved Applications as per Bridgton Site Plan Review Ordinance 4.A.1

None

Item #9 Topics of Discussion

1. other

Item #10 Adjourn

Motion-To adjourn the meeting at 7:00 p.m. was moved by Ken and a 2nd by Dee. Discussion of the motion. Hearing none. All in favor 5 to 0 to adjourn.

For more details/discussion, go to: <https://vimeopro.com/lrtv/town-of-bridgton-2019>.

Board Members		Staff Member	
Deb Brusini, Chair	✓	Robert Baker, Code Enforcement	✓
Ken Gibbs-Vice Chair	✓	Brenda Day, Secretary	✓
Greg Watkins	✓		
Dee Miller	✓		
Dan Harden	✓		
Paul Tworog-Alternate	<input type="checkbox"/>		
Doug Oakley-Alternate	✓		

Item #1 Call to Order

Deb Brusini, Chair, called the meeting to order in the downstairs conference room at 4:30p.m. on October 1, 2019.

Item #2 The Pledge of Allegiance

Item #3 Appoint Alternate(s)

All regular members present.

Item #4 Approval of Minutes:

Ken moves to present item #4 after item #7 at the end of the meeting, seconded by Greg. All in favor, so moved.

Item #5 Old Business

Mr. Packard has spoke with Mr. Sanborn and requests his item be moved forward. Ken moves to address the Packard Family Trust Application first, seconded by Greg. All in favor, motion carries.

Mr. Phil Sanborn, Map 5 lot 54 & 56. Request for Grandfather of Gravel Pit. No members need to recuse themselves; application is considered to be complete. Last gravel haul was 1983. According to the ordinance, those that were in use prior to 1992 would be grandfathered. The use cannot be dormant more than 12 months, or the grandfathered status would be expired. Mr. Sanborn states they were able to use the gravel pit occasionally, but the water district gated the right of way and have not provided the key since the locks were changed. Dee entered a motion to grant grandfather status to the Sanborn Gravel Pit with a limit of 12,000 per year with all existing safety standards and ordinances met. Deb seconded the motion. All in favor, 4 in favor; Deb opposed. Greg moves to reconsider the motion as he feels there are some legal implications that will need addressing, seconded by Ken. 3 in favor; Dan and Dee opposed. Motion reopened. Original motion exists, all in favor? 2 in favor; Ken, Greg and Deb opposed. New motion to table request for further legal advice entered by Greg and seconded by Ken.

5/o motion carries. Information from attorney will be does grandfathering allow use to continue or can we place restrictions/conditions.

Item #7 New Business

Mr. Richard Packard represents himself in an informal discussion regarding a proposal for subdivision at the farm on McDonald's Way. Looking at 4 lots for single family homes each with its own well and septic. The board would be asking for letters of other landowners in favor of the subdivision. All covenants must be adhered to as deeded. Advised 1.5 Acre minimum lot and 200 ft frontage. Suggested speaking with CEO, Engineer, and Forester for logging. First step would be building of a gravel road – they will need to commit to never becoming public road.

Woods Pond Village pre-application; Map 4 Lot 15. Proposal for new subdivision on Route 117/South High Street. Total 54-acre parcel with division by Merry Day Brooke. This is a re-proposal with large reduction of lots. 22.29 acres with 13.44 buildable acres for the cluster development of (14) 10,000 sq. ft lots for an affordable adult community. Looking to amend application for a waiver for road. East side of the brook will not be developed within five years of approval of this proposed subdivision. Common space will be accessible by foot at dry times and a community garden with a pathway near lot 8. One common well. Lot 13 and 14 are not buildable as they do not meet 100ft frontage. Leach field opposite lots 2 and 3 infringes on the 75ft stream area. No sidewalks planned; no mobile homes will be permitted. MDOT permission will be needed.

Loon Echo Land Trust, Map 2 Lot 30. Proposal for parking lot/nature trail. Ken moves the application is substantially complete, seconded by Greg. All in favor, so moved. Loon Echo Trust in collaboration with the Historical Society. Kiosk Sign will need to be inspected by Code Enforcement. Motion for designation of ADA compliant spot entered by Greg seconded by Ken. Greg opposes, all others in favor. Ken moves that access Rd to the parking lot be 18 feet, Dee seconds. 4 in favor, Dan opposed. Suggested for sign asking limit of idling vehicle and for placement of portable restrooms.

Item #8 Approved Applications as per Bridgton Site Plan Review Ordinance 4.A.1

None

Item #9 Topics of Discussion

1. Upcoming workshops needed: Site Plan Review Ordinance, Adult Use Marijuana and Land Use Ordinance.
2. Other

Item #10 Adjourn

Motion-To adjourn the meeting at 9:45 p.m. was moved by Ken and a 2nd by Dee. Discussion of the motion. Hearing none. All in favor 5 to 0 to adjourn.

For more details/discussion, go to: <https://vimeopro.com/lrtv/town-of-bridgton-2019>.

Board Members		Staff Member	
Deb Brusini, Chair	✓	Robert Baker, Code Enforcement	✓
Ken Gibbs-Vice Chair	✓	Brenda Day, Secretary	✓
Greg Watkins	<input type="checkbox"/>		
Dee Miller	<input type="checkbox"/>		
Dan Harden	✓		
Paul Tworog-Alternate	✓		
Doug Oakley-Alternate	<input type="checkbox"/>		

Item #1 Call to Order

Deb Brusini, Chair, called the meeting to order in the downstairs conference room at 6:00p.m. on October 16, 2019.

Item #2 Appoint Alternate(s)

Paul will vote as Greg and Dee are both absent. Doug is also not in attendance.

Item #3 Approval of Minutes:

Dan moves to approve April 2 and 4; May 7, 22, 29 and 30; June 4 and 10 minutes with changes submitted. Seconded by Ken. All in favor, 4/0.

Ken moves to approve July 2, 11 and 18; August 6 minutes, seconded by Dan. All in favor, motion carries.

Item #4 Review and Approval of changes made on September 17 and Aug 16 for the Medical Marijuana Site Plan Review Ordinance

Ken moves to adjust agenda addressing Item 5 first. Seconded by Dan. 4/0, motion carries.

Item # 5 Review inconsistencies with Site Plan Review Ordinance and Land Use Ordinance

Site Plan Review Ordinance changes.

- Section 2b. "For height requirements as specified in the Bridgton Land Use Ordinance for each district." Motion: Ken Second: Dan Vote: 4/0
- Section 4 Parking and Circulation: "...and shall meet all parking and garage requirements of the Bridgton Land Use Ordinance." Motion: Ken Second: Dan Vote: 4/0
- Section 26 Demensional Requirements. Add after 100 feet "or as specified in Land Use Ordinance for MUC, LN, OV." Delete "from edge of ROW" and "25 feet" and replace with "Refer

to Land Use Ordinance.” Delete “20 feet” from Minimum Side and Rear line and replace with “Refer to Land Use Ordinance.” Motion: Ken Second: Dan Vote: 4/0

- Strike Section 26 Subsection 1a. Motion: Ken Second: Dan Vote: 4/0

• Strike Section 26 Subsection 1b. (But keep historical copy) Motion: Ken Second: Dan Vote: 4/0
Land Use Ordinance changes.

- Page 73 Residential diagram does not have description like commercial. Dan moves to remove table, seconded by Deb. Voted 2/2 motion fails.
- Section ii. Residential add “20ft front, 10ft side, 15ft rear” earmark the amount of frontage in residential neighborhood.

Item #6 Schedule Workshops for the completion of the Proposed Changes to the Site Plan Review to Allow and Regulate Medical Marijuana, Adult Use Marijuana, and finalize the proposed amendments to the Subdivision Regulation

Dan moves to set Med Marijuana Ordinance Workshop on Nov. 19 at 6pm, and Adult Use on December 12. Seconded by Ken. Motion carries 4/0.

Item #7 New Business

None

Item #8 Approved Applications as per Bridgton Site Plan Review Ordinance 4.A.1

None

Item #9 Topics of Discussion

1. Other: Ken moved to request Gravel Pit information, Dan Seconded. All in favor, so voted.

Ken moves to request Hydro Engineer be present, seconded by Dan. Motion carries 4/0.

Item #10 Adjourn

Motion-To adjourn the meeting at 8:07 p.m. was moved by Dan and a 2nd by Ken. Discussion of the motion. Hearing none. All in favor 4 to 0 to adjourn.

For more details/discussion, go to: <https://vimeopro.com/lrtv/town-of-bridgton-2019>.

Board Members	Staff Member
Deb Brusini, Chair ✓	✓
Ken Gibbs-Vice Chair ✓	Brenda Day, Secretary ✓
Greg Watkins ✓	
Dee Miller ✓	
Dan Harden ✓	
Paul Tworog-Alternate <input type="checkbox"/>	
Doug Oakley-Alternate <input type="checkbox"/>	

Item #1 Call to Order

Deb Brusini, Chair, called the meeting to order in the downstairs conference room at 6:00p.m. on November 5, 2019.

Item #2 The Pledge of Allegiance

Item #3 Appoint Alternate(s)

All regular members present.

Item #4 Approval of Minutes:

None

Item #5 Old Business

Loon Echo Land Trust, Map 2 Lot 30. Ken moved to approve as written, seconded by Dee. All in favor, motion carries.

Item #6 New Business

LEA 230 Main Street; Map 9 Lot 51, expansion of parking lot. All members are able to participate with no recusal. Application is complete but Ken moved to change to pre-application status. Greg seconded the motion. 4 in favor, Dee opposed. Pre- application/Questions/Deliberations. Ken moved to close pre-application, Dan seconded. 4 in favor; Dee opposed. Greg moves to tentatively approve the application with condition that the parking lot meet required setbacks in the land use ordinance and the garage height be limited to 18ft if the amendments to the Land Use Ordinance do not pass but withhold final judgement pending review of findings of fact and conclusions of law. Dan seconds. All in favor, motion carries.

Worth the Wait BBQ, 255 Portland Rd; Map 9 Lot 72C. No recusal needed, Dan did mention he personally knows the applicant and the applicant helps him with his boat. Change of Use Application

complete but Ken moved to change to pre-application, Doug seconded. All in favor, so voted. Discussion with applicant regarding requirements needed if application is to move forward. Significant issue with setbacks for change of use.

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

Dominic's Barber Shop, 229 Portland Rd; Map 9 Lot 69B. Restrictions met for septic and fire? Final Inspection will be done

Pack Fresh Magic, 86 South High St; Map 30 Lot 11. Internet Trading Card Sales. Move from Portland Road to South High Street.

Item #8 Topics of Discussion

1. Dec 12th workshop moved to Dec 9th.
2. Maine Townsman
3. Other

Item #9 Adjourn

Motion-To adjourn the meeting at 9:22 p.m. was moved by Ken and a 2nd by Greg. Discussion of the motion. Hearing none. All in favor 5 to 0 to adjourn.

For more details/discussion, go to: <https://vimeopro.com/lrtv/town-of-bridgton-2019>.

Board Members		Staff Member
Deb Brusini, Chair	✓	Linda LaCroix, Community Development Director <input type="checkbox"/>
Ken Gibbs-Vice Chair	✓	Brenda Day, Secretary ✓
Greg Watkins	✓	
Dee Miller	✓	
Dan Harden	<input type="checkbox"/>	
Paul Tworog-Alternate	✓	
Doug Oakley-Alternate	✓	

Item #1 Call to Order

Deb Brusini, Chair, called the meeting to order in the downstairs conference room at 6:00p.m. on November 16, 2019.

Item #2 The Pledge of Allegiance

Item #3 Appoint Alternate(s)

Dan Harden is absent, Doug Oakley will vote in his stead.

Item #4 Approval of Minutes:

None

Item #5 Workshop 6pm-8:45pm

Dee moved to place limitation to 7000 feet of canopy. Seconded by Doug. All in favor, 5/0.

The Board will ask the Town Attorney for clarification on detailed wording of Warrant Articles., the definition of House of Worship,

Ken will obtain ordinances from surrounding towns and email to Brenda for distribution.

Adult Use consists of Cultivation, manufacturing and testing labs which have little to no interaction with the public and retail stores which would be your interacting area.

Prohibit outdoor growth – voted at previous meeting.

Change buffer from 1250ft to 1000ft for sensitive areas.

Medical Dispensaries are capped by number of patients vs Caregivers which is 500sqft or 30 plants.

Change in title to "Registered Caregiver".

Item #6 New Business

None

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

None

Item #8 Topics of Discussion to start at 8:45pm

1. Other: MEH & HEB meeting will be scheduled for Jan 21, 2020.

Item #9 Adjourn

Motion-To adjourn the meeting at 9:15 p.m. was moved by Ken and a 2nd by Greg. Discussion of the motion. Hearing none. All in favor 5 to 0 to adjourn.

For more details/discussion, go to: <https://vimeopro.com/lrtv/town-of-bridgton-2019>.